California State Board of Education

Meeting Agenda Items for May 6-7, 2015

Bylaws

For the California State Board of Education, Amended January 16, 2013.

ARTICLE I

Authority

The California State Board of Education is established in the Constitution of the State of California and empowered by the Legislature through the California *Education Code*.

ARTICLE II

Powers and Duties

The Board establishes policy for the governance of the state's kindergarten through grade twelve public school system as prescribed in the *Education Code*, and performs other duties consistent with statute.

ARTICLE III

Members

APPOINTMENT

Section 1.

The State Board of Education consists of 11 members who are appointed by the Governor with the advice and consent of two-thirds of the Senate.

CC, Art. IX, Sec. 7
EC 33000 and 33000.5

TERM OF OFFICE

Section 2.

a. The term of office of the members of the Board is four years, except for the student member whose term is one year.
b. Except for the student member, who serves a one-year term, terms expire on January 15 of the fourth year following their commencement. Members, other than the student member, continue to serve until the appointment and qualification of their successors to a maximum of 60 days after the expiration of their terms. If the member is not reappointed and no successor is appointed within that 60-day period, the member may no longer serve and the position is deemed vacant. The term of the student member begins on August 1 and ends on July 31 of the following year.
c. If the Senate refuses to confirm, the person may continue to serve until 60 days have elapsed since the refusal to confirm or until 365 days have elapsed since the person first began performing the duties of the office, whichever occurs first.
d. If the Senate fails to confirm within 365 days after the day the person first began performing the duties of the office, the person may not continue to serve in that office following the end of the 365-day period.

EC 33001; 33000.5
GC 1774

VACANCIES

Section 3.

Any vacancy shall be filled by appointment by the Governor, subject to confirmation by two-thirds of the Senate. The person appointed to fill a vacancy shall hold office only for the balance of the unexpired term.

EC 33002

STUDENT MEMBER

Section 4.

Finalists for the student member position shall be selected and recommended to the Governor as prescribed by law.

EC 33000.5

COMPENSATION AND EXPENSES

Section 5.

Members of the Board shall receive their actual and necessary travel expenses while on official business. Each member shall also receive one hundred dollars ($100) for each day he or she is acting in an official capacity.

EC 33006
GC 11564.5

CONFLICT OF INTEREST CODE

Section 6.

Board members shall file statements of economic interest as required by the Fair Political Practices Commission. The terms of a standard Conflict of Interest Code, adopted by the Commission and as may be amended, are incorporated by reference and constitute the Conflict of Interest Code of the Board.

2 CCR 18730
5 CCR 18600

ARTICLE IV

Officers and Duties

PRESIDENT, VICE PRESIDENT

Section 1.

Officers of the Board shall be a president and a vice president. No member may serve as both president and vice president at the same time.

Section 2.

a. The president and vice president shall be elected annually in accordance with the procedures set forth in this section.
b. At the January meeting, the State Superintendent of Public Instruction shall ask members to nominate individuals for the office of president. At that same meeting, the president shall ask Board members to nominate individuals for the office of vice president. Any nomination for office must be seconded. No member may nominate or second the nomination for himself or herself for either office.
c. Six votes are necessary to elect an officer, and each officer elected shall serve for one year or until his or her successor is elected.
d. If, in the Board's judgment, no nominee for the office of president or vice president can garner sufficient votes for election to that office at the January meeting, a motion to put the election over to a subsequent meeting is in order.
e. Newly elected officers shall assume office immediately following the election.
f. In the event a vacancy occurs in the office of president or vice president during a calendar year, an election shall be held at the next meeting. Any member interested in completing the one-year term of an office that has become vacant may nominate himself or herself, but each nomination requires a second.
g. The State Superintendent of Public Instruction shall preside only during the election proceedings for the office of president and for the conduct of any other business that a majority of the Board members may direct.

EXECUTIVE OFFICER

Section 3.

The State Superintendent of Public Instruction shall be secretary and shall act as executive officer of the Board.

EC 33004

DUTIES OF THE PRESIDENT

Section 4.

The president shall:

- serve as spokesperson for the Board;
- represent the position of the Board to the State Superintendent of Public Instruction;
- appoint members to serve on committees and as liaisons, as prescribed in these Bylaws, and as may be needed in his or her judgment properly to fulfill the Board's responsibilities;
- serve as an ex officio voting member of the Screening Committee and any ad hoc committees, either by substituting for an appointed member who is not present with no change in an affected committee's quorum requirement, or by serving as an additional member with the affected committee's quorum requirement being increased if necessary;
- preside at all meetings of the Board and follow-up with the assistance of the executive director to see that agreed upon action is implemented;
- serve, as necessary, as the Board's liaison to the National Association of State Boards of Education, or designate a member to serve in his or her place;
- serve, or appoint a designee to serve, on committees or councils that may be created by statute or official order where required or where, in his or her judgment, proper carrying out of the Board's responsibility demands such service;
- keep abreast of local, state, and national issues through direct involvement in various conferences and programs dealing with such issues, and inform Board members of local, state, and national issues;
- participate in selected local, state, and national organizations, which have an impact on public education, and provide to other members, the State Superintendent, and the staff of the Department of Education the information gathered and the opinion and perspective developed as the result of such active personal participation;
- provide direction for the executive director;
- and, along with the executive director, direct staff in preparing agendas for Board meetings, in consultation with other members as permitted by law, and determine priorities for the expenditure of board travel funds.

DUTIES OF THE VICE PRESIDENT

Section 5.

The vice president shall:

- preside at Board meetings in the absence of the president;
- represent the Board at functions as designated by the president; and
- fulfill all duties of the president when he or she is unable to serve.

DUTIES OF COMMITTEE CHAIR

Section 6.

The chair of the Screening Committee or any ad hoc committee shall:

- preside at meetings of the committee he or she chairs, except that he or she shall yield the chair to another committee member in the event he or she will be absent or confronts a conflict regarding any matter coming before the committee, and may yield the chair to another committee member for personal reasons; and
- in consultation with the president, other committee members, and appropriate staff, assist in the preparation of committee agendas and coordinate and facilitate the work of the committee in furtherance of the Board's goals and objectives.

DUTIES OF LIAISON OR REPRESENTATIVE

Section 7.

A Board member appointed as a liaison or representative shall:

- serve as an informal (non-voting) link between the Board and the advisory body or agency (or function) to which he or she is appointed as liaison or representative; and
- reflect the position of the Board, if a position is known to him or her, on issues before the advisory body or agency (or within the

function) to which he or she is appointed as liaison or representative and keep the Board appropriately informed.

DUTIES OF A BOARD MEMBER APPOINTED TO ANOTHER AGENCY

Section 8.

The member shall:

- to every extent possible, attend the meetings of the agency and meet all responsibilities of membership; and
- reflect through his or her participation and vote the position of the Board, if a position is known to him or her, and keep the Board informed of the agency's activities and the issues with which it is dealing.

ARTICLE V

Meetings

REGULAR MEETINGS

Section 1.

Generally, regular meetings of the Board shall be held on the Wednesday and Thursday preceding the second Friday of each of the following months: January, March, May, July, September, and November. However, in adopting a specific meeting schedule, the Board may deviate from this pattern to accommodate state holidays and special events. Other regularly noticed meetings may be called by the president for any stated purpose.

EC 33007

SPECIAL MEETINGS

Section 2.

Special meetings may be called to consider those purposes specified in law if compliance with the 10-day notice would impose a substantial hardship on the board or if immediate action is required to protect the public interest.

OPEN MEETINGS

Section 3.

a. All meetings of the Board, except the closed sessions permitted by law, and all meetings of Board committees, to the extent required by law, shall be open and public.
b. All meetings shall conform to the Bagley-Keene Open Meeting Act, including requirements for notices of meetings, preparation and distribution of agendas and written materials, inspection of public records, closed sessions and emergency meetings, maintenance of records, and disruption of a public meeting. Those provisions of law which govern the conduct of meetings of the Board are hereby incorporated by reference into these Bylaws.
c. Unless otherwise provided by law, meetings of any advisory body, committee or subcommittee thereof, created by statute or by formal action of the Board, which is required to advise or report or recommend to the Board, shall be open to the public.

GC 11120 et seq.

NOTICE OF MEETINGS

Section 4.

a. Notice of each regular meeting shall be posted at least 10 days prior to the time of the meeting and shall include the time, date, and place of the meeting and a copy of the meeting agenda.
b. Notice of any meeting of the Board shall be given to any person so requesting. Upon written request, individuals and organizations wishing to receive notice of meetings of the Board will be included on the mailing list for notice of regular meetings.

SPECIAL MEETINGS (ADDITIONAL PROVISIONS)

Section 5.

a. Special meetings may be called by the president or by the secretary upon the request of any four members of the board for the purposes specified in law if compliance with the 10-day notice requirements would impose a substantial hardship on the board or if immediate action is required to protect the public interest.
b. Notice of special meetings shall be delivered in a manner that allows it to be received by the members and by newspapers of general circulation and radio or television stations at least 48 hours before the time of the special meeting. Notice shall also be provided to all national press wire services. Notice to the general public shall be made by placing it on appropriate electronic bulletin boards if possible.
c. Upon commencement of a special meeting, the board shall make a finding in open session that giving a 10-day notice prior to the meeting would cause a substantial hardship on the board or that immediate action is required to protect the public interest. The finding shall be adopted by a two-thirds vote of the board or a unanimous vote of those members present if less than two-thirds of the members are present at the meeting.

EC 33008
GC 11125

EMERGENCY MEETINGS

Section 5.

a. An emergency meeting may be called by the president or by the secretary upon the request of any four members without providing the notice otherwise required in the case of a situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities and which is properly a subject of an emergency meeting in accordance with law.
b. The existence of an emergency situation shall be determined by concurrence of six of the members during a meeting prior to an emergency meeting, or at the beginning of an emergency meeting, in accordance with law.
c. Notice of an emergency meeting shall be provided in accordance with law.

GC 11125.5
EC 33008
EC 33010

CLOSED MEETINGS

Section 6.

Closed sessions shall be held only in accordance with law.

GC 11126

QUORUM

Section 7.

a. The concurrence of six members of the Board shall be necessary to the validity of any of its acts.
EC 33010
b. A quorum of any Board committee shall be a majority of its members, and a committee may recommend actions to the Board with the concurrence of a majority of a quorum.

ORDER OF BUSINESS

Section 8.

The order of business for all regular meetings of the Board shall generally be:

- Call to Order
- Salute to the Flag
- Communications
- Announcements
- Report of the State Superintendent of Public Instruction
- Special Presentations
- Agenda Items
- Adjournment

CONSENT CALENDAR

Section 9.

a. Non-controversial matters and waiver requests meeting established guidelines may be presented to the Board on a consent calendar.
b. Items may be removed from the consent calendar upon the request of an individual Board member or upon the request of Department staff authorized by the State Superintendent of Public Instruction to submit items for consideration by the Board.
c. Items removed from the consent calendar shall be referred to a standing committee or shall be considered by the full Board at the direction of the president.

ARTICLE VI

Committees and Representatives

SCREENING COMMITTEE

Section 1.

a. The president shall appoint a Screening Committee composed of at least three Board members to screen and interview applicants for appointment to Board advisory bodies and other positions as necessary; participate, as directed by the president, in the selection of candidates for the position of student Board member in accordance with law; and recommend appropriate action to the Board. The president shall designate one Board member as Chair of the Screening Committee.
b. In consultation with the chair, the president may appoint additional Board members, such as the appointed Board liaison, to serve as voting members of the Screening Committee on a temporary basis. In accordance with Section 4 of these bylaws, the president may also serve as an ex officio member of the Screening Committee. The quorum requirement shall be increased as necessary to include the total number of Board members, including temporary members, appointed to serve on the Committee for that purpose.
c. As necessary, the chair may create an ad hoc subcommittee of the Screening Committee to assist the Screening Committee with its duties.

AD HOC COMMITTEES

Section 2.

From time to time, the president may appoint ad hoc committees for such purposes as he or she deems necessary. Ad hoc committees shall remain in existence until abolished by the president.

REPRESENTATIVES

Section 3.

From time to time, the president may assign Board members the responsibility of representing the State Board in discussions with staff (as well as with other individuals and agencies) in relation to such topics as assessment and accountability, legislation, and implementation of federal and state programs. The president may also assign Board members the responsibility of representing the Board in ceremonial activities.

ARTICLE VII

Public Hearings: General

SUBJECT OF A PUBLIC HEARING

Section 1.

a. The Board may hold a public hearing regarding any matter pending before it after giving notice as required by law.
b. The Board may direct that a public hearing be held before staff of the Department of Education, an advisory commission to the Board, or a standing or ad hoc committee of the Board regarding any matter which is or is likely to be pending before the Board. If the Board directs that a public hearing be held before staff, then a recording of the public hearing and a staff-prepared

summary of comments received at the public hearing shall be made available in advance of the meeting at which action on the pending matter is scheduled in accordance with law.

5 CCR 18460
EC 33031
GC 11125

TIME LIMITS FOR THE PRESENTATION OF PUBLIC TESTIMONY

Section 2.

At or before a public hearing, the presiding individual shall (in keeping with any legal limitation or condition that may pertain) determine the total amount of time that will be devoted to hearing oral comments, and may determine the time to be allotted to each person or to each side of an issue.

5 CCR 18463
EC 33031

WAIVER BY PRESIDING INDIVIDUAL

Section 3.

At any time, upon a showing of good cause, the presiding individual may waive any time limitation established under Section 3 of this article.

5 CCR 18464
EC 33031

ARTICLE VIII

Public Hearings: School District Reorganization

SUBMISSION OF PROPOSALS AND PETITIONS

Section 1.

A proposal by a county committee on school district organization or other public agency, or a petition for the formation of a new district or the transfer of territory of one district to another shall be submitted to the executive officer of the Board. The executive officer of the Board shall cause the proposal or petition to be:

- reviewed and analyzed by the California Department of Education;
- set for hearing before the Board (or before staff if so directed by the Board) at the earliest practicable date; and
- transmitted together with the report and recommendation of the Department of Education to the Board (or to the staff who may be directed by the Board to conduct the hearing) and to such other persons as is required by law not later than ten days before the date of the hearing.

CCR 18570

ARGUMENTS PRESENTED AT THE PUBLIC HEARING: ORIGINAL SUBMISSION

Section 2.

At the time and place of hearing, the Board (or staff if so directed by the Board) will receive oral or written arguments on the proposal or petition. The presiding individual may limit the number of speakers on each side of the issue, limit the time permitted for the presentation of a particular view, and limit the time of the individual speakers. The presiding individual may ask that speakers not repeat arguments previously presented.

CCR 18571

RESUBMISSION OF THE SAME OR ESSENTIALLY IDENTICAL PROPOSAL OR PETITION

Section 3.

If the same or an essentially identical proposal or petition has been previously considered by the Board, the documents constituting such a resubmission shall be accompanied by a written summary of any new factual situations or facts not previously presented. In this case, any hearing shall focus on arguments not theretofore presented and hear expositions of new factual situations and of facts not previously entered into the public record.

CCR 18572

ARTICLE IX

Public Records

Public records of the Board shall be available for inspection and duplication in accordance with law, including the collection of any permissible fees for research and duplication.

GC 6250 et seq.

ARTICLE X

Parliamentary Authority

RULES OF ORDER

Section 1.

Debate and proceedings shall be conducted in accordance with Robert's Rules of Order (Newly Revised) when not in conflict with rules of the Board and other statutory requirements.

Section 2.

Members of the public or California Department of Education staff may be recognized by the president of the Board or other presiding individual, as appropriate, to speak at any meeting. Those comments shall be limited to the time determined by the president or other presiding individual. All remarks made shall be addressed to the president or other presiding individual. In order to maintain appropriate control of the meeting, the president or other presiding individual shall determine the person having the floor at any given time and, if discussion is in progress or to commence, who may participate in the discussion.

Section 3.

All speakers shall confine their remarks to the pending matter as recognized by the president or other presiding individual.

Section 4.

Public speakers shall not directly question members of the Board, the State Superintendent, or staff without express permission of the president or other presiding individual, nor shall Board members, the State Superintendent, or staff address questions directly to speakers without permission of the president or other presiding individual.

Section 5.

The Chief Counsel to the Board or the General Counsel of the California Department of Education, or a member of the Department's legal staff in the absence of the Board’s Chief Counsel, will serve as parliamentarian. In the absence of legal staff, the president or other presiding individual will name a temporary replacement if necessary.

ARTICLE XI

Board Appointments

ADVISORY BODIES

Section 1.

Upon recommendation of the Screening Committee as may be necessary, the Board appoints members to the following advisory bodies for the terms indicated:

a. Advisory Commission on Special Education. The Board appoints five of 17 members to serve four-year terms.
EC 33590
b. Instructional Quality Commission. The Board appoints 13 of 18 members to serve four-year terms.
EC 33530
c. Child Nutrition Advisory Council. The Board appoints 13 members, 12 to three-year terms and one student representative to a one-year term. By its own action, the Council may provide for the participation in its meetings of non-voting representatives of interest groups not otherwise represented among its members, such as school business officials and experts in the area of physical education and activity.
EC 49533
d. Advisory Commission on Charter Schools. The Board appoints eight members to two-year terms.
EC 47634.2(b)(1)
State Board of Education Policy 01-04

OTHER APPOINTMENTS

Section 2.

On the Board's behalf, the president shall make all other appointments that are required of the Board or require Board representation, including, but not limited to: WestEd (Far West Laboratory for Educational Research and Development), Trustees of the California State Summer School for the Arts and the California Subject Matter Projects.

SCREENING AND APPOINTMENT

Section 3.

Opportunities for appointment shall be announced and advertised as appropriate, and application materials shall be made available to those requesting them. The Screening Committee shall paper-screen all applicants, interview candidates as the Committee determines necessary, and recommend appropriate action to the Board.

ARTICLE XII

Presidential Appointments

LIAISONS

Section 1.

The president shall appoint one Board member, or more where needed, to serve as liaison(s) to:

a. The Advisory Commission on Special Education.
b. The Instructional Quality Commission.
c. The Advisory Commission on Charter Schools.
d. The National Association of State Boards of Education, if the Board participates in that organization.
e. The Commission on Teacher Credentialing.

OTHER

Section 2.

The president shall make all other appointments that may be required of the Board or that require Board representation.

ARTICLE XIII

Amendment to the Bylaws

These Bylaws may be amended at any regular meeting of the Board, provided that the amendment has been submitted in writing to the Board and members of the public with the meeting notice.

Abbreviations

Abbreviations used in these Bylaws, citing Board authority, are:

Abbreviation	Description
CC	Constitution of the State of California
CCR	California Code of Regulations
EC	California *Education Code*
GC	California *Government Code*
CFR	Code of Federal Regulations
JPA-FWL	Joint Powers Agreement Establishing the Far West Laboratory for Educational Research and Development, originally entered into by the State Board of Education on February 11, 1966, and subsequently amended

Dates of Adoption and Amendment

Status	Date
Adopted	April 12, 1985
Amended	February 11, 1987
Amended	December 11, 1987
Amended	November 11, 1988
Amended	December 8, 1989
Amended	December 13, 1991
Amended	November 13, 1992
Amended	February 11, 1993
Amended	June 11, 1993
Amended	May 12, 1995
Amended	January 8, 1998
Amended	April 11, 2001
Amended	July 9, 2003
Amended	January 16, 2013

SBE Agenda for May 2015

Agenda for the California State Board of Education (SBE) meeting on May 6-7, 2015.

State Board Members

- Michael W. Kirst, President
- Ilene W. Straus, Vice President
- Sue Burr
- Bruce Holaday
- Aida Molina
- Feliza I.Ortiz-Licon
- Patricia A. Rucker
- Niki Sandoval
- Ting L. Sun
- Trish Williams
- Kenton Shimozaki, Student Member

Secretary & Executive Officer

- Hon. Tom Torlakson

Executive Director

- Karen Stapf Walters

Schedule of Meeting	Location
Wednesday, May 6, 2015 8:30 a.m. Pacific Time ± STATE BOARD OF EDUCATION **Public Session. The Closed Session will take place at approximately 8:30a.m**. (The Public may not attend.)	**California Department of Education** 1430 N Street, Room 1101 Sacramento, California 95814 916-319-0827

Please see the detailed agenda for more information about the items to be considered and acted upon. The public is welcome.

The Closed Session (1) may commence earlier than 8:30 a.m.; (2) may begin at or before 8:30 a.m., be recessed, and then be reconvened later in the day; or (3) may commence later than 8:30 a.m.

Schedule of Meeting	Location
Thursday, May 7, 2015 8:30 a.m. Pacific Time ± STATE BOARD OF EDUCATION **Public Session, adjourn to Closed Session – IF NECESSARY.**	**California Department of Education** 1430 N Street, Room 1101 Sacramento, California 95814 916-319-0827

CLOSED SESSION AGENDA

Conference with Legal Counsel – Existing Litigation: Under *Government Code* sections 11126(e)(1) and (e)(2)(A), the State Board of Education hereby provides public notice that some or all of the pending litigation follows will be considered and acted upon in closed session:

- *California School Boards Association, et al. v. California State Board of Education* and *Aspire Public Schools, Inc.,* Alameda County Superior Court, Case No. 07353566, CA Ct. of Appeal, 1st Dist., Case No. A122485, CA Supreme Court, Case No. S186129
- *Cruz et al. v. State of California, State Board of Education, State Department of Education, Tom Torlakson et al.,* Alameda County Superior Court, Case No. RG14727139
- *D.J. et al. v. State of California, California Department of Education, Tom Torlakson, the State Board of Education,* Los Angeles Superior Court, Case No. BS142775, CA Ct. of Appeal, 2nd Dist., Case No. B260075
- *Emma C.*, *et al. v. Delaine Eastin, et al.*, USDC (No.Dist.CA), Case No. C-96-4179
- *Nevada City School District and the Board of Trustees of the Nevada City School District v. California Department of Education, State Superintendent of Instruction Tom Torlakson, State Board of Education,* Nevada County Superior Court, Case No. CU14-080329
- *Options for Youth, Burbank, Inc., San Gabriel, Inc. Upland, Inc. and Victor Valley*, Notice of Appeal Before the Education Audit Appeals Panel, EAAP Case Nos. 06-18, 06-19- 07-07, 07-08 OAH Nos. L2006100966, L2006110025, L20070706022, L2007060728, Los Angeles County Superior Court, Case No. BC 347454
- *Reed v. State of California, Los Angeles Unified School District, State Superintendent of Public Instruction, Jack O'Connell, California Department of Education,* and *State Board of Education, et al.*, Los Angeles County Superior Court, Case No. BC432420, CA Ct. of Appeal, 2nd Dist., Case No. B230817, CA Supreme Ct., Case No. 5191256
- *Today's Fresh Start v. State Board of Education,* Sacramento County Superior Court, Case No. 34-2015-80002066
- *Vergara et al. v. State of California, Governor Edmund G. Brown, Tom Torlakson, the California Department of Education, the State Board of Education,* Los Angeles County Superior Court, Case No. BC484642, CA Ct. of Appeal 2nd Dist., Case No. B253282, B253310

Conference with Legal Counsel – Anticipated Litigation: Under *Government Code* sections 11126(e), the State Board of Education hereby provides public notice that it may meet in Closed Session to decide whether there is a significant exposure to litigation, and to consider and act in connection with matters for which there is a significant exposure to litigation. Under *Government Code* sections 11126(e)(1) and (e)(2), the State Board of Education hereby provides public notice that it may meet in Closed Session to decide to initiate litigation and to consider and act in connection with litigation it has decided to initiate.

- *Pearson v. California Department of Education and the State Board of Education*

Under *Government Code* Section 11126(c)(14), the State Board of Education hereby provides public notice that it may meet in Closed Session to review and discuss the actual content of pupil achievement tests (including, but not limited to, the High School Exit Exam) that have been submitted for State Board approval and/or approved by the State Board.

ALL TIMES ARE APPROXIMATE AND ARE PROVIDED FOR CONVENIENCE ONLY

ALL ITEMS MAY BE HEARD IN A DIFFERENT ORDER THAN HOW THEY ARE LISTED ON THE AGENDA ON ANY DAY OF THE NOTICED MEETING

THE ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE

Time is set aside for individuals desiring to speak on any topic **not** otherwise on the agenda. Please see the detailed agenda for the Public Session. In all cases, the presiding officer reserves the right to impose time limits on presentations as may be necessary to ensure that the agenda is completed.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act of 1990*, any individual with a disability or any other individual who requires reasonable accommodation to attend or participate in a meeting or function of the California State Board of Education (SBE), may request assistance by contacting the SBE Office at 1430 N Street, Room 5111, Sacramento, CA 95814; by telephone at 916 319-0827; or by facsimile at 916 319-0175.

CALIFORNIA STATE BOARD OF EDUCATION

FULL BOARD AGENDA
Public Session

Wednesday, May 6, 2015

Wednesday, May 6, 2015 – 8:30 a.m. Pacific Time ±
California Department of Education
1430 N Street, Room 1101
Sacramento, California 95814

- Call to Order
- Salute to the Flag
- Communications
- Announcements
- Report of the State Superintendent of Public Instruction
- Special Presentations
  Public notice is hereby given that special presentations for informational purposes may take place during this session.
- Agenda Items
- Adjournment

AGENDA ITEMS

Item 01 (DOC)

Subject: California Assessment of Student Performance and Progress: Approval of the Proposed Contract with the Educational Testing Service for the Administration of the California Assessment of Student Performance and Progress.

Type of Action: Action, Information

- Item 01 Attachment 1 (DOC)
- Item 01 Attachment 2 (DOC)
- Item 01 Attachment 3 (DOC)
- Item 01 Attachment 4 (XLS)
- Item 01 Attachment 5 (DOC)
- Item 01 Attachment 6 (DOC)
- Item 01 Attachment 7 (DOC)
- Item 01 Attachment 8 (DOC)
- Item 01 Attachment 9 (DOC)

Item 02 (DOC)

Subject: California Assessment of Student Performance and Progress: Update on Program Activities, including, but not limited to, Smarter Balanced Assessments (Summative, Interim, and Digital Library Resources), California Alternate Assessment Field Test, Development of the New Primary Language Development Test, and California Next Generation Science Standards for Public Schools.

Type of Action: Action, Information

Item 03 (DOC)

Subject: Approve Changes to the *State of California Consolidated State Application Workbook* related to the Title III Accountability System in order to Comply with the Federal Title III Accountability Requirements.

Type of Action: Action, Information

PUBLIC HEARINGS

Public Hearings on the following five agenda items will commence no earlier than 1:00 p.m. on Wednesday, May 6, 2015. The Public Hearings will be held as close to 1:00 p.m. as the business of the State Board permits.

Item 04 (DOC)

Subject: Wisdom Academy for Young Scientists: Take Action to Uphold Los Angeles County Office of Education Revocation of Wisdom Academy for Young Scientists Charter Pursuant to California *Education Code* Section 47607(f)(4).

Type of Action: Action, Information, Hearing

Item 05 (DOC)

Subject: Thrive Public Schools: Consider a Material Revision of the Charter to Change from Kindergarten and Grade Six to

Kindergarten through Grade Eight.

Type of Action: Action, Information, Hearing

Item 06 (DOC)

Subject: Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Baypoint Preparatory Academy which was denied by the Hemet Unified School District and the Riverside County Board of Education.

Type of Action: Action, Information, Hearing

Item 07 (DOC)

Subject: Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Paramount Collegiate Academy which was denied by the San Juan Unified School District and the Sacramento County Office of Education.

Type of Action: Action, Information, Hearing

Item 08 (DOC)

Subject: Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Wei Yu International Charter School which was denied by the Moreland School District and the Santa Clara County Office of Education.

Type of Action: Action, Information, Hearing

END OF PUBLIC HEARINGS

ADJOURNMENT OF DAY'S SESSION

CALIFORNIA STATE BOARD OF EDUCATION

FULL BOARD AGENDA
Public Session

Thursday, May 7, 2015

Thursday, May 7, 2015 – 8:30 a.m. Pacific Time ±
California Department of Education
1430 N Street, Room 1101
Sacramento, California 95814

- Call to Order
- Salute to the Flag
- Communications
- Announcements
- Report of the State Superintendent of Public Instruction
- Special Presentations
  Public notice is hereby given that special presentations for informational purposes may take place during this session.
- Agenda Items
- Adjournment

AGENDA ITEMS

Item 9 (DOC)

Subject: Elementary and Secondary Education Act: Approve Amendment to California's Consolidated State Application Accountability Workbook Related to the Title I Accountability System.

Type of Action: Action, Information

Item 10 (DOC)

Subject: Developing a New Accountability System: Discussion on System Coherence to Support Continuous Improvement in California's New Accountability System; Update on the Local Control Funding Formula including Evaluation Rubrics as specified in California *Education Code* Section 52064.5.

Type of Action: Action, Information

- Item 10 Attachment 3 (DOC)

Item 11 (DOC; 1MB)

Subject: California State Plan for the Workforce Investment Act, Title II: Adult Education and Family Literacy Act: Extension and Transition to Workforce Innovation and Opportunity Act, 2015–16.

Type of Action: Action, Information

- Item 11 Attachment 2 (PDF)
- Accessible Alternative Version (AAV) of Item 11 Attachment 2
- Item 11 Attachment 3 (PDF; 1MB)

Item 12 (DOC)

Subject: Elementary and Secondary Education Act: Supplemental Educational Services Providers: Approval and/or Denials of Applicants Based on Appeal for the 2015–17 State Board of Education Approved Supplemental Educational Services Provider List.

Type of Action: Action, Information

Item 13 (DOC; 3MB)

Subject: Elementary and Secondary Education Act, Section 9401 Waiver Request for Supplemental Educational Services.

Type of Action: Action, Information

Item 14 (DOC)

Subject: California Educator Equity Plan: Proposed Response to the U.S. Department of Education Request for a New Plan.

Type of Action: Action, Information

WAIVERS / ACTION AND CONSENT ITEMS

The following agenda items include waivers that are proposed for consent and those waivers scheduled for separate action because CDE staff has identified possible opposition, recommended denial, or determined present new or unusual issues that should be considered by the State Board. Waivers proposed for consent are so indicated on each waiver's agenda item, and public comment will be taken before board action on all proposed consent items; however, any board member may remove a waiver from proposed consent and the item may be heard individually. On a case-by-case basis, public testimony may be considered regarding the item, subject to the limits set by the Board President or by the President's designee; and action different from that recommended by CDE staff may be taken.

Charter School Program (Nonclassroom-Based Funding)

Item W-01 (DOC)

Subject: Requests by four local educational agencies to waive portions of *California Code of Regulations*, Title 5, Section 11963.6(a) and (c), relating to the submission and action on determination of funding requests regarding nonclassroom-based instruction.

Waiver Numbers:

- Glenn County Office of Education 21-1-2015
- Kings Canyon Joint Unified School District 8-2-2015

New Jerusalem Elementary School District 2-2-2015
- Ravendale-Termo Elementary School District 18-2-2015

(Recommended for APPROVAL)

Independent Study Program (Pupil Teacher Ratio)

Item W-02 (DOC)

Subject: Request by Alpaugh Unified School District for a renewal to waive portions of California *Education Code* Section 51745.6, and *California Code of Regulations,* Title 5, Section 11704, and portions of Section 11963.4(A)(3), related to charter school independent study pupil-to-teacher ratio to allow an increase from 25:1 to a 27.5:1 pupil-to-teacher ratio at Central California Connections Academy Charter School.

Waiver Number: 12-1-2015

(Recommended for APPROVAL WITH CONDITIONS)

Open Enrollment (Removal From the List of LEAs)

Item W-03 (DOC)

Subject: Request by two school districts to waive California *Education Code* Section 48352(a) and *California Code of Regulations,* Title 5, Section 4701, to remove three schools from the Open Enrollment List of "low-achieving schools" for the 2015–16 school year.

Waiver Numbers:

- Fremont Unified School District 7-2-2015
- Redlands Unified School District 15-1-2015
- Redlands Unified School District 16-1-2015

(Recommended for APPROVAL WITH CONDITIONS)

Special Education Program (Extended School Year [Summer School])

Item W-04 (DOC)

Subject: Request by four local educational agencies to waive *California Code of Regulations,* Title 5, Section 3043(d), which requires a minimum of 20 school days of attendance of four hours each for an extended school year (summer school) for special education students.

Waiver Numbers:

- Chula Vista Elementary School District 6-1-2015
- Kings County Office of Education 23-1-2015
- Madera County Office of Education 18-12-2014
- National Elementary School District 17-12-2014

(Recommended for APPROVAL WITH CONDITIONS)

State Testing Apportionment Report

Item W-05 (DOC)

Subject: Request by ten local educational agencies to waive the State Testing Apportionment Information Report deadline of December 31 in the *California Code of Regulations*, Title 5, Section 11517.5(b)(1)(A), regarding the California English Language Development Test; or Title5, Section 1225(b)(2)(A), regarding the California High School Exit Examination; or Title 5, Section 862(c)(2)(A), regarding the Standardized Testing and Reporting Program.

Waiver Numbers:

- Chowchilla Union High School District 1-1-2015
- Guerneville Elementary School District 3-2-2015

- Lake Elsinore Unified School District 22-1-2015
- Mariposa County Office of Education 19-1-2015
- Mariposa County Unified School District 18-1-2015
- Newman-Crows Landing Unified School District 11-1-2015
- Poway Unified School District 4-2-2015
- Rowland Unified School District 19-2-2015
- San Marcos Unified School District 12-2-2015
- Vallecitos Elementary School District 26-1-2015

(Recommended for APPROVAL)

Community Day Schools (CDS) (Commingle Grade Levels)

Item W-06 (DOC)

Subject: Request by Novato Unified School District for a waiver of California *Education Code* Section 48916(d) and portions of Section 48660, to permit a community day school to serve students in grade six with students in grades seven through ten.

Waiver Number: 7-1-2015

(Recommended for APPROVAL WITH CONDITIONS)

Equity Length of Time

Item W-07 (DOC)

Subject: Request by two school districts to waive California *Education Code* Section 37202(a), the equity length of time requirement for transitional kindergarten and kindergarten programs at the district's elementary schools.

Waiver Numbers:

- Lafayette Elementary School District 6-2-2015
- Milpitas Unified School District 2-3-2015

(Recommended for APPROVAL WITH CONDITIONS)

Physical Fitness Testing

Item W-08 (DOC)

Subject: Request by Napa Valley Unified School District to waive portions of the California *Education Code* Section 60800(a), relating to Physical Fitness Testing, specifically to suspend Body Composition assessment for fifth and seventh grade students participating in a statewide school-based fitness study during the 2014–15 and 2015–16 school years.

Waiver Number: 10-2-2015

(Recommended for APPROVAL)

School Construction Bonds (Bond Indebtedness Limit - Unified after 2000)

Item W-09 (DOC)

Subject: Request by two districts to waive California *Education Code* sections 15102 and 15268, related to bonded indebtedness limits. Total bonded indebtedness may not exceed 1.25 percent of the taxable assessed valuation of property for elementary and high school districts. Proposition 39 of 2000 bonds limit the tax rate levy authorized in each election to $30 per $100,000 of assessed value for elementary and high school districts.

Waiver Numbers:

- El Monte City School District 25-1-2015
- Greenfield Union Elementary School District 16-2-2015

(Recommended for APPROVAL WITH CONDITIONS)

School District Reorganization (Elimination of Election Requirement)

Item W-10 (DOC)

Subject: Request by seven school districts to waive California *Education Code* Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish a by-trustee-area method of election.

Waiver Numbers:

- Banning Unified School District 30-2-2015
- Chatom Union School District 1-2-2015
- Garden Grove Unified School District 13-1-2015
- Keyes Union School District 13-2-2015
- Perris Elementary School District 5-3-2015
- Pomona Unified School District 25-2-2015
- William S. Hart Union High School District 7-3-2015

(Recommended for APPROVAL)

School District Reorganization (Lapsation of a Small District)

Item W-11 (DOC)

Subject: Request by Maple Creek Elementary School District to waive California *Education Code* Section 35780(a), which requires lapsation of a district with an average daily attendance of less than six.

Waiver Number: 10-3-2015

(Recommended for APPROVAL)

Schoolsite Council Statute (Shared and Composition of Members)

Item W-12 (DOC)

Subject: Request by seven local educational agencies under the authority of California *Education Code* Section 52863 for waivers of *Education Code* Section 52852, relating to schoolsite councils regarding changes in shared, composition, or shared and composition members.

Waiver Numbers:

- Alview-Dairyland Union Elementary School District 20-2-2015
- Big Lagoon Union Elementary School District 14-2-2015
- Carpinteria Unified School District 3-1-2015
- Carpinteria Unified School District 4-1-2015
- Carpinteria Unified School District 5-1-2015
- Columbia Elementary School District 17-2-2015
- Hanford Elementary School District 27-1-2015
- Mt. Shasta Union Elementary School District 24-1-2015
- Stanislaus County Office of Education 14-1-2015

(Recommended for APPROVAL WITH CONDITIONS)

State Meal Mandate (Summer School Session)

Item W-13 (DOC)

Subject: Request by four school districts under the authority of California *Education Code* Section 49548 to waive *Education Code* Section 49550, the State Meal Mandate during the summer school session.

Waiver Numbers:

- Eastern Sierra Unified School District 9-2-2015

- Liberty Elementary School District 15-2-2015
- Sierra-Plumas Joint Unified School District 5-2-2015
- Wiseburn Elementary School District 11-3-2015

(Recommended for APPROVAL)

SALE OR LEASE OF SURPLUS PROPERTY (Sale of Surplus Property)

Item W-14 (DOC)

Subject: Request by Bayshore Elementary School District to waive California *Education Code* sections 17472, 17473, and 17474 and portions of 17455, 17466, 17468, 17469, 17470, and 17475, which will allow the district to sell one piece of property using a broker and a "request for proposal" process, maximizing the proceeds from the sale. The district property for which the waiver is requested is located at 1 Martin Street, Daly City, CA, Robertson Intermediate School site.

Waiver Number: 24-2-2015

(Recommended for APPROVAL WITH CONDITIONS)

END OF WAIVERS

Item 15 (DOC)

Subject: STATE BOARD PROJECTS AND PRIORITIES. Including, but not limited to, future meeting plans; agenda items; and officer nominations and/or elections; State Board appointments and direction to staff; declaratory and commendatory resolutions; Bylaw review and revision; Board policy; approval of minutes; Board liaison reports; training of Board members; and other matters of interest.

Type of Action: Action, Information

Item 16 (DOC)

Subject: GENERAL PUBLIC COMMENT. Public Comment is invited on any matter **not** included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the presiding officer may establish specific time limits on presentations.

Type of Action: Information

Item 17 (DOC)

Subject: Approval of 2014–15 Consolidated Applications.

Type of Action: Action, Information

Item 18 (DOC)

Subject: Update on the Revision of the *History–Social Science Framework for California Public Schools:* Progress of Development and Revised Timeline.

Type of Action: Action, Information

Item 19 (DOC)

Subject: *The Superintendent's Quality Professional Learning Standards*; professional learning standards based upon recommendations in *Greatness by Design,* the Educator Excellence Task Force report sponsored by the California Department of Education and the Commission on Teacher Credentialing.

Type of Action: Action, Information

Item 20 (DOC)

Subject: Reconsideration of a Request for Determination of Funding as Required for a Nonclassroom-based Charter School Pursuant to California *Education Code* sections 47612.5 and 47634.2, *California Code of Regulations* Section 11963.6(g), and Associated *California Code of Regulations*, Title 5.

Type of Action: Action, Information

Item 21 (DOC)

Subject: Consideration of Requests for Determination of Funding as Required for Nonclassroom-based Charter Schools Pursuant to California *Education Code* Sections 47612.5 and 47634.2, and Associated *California Code of Regulations,* Title 5.

Type of Action: Action, Information

Item 22 (DOC)

Subject: Consideration of "Reasonable Basis"/Mitigating Circumstances Requests for Determination of Funding as Required for Nonclassroom-based Charter Schools Pursuant to California *Education Code* sections 47612.5 and 47634.2, and Associated *California Code of Regulations*, Title 5.

Type of Action: Action, Information

Item 23 (DOC)

Subject: Consideration of a Retroactive Request for Determination of Funding as Required for a Nonclassroom-based Charter School Pursuant to California *Education Code* sections 47612.5 and 47634.2, and Associated *California Code of Regulations*, Title 5.

Type of Action: Action, Information

Item 24 (DOC)

Subject: Revise the Charter Term for OnePurpose School from January 16, 2015, through June 30, 2019, to July 1, 2015, through June 30, 2020.

Type of Action: Action, Information

Item 25 (DOC)

Subject: Approval of the Charter School Numbers Assigned to Newly Established Charter Schools.

Type of Action: Action, Information

ADJOURNMENT OF MEETING

This agenda is posted on the State Board of Education's Web site (http://www.cde.ca.gov/be/ag/). For more information concerning this agenda, please contact the State Board of Education at 1430 N Street, Room 5111, Sacramento, CA, 95814; telephone 916-319-0827; facsimile 916-319-0175. Members of the public wishing to send written comments about an agenda item to the board are encouraged to send an electronic copy to SBE@cde.ca.gov, with the item number clearly marked in the subject line. In order to ensure that comments are received by board members in advance of the meeting, please submit these and any related materials to our office by 12:00 Noon on May 1, 2015, the Friday prior to the meeting.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 01

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
California Assessment of Student Performance and Progress: Approval of the Proposed Contract with the Educational Testing Service for the Administration of the California Assessment of Student Performance and Progress.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

Pursuant to California *Education Code* (*EC*) Section 60643(b), the California Department of Education (CDE) shall develop and the State Superintendent of Public Instruction (SSPI) and the State Board of Education (SBE) shall approve the California Assessment of Student Performance and Progress (CAASPP) contract. Representatives from the CDE, SBE, and the California Department of Finance (DOF) began negotiations with Educational Testing Service (ETS) on April 7, 2015, which culminated in a proposed contract, including a proposed scope of work (SOW) and the budget (Attachments 2 and 4).

RECOMMENDATION

The CDE recommends that the SBE approve the proposed CAASPP contract.

BRIEF HISTORY OF KEY ISSUES

California adopted the Common Core State Standards (CCSS) for English-language arts and mathematics in August 2010 and joined the Smarter Balanced Assessment Consortium as a governing state in June 2011. The SBE adopted California Next Generation Science Standards in September 2013.

Assembly Bill (AB) 484 *EC* sections 60600–60649, introduced by Assembly Member Bonilla in February 2013, and sponsored by SSPI Torlakson, was signed into law by Governor Brown on October 2, 2013. This law removed provisions for the Standardized Testing and Reporting (STAR) Program and established the CAASPP System, commencing with the 2013–14 school year. The 2015–16 through 2017–18 test administrations addressed in the Request for Submissions, as stipulated in *EC* Section 60640, includes consortium-developed computer-based assessments that are aligned with the CCSS, specified state-developed paper-pencil assessments that were

previously administered through the STAR Program, and new assessments to be recommended by the CDE with stakeholder input and approved by the SBE.

At its March 2015 meeting, the SBE unanimously approved the following motion:

“I move to accept the State Superintendent’s recommendation in his letter of March 6, 2015, and designate Educational Testing Service as the CAASPP contractor, expressly conditioned on ETS meeting each of the following stated conditions that follow.

If these conditions are not met by the May 2015 State Board meeting, the State Board of Education gives notice by this motion that it expressly reserves its right to rescind this designation and select another contractor at the May meeting.

The conditions to be met by ETS are as follows:

- A draft contract and scope of work to which the parties will have reached substantial agreement shall be presented at the May 2015 State Board meeting. The contract shall be executed shortly thereafter with the approval of the State Board President or his designee and the Superintendent of Public Instruction or his designee.

- In no event shall the contract price exceed the amount that is estimated to be included in the annual Budget Act for this contract; nor shall the contract price exceed the published cost submission total except as stipulated below.

- The designated contractor shall be required to ensure online individual student results for all CAASPP computer-based assessments be available in the Dynamic Online Reporting System within three (3) weeks after the student has completed all components of the assessment for that content area.

- The designated contractor shall be required to ensure online individual student results for all CAASPP paper-pencil tests be available in the Dynamic Online Reporting System within six (6) weeks after the scoring center receives a complete clean set of answer documents for processing and scoring and after receipt of the score keys and conversion tables.

- If directed by State Board of Education or the CDE, the designated contractor and/or their subcontractors for a specific task will agree to provide the same approach/work described in another bidder’s submission for that task (the desired approach) at costs not to exceed the cost proposed for that task in the other submission.

To involve California teachers in the scoring to the maximum extent possible with a large component focused on professional development.

Further, the State Board of Education reserves the right to extend the ETS designation for a longer period with additional test administrations and fiscal years and cost to be

negotiated and approved by the Department of Finance in accordance with *Education Code* Section 60643."

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In March 2015, the SBE designated ETS as the CAASPP contractor, subject to conditions made in the SBE's motion.

In September 2014, the SBE authorized SBE President Michael Kirst or his designee to sign the Memorandum of Understanding (MOU) for the Smarter Balanced Consortium Managed Services Contract that provides California access to the Smarter Balanced Summative and Interim Assessments, Digital Library of Formative Assessment tools, and continuing item refreshment and validity studies of the Smarter Balanced assessments. The current and future CAASPP assessment administration and development contractors will host and administer the Smarter Balanced Summative and Interim Assessments. (http://www.cde.ca.gov/be/ag/ag/yr14/documents/sep14item03.doc)

In July 2014, the SBE approved an amendment to the current CAASPP contract with ETS and directed CDE and SBE staff to work with ETS in the modification of the scope of work, timeline, and budget for the 2015 administration of the CAASPP System. (http://www.cde.ca.gov/be/ag/ag/yr14/documents/jul14item05.doc)

In November 2013, the SBE heard discussion and approved agreed-upon amendments to the STAR contract per *EC* Section 60640(f)(2) for the 2014 test administration of the CAASPP System, including the Smarter Balanced Field Test. (http://www.cde.ca.gov/be/ag/ag/yr13/documents/nov13item09.doc)

FISCAL ANALYSIS (AS APPROPRIATE)

CDE requested funding for this contract as a part of a legislative budget change proposal (BCP) in 2013 for AB 484 CAASPP System implementation costs. It is anticipated that approximately $76 million will be available for this contract work in fiscal year 2015–16, with approximately $84 million available annually thereafter. Funding for 2015–16 and beyond will be contingent upon an annual appropriation being made available from the Legislature in future fiscal years.

ATTACHMENT(S)

Attachment 1: California Assessment of Student Performance and Progress, Contract # CN150012—Concordance Table (4 Pages)

Attachment 2: Exhibit A: Scope of Work (194 Pages)

Attachment 3: Educational Testing Service Request for Submission Budget Summary (1 Page)

Attachment 4: Proposed Budget (8 Pages)

Attachment 5: California Assessment of Student Performance and Progress, CN150012, Narrative for the Budget Summary (18 Pages)

Attachment 6: Exhibit B: Budget Detail and Payment Provisions (5 Pages)

Attachment 7: Exhibit C: General Terms and Conditions (4 Pages)

Attachment 8: Exhibit D: Special Terms and Conditions (5 Pages)

Attachment 9: Exhibit E: Additional Provisions (13 Pages)

California Assessment of Student Performance and Progress, Contract # CN150012—Concordance Table

The following summarizes the changes to the proposed scope of work (SOW) for the California Assessment of Student Performance and Progress (CAASPP) Contract # CN150012 as agreed to by all parties during contract negotiations conducted between staff from Educational Testing Service (ETS), the California Department of Education (CDE), the State Board of Education (SBE), and the Department of Finance (DOF). Per the SBE motion, the proposed budget does not exceed the amount that is estimated to be included in the annual Budget Act for this contract; nor exceed ETS's published cost submission. ETS did not make any changes to the previously proposed cost submission.

TASK 1: Comprehensive Plan & Schedule of Deliverables

As a result of contract negotiations, ETS revised the proposed SOW and incorporated the following change:

- Substituted American Institutes for Research (AIR) for all work that the SOW identified as being completed by Computerized Assessments and Learning (CA&L).

TASK 2: Program Support Services

ETS agreed to revise the proposed SOW and incorporate the following changes:

- Added 51 additional workshops to be completed during the initial contract period (July 2015 through December 2018.) Regional workshops and trainings were increased from a total of five to no fewer than eight site locations (2 north, 2 central, and 4 south).

- Increased to 45 total (increase of 30) focus groups over the initial contract period (July 2015 through December 2018.)

TASK 3: Technology Services

ETS agreed to revise the proposed SOW and incorporate the following changes:

- Supported a single sign-on solution in coordination with Smarter Balanced that allows California users to log onto the CAASPP assessment delivery system and the Smarter Balanced systems, including the Digital Library, with the same logon credentials.

- In addition to the required annual submission, ETS will also provide results from the Smarter Balanced Implementation Readiness Package to the CDE upon request by the CDE.

TASK 4: Test Security

ETS agreed to revise the proposed SOW and incorporate the following changes:

- In addition to the required 100 security audits ETS will conduct up to an additional 30 test security site visit audits annually, as directed by the CDE.

TASK 5: Accessibility and Accommodations

ETS agreed to revise the proposed SOW and incorporate the following changes:

- Provide the same translations for the new California Next Generation Science Standards (CA NGSS) assessments as provided by the Smarter Balanced summative assessments.

- Provide stacked translations or full Spanish versions for the CA NGSS assessments.

TASK 6: Assessment Development

ETS agreed to revise the proposed SOW and incorporate the following changes:

- Add clarifying language that the SBE must approve all test development plans prior to implementation.

- ETS will work closely with CDE to develop CA NGSS-aligned assessments that best meet the state's vision. Other sources of appropriate items may be considered to create the necessary pool for test development and other assessment and/or instructional resources.

- Include support of the same languages supported by the Smarter Balanced summative assessments for the CA NGSS and CA NGSS Alternate Assessments.

TASK 7: Test Administration

ETS agreed to revise the proposed SOW and incorporate the following changes:

- Provide additional detail in Table 11a. regarding the secure browser support policy for new operating systems.

TASK 8: Scoring and Analysis

ETS agreed to revise the proposed SOW and incorporate the following changes:

- Expand efforts to maximize the involvement of California educators in hand scoring student responses to CAASPP items and increase professional development opportunities. ETS will involve teachers in five types of large-scale scoring activities: 1) Interim Assessment Scoring Workshops, 2) Summer Scoring Institutes, 3) Range-Finding Meetings, 4) Constructed Response Scoring Modules, and 5) Live Operational Scoring

    - 1) Provide Interim Assessment Scoring Workshops to train teachers in the effective and consistent use of scoring rubrics and materials so that they may accurately score their own students' interim assessments.

    - 2) Conduct Summer Scoring Institutes that will provide training on the scoring of released operational items from both the summative and interim administrations from the previous year.

    - 3) Conduct Rangefinding Meetings for the new CA NGSS and Primary Language assessments to be developed that will take place after the pilot and field tests will provide input into score ranges for each item, scoring rationales, and identify anchor sets with exemplar responses.

    - 4) Provide Constructed Response Scoring Modules by working with the Beginning Teacher Support and Assessment (BTSA) Induction to engage preliminary credentialed teachers in a job-embedded formative assessment system of support and professional growth by providing opportunities to include modules on constructed response scoring in these locally implemented programs with the goal of improving classroom practice.

    - 5) Conduct Live Operational Scoring to provide current California teachers, to the maximum extent possible, the option to engage in operational scoring of CAASPP English Language Arts and Mathematics student responses. In conjunction, ETS will:

        - Conduct Weekend Scoring Institutes for California teachers who have applied and have been accepted for the operational pool. ETS will hold scoring institutes on alternating weekends in March, April, and May for the purposes of training and certifying California teachers in a face-to-face setting. Teachers that qualify during these weekend sessions will score for the remainder of the weekend and will be certified to score via a distributed model at the end of the institute session.

    - California teachers will be eligible for a higher hourly rate for scoring in the program

- ETS will use hand scoring for items that elicit more complex and elaborate student responses.

- ETS will not expand the current levels of artificial intelligence (AI) scoring unless they meet specific technical criteria and the expectations of the CDE.

- AI scoring will target only those constructed response items that are designed to elicit a specific correct answer from students.

TASK 9: Reporting

ETS agreed to revise the proposed SOW and incorporate the following changes:

- Provide the online student-level test results to LEAs within two to three weeks after the student completes a content area.

- Provide teachers with direct access to the online summative test results reporting system.

- Provides an opt-in option for LEAs to receive electronic version of the ISR within four weeks after the student completes testing.

- Deliver the paper individual student report (ISR) one week earlier (within five weeks) after the student completes testing.

- Design and produce an ISR that includes dynamic text on the front and back.

- Provide the option for an ISR to be reproduced in Spanish if an LEA marks in TOMS that the student comes from a Spanish-speaking home.

- Provide interpretation guides for each ISR format in up to five (5) languages (including Spanish) other than English.

Educational Testing Service

CDE Agreement # CN150012

EXHIBIT A

SCOPE OF WORK

I. GENERAL SCOPE:

The contractor will conduct the development, administration, scoring, reporting and analysis of assessments and technology support for the California Assessment of Student Performance and Progress (CAASPP) system as defined in California Education Code (EC) sections 60601 through 60649 as described herein.

This agreement also incorporates all requirements established in Chapter 5 (commencing with Section 60600 of Part 33), of the Education Code, and the regulations promulgated by the State Board of Education to implement the California Assessment of Student Performance and Progress (CAASPP) System as set forth in subchapter 3.75 (commencing with Section 850) of Title 5 of the *California Code of Regulations* and their amendments, which are incorporated herein by this reference. The Agreement shall be interpreted to include all these items as though fully set out herein.

II. PROJECT MONITORS:

The CDE assigns **Lily Roberts, LRoberts@cde.ca.gov, 916-319-0803** as state project monitor to oversee this project. Said monitor is not authorized by the state to make any commitments or make any changes which will affect the price, terms or conditions of this agreement without a formal contract amendment.

The contractor assigns **Tom Foster, TFoster@ets.org, 916-403-2409** as contractor project monitor to oversee this project. Said monitor is not authorized by the state to make any commitments or make any changes which will affect the price, terms or conditions of this agreement without a formal contract amendment.

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Educational Testing Service

CDE Agreement # CN150012

2016–2018 California Assessment of Student Performance and Progress (CAASPP) Administration

DRAFT Scope of Work
Contract CN150012

April 21, 2015

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TASK 1: Comprehensive Plan & Schedule of Deliverables

Task 1 describes the activities, assumptions, and requirements to manage and administer the California Assessment of Student Performance and Progress (CAASPP) assessment system for the 2015–16, 2016–17 and 2017–18 school years. Educational Testing Service (ETS) is the prime contractor and is responsible for the overall management and administration of the services provided to the state under this contract and will work closely with the California Department of Education (CDE) to ensure the success of the CAASPP administrations in the next three years.

While ETS outlines individual roles and responsibilities in greater detail within the Scope of Work (SOW), the following text provides a high-level summary of responsibilities for ETS and its partners:

- **ETS** will manage the administration, scoring, and reporting activities and have overall responsibility for the constructed-response human scoring and artificial intelligence scoring. In addition, ETS will manage the logistics and coordination of all management meetings, along with the development of all relevant materials. ETS will also provide Help Desk services and psychometric support. ETS will provide item development for all state-specific assessments: the California Next Generation Science Standards (CA NGSS and CA NGSS Alternate) assessments, the primary language assessments, and the California Alternate Assessments (CAA) in English–language arts (ELA) and mathematics. ETS will host and provide support for the Test Operations Management System (TOMS).

- **American Institutes for Research (AIR)** will provide hosting and support for its test delivery system and online reporting system, a component of the overall CASSPP Assessment Delivery System. These are the same systems used in the successful spring 2014 Field Test and in the current spring 2015 operational administration.

- **Measurement Incorporated (MI)** will assist ETS in the constructed-response scoring for various grades for all assessments related to Smarter Balanced, including both human scoring and artificial intelligence scoring. These are the same capabilities and systems used in in the Smarter Balanced Field Test activities and in the current spring 2015 operational administration.

- **Accenture** will publish the printed manuals and paper-pencil assessments, provide fulfillment services, and manage the test materials.

- **Center for Assessment** will assist with the design of California's new CA NGSS (including the CA NGSS Alternate), primary language, and CAA tests, as well as to assist with the coordination of activities involving the CDE's external evaluator.

- **Red Dog Records (RDR)** will serve as the program's multimedia experts and provide video (live and animated) production, Web broadcast, and audio-visual support services.

- **In-Touch Insight Systems (In-Touch)** will continue its role to provide test security site visit audits to CAASPP for this contract.

For simplicity, ETS and its partners will be referred to as ETS in this SOW except where reference to specific proprietary systems or methodologies are noted.

1.1. Work Plan, Narrative Schedule, and Timeline

As part of project initiation, ETS will draft a work plan and a supporting project schedule for the delivery of the CAASPP System. During the initial start-up meeting with CDE and State Board of Education (SBE) staff, ETS will review and finalize these draft documents. Each subsequent contract year, ETS will revise the work plan and scheduled documents, focusing on fine-tuning the plans for each coming contract year.

The work plan will include key tasks with dependencies, deliverables with corresponding durations, assigned resources, and responsible staff members. The comprehensive schedule, and accompanying Gantt chart, will clearly identify milestone tasks, resource names, and actual start and finish dates. The most current, approved versions of these documents will reside on a shared, password-protected virtual workspace accessible by both the CDE and ETS. The schedule will also be made available to the CDE in Microsoft Project (MPP) format upon request. For the purposes of initial planning, the proposed work plan is included as Appendix A.

ETS will use a three-step process to develop the work plan for the CAASPP System:

1. First, ETS will use Council of Chief State School Officers (CCSSO) **operational best practices** to detail the plans.
2. Second, ETS will develop a program summary—referred to as the **scope of work**—based on the agreed-upon requirements that outlines the work that ETS will perform and how it will be performed.
3. Finally, ETS will use **process documents** to guide day-to-day activities.

The timeline referenced in Appendix A is a sample to be used for the initial planning discussions. All schedules will be reviewed and approved by the CDE prior to implementation. It is to be a working document that is updated on an ongoing basis throughout the life of the contract.

Regular reviews of the schedule will be conducted during internal weekly meetings and client status meetings. The purpose of these reviews is to discuss recent progress of scheduled tasks, upcoming tasks, and the likelihood of remaining on schedule with key upcoming critical milestones.

The schedule will include detailed information on resource and work associated with the Assessment Delivery System to comply with State Information Technology (IT) Management Guidelines.

1.2. Orientation Meeting

Within two weeks of the effective date of the contract, ETS will arrange, attend, and facilitate an orientation meeting with the CDE and SBE staff. ETS will coordinate the agenda with the CDE. ETS staff will include project management, assessment, psychometric, scoring, and technology leads. The purpose of the orientation meeting is to plan for the execution of the full contract, with particular emphasis on the first year. ETS will also focus on the required work and services needed to fulfill the full scope of the CAASPP System activities from planning through reporting.

The meeting participants will review the proposed work plan and implementation schedule, obtaining specific information, data, criteria, and/or instructions necessary to finalize that plan. ETS project managers will use their expertise to plan and facilitate this meeting, which will include such tasks as setting an agenda to cover each SOW task as well as producing minutes.

The orientation meeting will be held in downtown Sacramento over two consecutive days. ETS will invite a representative from the Smarter Balanced Assessment Consortium leadership to the orientation meeting to verify that the 2015 administration functioned according to Smarter Balanced's needs and to discuss any changes needed for 2016.

After the orientation meeting, ETS will submit the meeting minutes via e-mail to the appropriate CDE members as identified by the CDE CAASPP lead administrator for their review and approval. These minutes will address all tasks, with particular emphasis on questions or issues needing resolution, contract implementation timelines, and agreed-upon decisions. ETS also will submit the work plan and schedule that incorporates any changes agreed upon during the orientation meeting no later than ten (10) days following the orientation meeting.

1.3. Management Meetings

ETS will schedule and facilitate management meetings with the CDE. ETS will be responsible for the meeting costs, including travel expenses, for its staff. ETS will continue to scope each meeting, develop agendas, and produce appropriate materials. All management meetings will take place in Sacramento, unless otherwise directed by the CDE.

ETS will submit minutes of all meetings via e-mail to the appropriate CDE staff. These minutes will address all tasks, with particular emphasis on questions or issues regarding contract fulfillment, coordination, and scope of work modifications or enhancements. ETS will post these meeting minutes to the Web-based, password-controlled enterprise system.

1.3.A. Weekly Meetings

ETS will hold weekly management meetings with the CDE to update and assure that the CDE is informed of all decisions. The weekly management meeting may include managers of:

- California Technical Assistance Center (CalTAC)
- Statistical Analysis
- Information Technology
- Operations
- Test Development
- Appropriate Subcontractor Coordinators

ETS will involve the CDE Contract Monitor and CDE State Project Manager in all meetings that involve the CAASPP Assessment Delivery System. All weekly meetings will be in person at CDE offices with other key staff joining by conference call as appropriate. The CDE reserves the right to require any contractor or subcontractor to attend the meetings in person instead of via telephone or videoconference when the CDE deems it warranted.

ETS will issue a weekly agenda in consultation with the CDE. The agenda will cover the current scope of work in progress. At the beginning of each month, ETS will circulate a calendar for the month based on the project plan agreed upon at the weekly meetings.

During the weekly management meetings, ETS and the CDE may decide to hold separate weekly meetings for specific topics.

For all meetings, including face-to-face and video- or audio-conferences, ETS will facilitate the meeting, record minutes of the meeting, and track completion of assignments. The minutes will be distributed to the CDE and the entire team within two days of the management meetings.

1.3.B. Annual Meetings

ETS will annually host a three-day meeting in Sacramento which gathers key ETS CAASPP team members to meet with CDE program managers. Staff members from the SBE and from the Department of Finance (DOF) will be invited to attend the planning meeting. Those who cannot attend in person may attend via video and audio conference. The purpose of the meeting is to plan the upcoming year, including detailing any changes to the scope of work and timeline. ETS will provide a draft timeline in MS-Project for all to review. The outcome of this planning meeting will be an update to the draft timeline and any changes to the SOW requested by the SBE testing liaisons and SBE staff, the CDE CAASPP Program managers, and the DOF. The minutes and updated project documents will be distributed to the CDE and the entire team within ten (10) days of the annual planning meetings.

1.3.C. State Board of Education (SBE) Meetings

Every time the SBE conducts public meetings, ETS project managers and relevant ETS officers will attend as required by the CDE. When the SBE is discussing issues that may require ETS's expertise, such as test development or statistics, the appropriate specialists or subcontractors will also attend the meetings and be available to answer questions or provide background as requested. At the CDE's and SBE's direction, ETS will continue to offer special presentations to the SBE, based on ETS's expertise and experience.

1.3.D. Technical Advisory Group (TAG) Meetings

The ETS Executive Director or designee will coordinate with the CDE CAASPP project manager and psychometrics manager on the development of the TAG agenda topics. During the meeting, ETS will facilitate discussion about topics related to ETS activities by bringing the appropriate staff into the discussion and by providing the materials needed by the CDE, TAG members, and the independent evaluator. Additional staff will be available via teleconference as needed. ETS is responsible only for ETS staff travel and material preparation, as required.

For each meeting, ETS will work with the CDE to determine what data and information should be presented, and ETS will provide clear agenda topics and supporting materials to the CDE at least five business days before the meeting. Within five business days of the meeting, ETS will provide proposed studies or analysis plans to the CDE for review and approval.

1.4. Coordination, Continuous Improvement, and Independent Evaluation

In addition to the expertise of staff proposed as core members of the ETS team, ETS will provide the CDE with additional support as needed from a group of senior ETS advisors, all of whom were former state assessment directors.

1.4.A. Coordination with the Consortium (UCLA) and CDE/SBE Entities and Staff

ETS will coordinate activities to administer the CAASPP assessments with related efforts led by the CDE/SBE, including the CDE Senior Assessment Fellows, and, at the direction of the CDE, involving the CDE communications contractor, the Smarter Balanced Assessment Consortium, the K–12 High Speed Network (K12HSN), and the California Longitudinal Pupil Achievement Data System (CALPADS). Coordination efforts will include the independent project oversight consultant (IPOC) and the independent verification and validation (IV&V) consultant, if available and at the direction of the CDE.

ETS will manage the overall coordination activities with the Smarter Balanced Consortium and with CDE/SBE entities and staff. ETS will assign a project manager to take the lead in developing the coordination plan, handling the logistics of the monthly coordination meetings, and establishing and maintaining the secure coordination Web site.

ETS also will develop a communication plan for each annual administration that will contribute to and coordinate with the efforts by the CDE-led team. Specific activities may include, but are not limited to:

- Operating caaspp.org, the Web site for local educational agencies (LEAs) and their staff that presents information about the administration activities for annual administrations;
- Producing Webcasts and online videos about CAASPP that are geared toward school and LEA staff, test administrators, technology coordinators, and student data coordinators;
- Developing a list of frequently asked questions (FAQs) about the annual administration processes and procedures; and
- Coordinating and staffing communication opportunities at statewide and regional association conferences such as the CDE North/South Assessment and Accountability Meetings, the annual conference for the California Educational Research Association, or Regional Assessment Network meetings.

All content of the communications under the communications plan with LEAs and the public regarding annual CAASPP administrations will be approved by the CDE and the SBE liaison and staff, where appropriate, before being disseminated.

1.4.B. Development of Plan for Continuous Improvement

ETS will work with the CDE to create a three-year plan supporting continuous improvement of the CAASPP System. In addition to opportunities for improvement identified in the three-year plan, ETS will propose, based on its experience, opportunities for program improvements that emerge over the course of the contract. ETS will submit the plan to the CDE in an agreed-upon timeline and refine it to reflect feedback from the CDE, SBE staff, the SBE, and the CDE's external evaluator.

1.4.C. Coordination with the Independent Evaluator

The law establishing the CAASPP assessment program called for an independent evaluation of the impact of this requirement and of the quality of the CAASPP assessments. ETS will provide support to the CDE in response to requests from the independent evaluator.

Attend Meetings

ETS will participate in meetings convened by the CDE and the independent evaluator for the purposes of identifying and providing the information necessary for the evaluation. The ETS Executive Director and Director of Operations will have access to other ETS and subcontractor staff that may participate in the meetings. ETS assumes that meetings related to the independent evaluation will be held at the CDE offices or by phone.

Provide Materials and Data

ETS will provide all necessary materials and data to the independent evaluator. In recognition of the independent evaluator's need to gather data to further his or her analysis of the CAASPP System, ETS will:

- design test materials (e.g., online surveys, online tests, paper answer documents, and paper test booklets) to include questions that gather these data
- coordinate with the independent evaluator and the CDE to identify desired changes to these questions prior to the annual review of the test materials, detailed later in this SOW
- deliver the questionnaire response data to the independent evaluator and to the CDE on a schedule developed with the evaluator
- continue to provide the evaluator with student demographic information and student item responses, in addition to questionnaire data

ETS will work with the independent evaluator and the CDE to comply with data sharing requests per the independent evaluator's preference. For example, the independent evaluator may request that ETS send demographic data via CD-ROM and post item responses to a secure file transfer protocol site. At a minimum, ETS will:

- submit a Final Item Analysis and equating file to the independent evaluator following each administration
- submit updated student data files for each administration after annual processing has been run

For each material requested, ETS will work with the independent contractor and the CDE to develop a plan and timeline for submission. ETS assumes that requests will be provided in writing to the ETS Executive Director and Director of Operations and that ETS will have ten (10) business days, at minimum, to respond to the request.

1.4.D. Responding to Concerns

ETS assumes that the independent evaluator will submit the first report to the CDE on October 31, 2015, and that an electronic copy of the report will be provided to ETS at the same time. ETS will provide a written response, within four weeks of receipt of the report, to any concerns that may be included in the independent evaluator report. The response will include a process and timeline for resolving each concern reported by the independent evaluator. ETS assumes that any subsequent responses to evaluator comments will be provided in electronic copy to ETS and that ETS will provide written responses within four weeks of receipt of each subsequent request.

1.5. Transition of Contracts

As the contractor for the previous CAASPP contract, ETS will ensure the continued operations of CAASPP. ETS will also continue maintaining the comprehensive archive of data and materials from previous CAASPP and Standardized Testing and Reporting (STAR) administrations.

At the end of the contract, ETS will work closely with CDE to develop and implement a plan and schedule for transition to another vendor. ETS will deliver all required materials, including, but not limited to, reports and electronic data files, applications and supporting documents, and other materials developed for the CAASPP System, including test blueprints, item and test specifications, test packages for online tests, and paper-pencil test forms for any assessments under development, on a schedule to be determined by the CDE to the CDE by December 31 of the year following the last test administration. One ETS project management team member will serve as a transition manager to assist the new contractor until the end of the calendar year in which the last administration is completed.

1.6. Records and Minutes

At all meetings, including, but not limited to, management meetings and program committee meetings, ETS will take minutes, record information, and document any assignments or tasks for follow up. These notes will be formatted in a format required by the CDE. ETS will keep secure electronic copies of all the records throughout the life of the CAASPP Program.

Each set of minutes will include listings of all those present and their contact information. ETS will review the contact information of attendees to determine if it has changed and update the CDE, if appropriate. At the Orientation Meeting, ETS will propose a format for the meeting minutes for CDE approval.

ETS will distribute minutes from weekly meetings and other conference calls to the CDE for approval within two business days. For all other meetings, ETS will distribute minutes to the CDE for the CDE's approval within five business days of the meeting. When approved, all relevant CAASPP team members will receive copies.

ETS will keep secure electronic copies of all the records for five years after the final payment of the contract period.

1.7. Accomplishments and Monthly Progress Reports

ETS will communicate all accomplishments to demonstrate the CDE expenditures on the CAASPP Program by means of a monthly accomplishments report submitted as part of the invoice. The accomplishments report is to be presented as a detailed narrative attached to each invoice from ETS to the CDE. The accomplishments report is to be sorted by test and test administration and provide a breakdown of the costs invoiced per task or subtask in the scope of work. The summary shall also include a history of invoices previously submitted to date.

ETS will submit this report to the CDE by the fifteenth of the following month. A hardcopy original will be delivered to the CDE. The CDE will share accomplishments reports with SBE staff. In the event that this report will be delayed beyond the fifteenth of the following month, ETS will notify the CDE of the expected date of delivery by the seventh of that month.

In addition, ETS will submit to the CDE by the fifteenth of the following month, a monthly progress report that will provide CDE-required details including the identification of issues, risks, and their resolutions; changes to the program documentation; and flags of the items that are directly related to the CAASPP Assessment Delivery System.

Early Identification of Potential Issues

ETS will develop a risk management plan for the CAASPP System with review and approval by the CDE. The plan will also identify what actions ETS can take to offset those risks, along with contingency plans if preventive actions cannot be implemented. The ETS Executive Director, along with staff from the ETS Corporate Project Management Office, in collaboration with the CDE will undertake this process immediately upon award of contract using the following steps[1].

- **Risk identification.** ETS will assemble stakeholders to identify possible project risks. ETS will base this identification on prior assessment reports, potential areas of security breach, areas of the project that are not yet well-defined, and areas of known potential for problems. ETS will document possible risks to the defined work plan and include this documentation in a risk register.

- **Risk analysis.** Once potential risks are identified, ETS will analyze them for their probability, quantitative impact, and qualitative impact. ETS will then translate these into numerical values to accurately determine the outcome of these risks on the cost, time, and resource factors of the project.

- **Identify risk triggers.** ETS will identify triggers, or warning signs, for risks within their assigned areas of the CAASPP System that might affect the processes for deliverables in the work plan and document the triggers associated with each potential risk.

- **Risk resolution.** Risks are unknown events that are inherently neutral, but which are categorized as either positive or negative. Each functional area within ETS will identify and document preventive actions for potential negative project risks, or threats, as well as enhancement actions for the positive risks, or opportunities.

- **Risk resolution action plan.** Based on the collective ideas of the departments, the ETS Executive Director will decide on a plan of action to bring about risk resolution. ETS will rate risks by urgency, based on potential impact to the CAASPP System's cost, timeline, and deliverables. In many cases where risks have lesser probability or impact, ETS will be able to simply monitor risks without a defined action.

- **Responsibility and accountability.** ETS will assign responsibility to various teams and team members for carrying out the risk resolution plans for the CAASPP System. Ultimately, the ETS Executive Director will be solely accountable to the CDE for the plans and actions related to the risks of the CAASPP System.

As the project progresses, ETS will monitor the CAASPP System's initial risk management plan, which will include identifying new risks and dismissing current risks as no longer relevant.

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[1] Dcosta, Amanda. *A Practical Approach to Creating a Risk Management Plan.* February 4, 2014. http://www.brighthubpm.com/risk-management/2875-a-practical-approach-to-creating-a-risk-management-plan/

1.8. Document Format and Style

ETS will verify that communications and reports sent to the CDE comply with the format and style as specified. ETS will maintain and implement the CDE format and style requirements.

ETS will comply with the *CDE Style Manual* and the *CDE Correspondence Guide*, and CDE Web requirements. In addition to the guidelines outlined in the *CDE Style Manual*, reports for special studies and research will comply with the CDE requirements in Appendix B: Reporting Expectations for Special Studies and Research Projects.

1.9. CDE Notification and Approval Schedule

Issue Escalation Procedure

ETS will make it a priority to keep the CDE informed on all important issues regarding the CAASPP System. ETS will prepare an escalation strategy for notifying the CDE of any issues that may arise during the program. This includes a plan for promptly communicating to the CDE Contract Monitor via telephone, with a follow-up in writing, of any problem that has the potential to impact the quality, timeliness, or other aspect of the project. This follow-up will include the proposed solution and a solution timeline. In addition, subsequent reports to the CDE will contain the issue, the determined solution, and current status within the solution timeline. ETS will work with the CDE to appropriately communicate critical information to the field.

With the CAASPP System, ETS developed multiple key strategies that maintain communications for all team members. These strategies include:

- having all of the ETS management team staff participate in weekly meetings, both internal and client-facing
- making all key managers available by cell phone, e-mail, and voicemail seven days a week, especially during peak periods
- conducting weekly internal meetings among ETS staff
- using e-mail in a disciplined manner to keep ETS managers and the CDE informed of all activities in all components of the scope of work
- distributing a key contact information sheet that provides telephone, e-mail, fax, and cell phone information for all key management or personnel
- maintaining issues logs and risks management logs, and providing access to them to all ETS staff and the CDE
- following an escalation process for routine and emergency issues
- initial discovery of issue or potential scope change
- internal discussion of an issue or potential scope change
- discussion with senior management
- discussion of an issue with the CDE
- root cause analysis

In addition, during the contract period, ETS will enhance these techniques to best suit the needs of the CDE. The goal will be to alert each ETS manager promptly if a deliverable is at risk of falling behind schedule or faces some other type of challenge. ETS will also aim to keep the CDE Contract Monitor apprised of all potential and actual issues that occur and describe how they are being resolved.

Approval and Certification Process

ETS will use the information from the Orientation Meeting to finalize a project schedule and detailed scope of work and provide these documents to the CDE for the CDE's review and approval no later than ten (10) business days following the Orientation Meeting.

This plan will include the refined proposal to describe the deliverables required for each task, which will include a minimum of ten (10) business days for CDE staff to conduct their initial review and provide feedback. ETS's draft plans will include substantive operational testing opportunities of the CAASPP Assessment Delivery System for the CDE staff to confirm the elimination of sources of error wherever possible, prior to any content or system functionality appearing in a production environment. ETS's schedule will incorporate the required number of days allocated for the CDE's review of the initial and subsequent drafts.

For planning purposes, ETS will use the standard deliverable review process outlined below; however, ETS understands and acknowledges the need for flexibility to meet compressed or extended review requirements and will work with the CDE to develop a mutually agreeable review process and schedule for the given deliverable.

1. ETS submits the initial draft deliverable to the CDE.
2. The CDE reviews the initial draft and provides comments to ETS within ten (10) business days of the ETS submission.
3. ETS prepares the revised deliverable and submits the revised deliverable to the CDE within five business days after receipt of the CDE's written comments to the initial draft.
4. The CDE reviews the revised draft and provides one of the following decisions:
    - Approval
    - Approval with edits
    - Edits and revisions required

Deliverables that receive an "Approval" will be finalized by ETS. The finalized deliverable will be submitted to the CDE for archive purposes within five business days. Deliverables that receive an "Approval with edits" will be revised and finalized by ETS while incorporating the additional CDE edits. The finalized deliverable will be submitted to the CDE for archive purposes within 5 business days. Deliverables that have "Edits and revisions required" will be revised by ETS and submitted to the CDE for another review. Prior to revising the deliverable, ETS will meet with the CDE to discuss the required revisions and to ensure that the revisions are clearly understood. The iterative revision and review process will continue until the CDE has approved the deliverable.

Before ETS submits a deliverable to the CDE and at each stage of the review for the deliverable, ETS's program management representative will submit a signed certification with

every deliverable attesting that the deliverable is error-free and meets all requirements. ETS will use a Web-based Project Manager Certification process.

The ETS Gatekeeper will manage the process by which deliverables are submitted to the CDE and will manage feedback received from the CDE. The Gatekeeper will serve as the single point of contact for submitting deliverables to the CDE and notifying the CDE of the submissions. The Gatekeeper will work with the program management representative to verify the completion and inclusion of certification as part of the submission. The Gatekeeper will also be the single point of contact for the CDE to return feedback and/or approval of the deliverable and will confirm that the CDE's feedback or approval has been communicated to the appropriate ETS program management member. The Gatekeeper may also assist the CDE and ETS in coordinating discussions about the deliverables during the review process.

ETS will not disseminate materials to LEAs or publicly release any materials without the CDE's prior written approval.

TASK 2: Program Support Services

ETS is committed to providing superior support services that make it as easy as possible for schools, LEAs, and the CDE to implement the CAASPP System. This section describes how ETS will implement communication activities to help the CDE broaden California's understanding of both the summative testing system and the interim and formative tools that are available.

2.1. Coordinators

LEA CAASPP Coordinator and Superintendent Contact Information

TOMS will use the school hierarchy file provided by the CDE to populate its database. By August 18, annually, LEAs will receive communications from ETS requesting that the superintendent of each LEA provide the following information on or before September 30, as required by the testing regulations (*California Code of Regulations*, Title 5, Section 853. Administration):

- designate from among the employees of the LEA an LEA CAASPP Coordinator;
- identify school(s) with pupils unable to access the computer-based assessment (CBA) version of a CAASPP test(s) in accordance with *Education Code (EC)* Section 60640(e); and
- report to the CAASPP contractor(s) the number of pupils enrolled in the school identified in subdivision (2) that are unable to access the CBA version of a CAASPP test.

The prior year's LEA CAASPP Coordinator will also receive a copy of this communication in order to assure receipt and action from the Superintendent. ETS will track the receipt of a completed form for the LEA along with any updates to the data in TOMS. Any changes to the assigned LEA CAASPP Coordinator made during a testing year will require a new Superintendent's Designation of LEA CAASPP Coordinator form signed by the LEA Superintendent. Representatives from California Technical Assistance Center (CalTAC) will enter the receipt date of these documents into TOMS, triggering LEA access to the system. LEA CAASPP Coordinators will not be able to access TOMS until this form and a Security Agreement have been received from the LEA.

Security Agreements

LEA CAASPP and CAASPP Test Site Coordinators receive from ETS the Test (including Field Tests) Security Agreement for LEA and Test Site Coordinators (the "Security Agreement form"). ETS will provide LEA and site CAASPP Coordinators with the Security Agreement form every August, together with the Superintendent's Designation Form for the appropriate school year. CalTAC tracks receipt of the forms, and the new online version automatically routes Security Agreement forms submitted by CAASPP Test Site Coordinators to the appropriate LEA CAASPP Coordinator.

Upon receipt of this form and the Superintendent's Designation of LEA CAASPP Coordinator form, the LEA CAASPP Coordinator will receive a user name and temporary password to access TOMS. ETS will conduct follow-up telephone, fax, and e-mail communications in order to obtain completed forms from all school LEAs.

LEA CAASPP Coordinators will be required to sign a CAASPP Test Security Affidavit and to obtain a signed CAASPP Test Security Agreement and signed CAASPP Test Security Affidavit from each CAASPP Test Site Coordinator. In addition, LEA CAASPP Coordinators must obtain signed CAASPP Test Security Affidavits from all test examiners, proctors, and scribes as well as from any other LEA and school staff that will have access to the CAASPP test materials either on paper or electronically. The LEA CAASPP Coordinators must keep the signed agreements and affidavits on file at the LEA office.

2.2. Administration Management System LEA Support

The TOMS application will serve as the primary conduit for users of the online system. Administrators and teachers can upload files, retrieve reports, and utilize a long list of other functions. TOMS will use CALPADS data for the LEA/school hierarchy and for enrollment data. The CALPADS enrollment data will be used by TOMS to determine test assignments. ETS will work with the CDE to establish a daily data feed of CALPADS data to TOMS. Additional information about the data feed is described in Task 3.

TOMS will include functionality to collect supplemental ordering information, including overage rules, delivery date options, delivery to school or LEA (LEAs may choose different option for materials versus reports shipment), label options, updates to school and LEA addresses, contacts, rescore requests, and other information. TOMs will also allow LEAs to order accommodated test materials or additional materials and other services that cannot be accommodated by data flows from state level data.

Users will access TOMS via the portal and will have one user ID and password (single sign-on) to perform all required functions to administer and report online and paper tests. Specifically, this includes viewing student information, including test eligibility, and preparing for online testing. Additional information about single sign-on is described in Task 3.

TOMS will be enhanced to manage and track LEA requests for rescores, and AIR's proprietary TDS system will manage and track LEA requests for appeals, as allowable by state regulations.

ETS will present a complete set of TOMS system requirements for the CDE's approval before TOMS is configured for the 2016 administration. After the CDE approves this plan, ETS will present a complete project schedule with achievable milestone dates that will include system demonstrations, user acceptance testing by CDE representatives with accompanying system user guides, and built-in time to make any potential system refinements before the published launch date.

2.3. Data Driven Improvement

ETS will use a variety of approaches to solicit and use data and information to improve processes and support inclusive of all CAASPP assessments.

Specifically, under the leadership of the CDE, ETS proposes to expand the following data collection actions.

- collect feedback from LEAs across the state at key points and on specific topics using short, well-crafted online surveys
- provide statewide training that allows LEAs plenty of time to conduct local training

- review question logs from live Webcasts for patterns and themes and include Quick Polls during Webcasts to check for understanding
- regularly obtain feedback from CalTAC representatives on the nature of calls and e-mails received to identify key recurring points and questions from the field

ETS will also hold up to 9 in-person focus groups per administration (up to 45 focus groups during the initial contract period). The focus groups will be conducted at the end of each administration cycle to gather additional information from test administrators, special education representatives, primary language stakeholders and LEA CAASPP Coordinators. ETS will work with CDE to determine the purpose, locations, and audience of each session.

2.4. Technical Assistance Center

ETS will provide a comprehensive support team to the CDE and LEAs during each annual administration for the support of all CAASPP (including summative assessments, interim assessments, the Digital Library, user provisioning questions, etc.). The CDE and LEAs will have access to ETS program managers, LEA outreach team members, technical assistance center staff, and computer-based testing technology experts.

ETS will provide three-tier help desk support. Support will be provided specifically to LEA CAASPP Coordinators, LEA Technology Coordinators, and other LEA-level staff designated by the LEA CAASPP Coordinator.

The three different tiers of help desk support are as follows:

- Tier 1 – California Technical Assistance Center (CalTAC)
- Tier 2 – xBT
- Tier 3 – Smarter Balanced and/or AIR

Tier 1: California Technical Assistance Center (CalTAC)

ETS will provide CalTAC services for state- and LEA-level customers throughout the calendar year. CalTAC will:

- operate during the hours of 7 a.m. to 5 p.m. Pacific Time, Monday to Friday, excluding designated California school holidays, with extended hours as needed
- have a dedicated toll-free telephone number handling up to 200 concurrent callers
- have a dedicated e-mail address
- offer real-time chat as an alternative to telephone or e-mail
- operate a fax line to communicate sensitive information (e.g., information that includes student names)

ETS will publish all CalTAC contact information in program materials and on caaspp.org.

In addition, the ETS director of operations will serve as the single point of contact for responding to inquiries from CDE staff and CDE contractors within two (2) business hours. The ETS program manager will serve as the single point of contact on critical Smarter Balanced issues

(e.g., Tier 3 Support issues). These points of contact will have the support of ETS's CAASPP IT Manager.

Response Time. Given how important it is to provide a positive experience for California LEAs, ETS will promptly resolve customer inquiries. ETS will have 30 to 50 customer service representatives dedicated to handling CAASPP inquiries and will answer telephone calls within 60 seconds and respond to e-mail inquiries with a complete answer within two hours of receipt, if received before 3 p.m. during normal business hours. E-mail messages received after 3 p.m. or during non-business hours will receive responses by 9 a.m. the next business day. ETS will post chat feature responses within 90 seconds of receipt during normal business hours and will answer telephone messages received before business hours by 9 a.m. the same business day, telephone messages received after 3 p.m. will be answered by 9 a.m. the next business day. ETS relies on system productivity tools and supervisor interventions to monitor customer response time, and will meet the CDE's response expectations during the administration window.

ETS will have documented processes to monitor the accuracy of phone and e-mail responses by CalTAC staff through supervisory monitoring, LEA or state feedback, or other methods, and provide retraining as necessary.

ETS will provide weekly customer service summary reports to the CDE. Reports will include volume, wait time, and responses/resolutions by CalTAC staff. The reports will be provided to the Consortium vendor as part of the overall coordination activities with the Consortium.

Tiers 2 and 3: Technology Support (xBT and AIR)

Tier 2 support will be accomplished through a seamless integration of ETS' internal technical support team (xBT), a second level that will manage intermediate-plus issues. Two xBT support staff will continue to be based in California to provide Tier 2 technical support. Other xBT support staff will be located in New Jersey to provide additional Tier 2 technical support. In addition, xBT will assist in technical site visits, in-person training workshops, and technology-related Webcasts.

Tier 3 will escalate to the test delivery system (TDS) and reporting vendors AIR or Smarter Balanced for the Digital Library. Escalation to this level will be for technology issues directly related to the TDS or reporting system or the Digital Library. AIR will provide responses back to ETS in a timely manner to allow for information sharing across the platform. In addition, AIR will assist with in-person training workshops and test system-related Webcasts.

Technical issues identified during a testing window that cannot be resolved by CalTAC immediately will be transferred to ETS's xBT team. If a school LEA is calling with a technical issue and students are in the classroom unable to test, the call is to be moved to technical support immediately for resolution or a recommendation should be provided to have students test at a later time if the problem cannot be resolved. Students should not be kept in a classroom for more than 15 minutes waiting for resolution if not agreed upon by the LEA.

Training of CalTAC Staff, Training Materials, and Informational Updates

Customer Service Representative Training. ETS will continue to provide training for customer service representatives through an ETS Learning and Development-certified trainer. Training will last for 10 business days, and upon completion of this training all representatives will be able to assist customers with:

- installing secure browsers

- creating users in TOMS and resetting system passwords
- utilizing all CAASPP management functions in TOMS
- processing supplemental orders for paper materials
- understanding summative and interim test administration procedures, including for both computer-based and paper-pencil assessments, where applicable
- using the Digital Library
- accessing student-level and aggregate score reports
- finding answers to questions about upcoming trainings and events
- accessing applicable resources on caaspp.org

Customer Service Representative Training Materials. ETS will use information from CDE-approved sources to develop program training and reference materials. These sources will include:

- administration manuals
- CAASPP PowerPoint presentations
- FAQs
- Standard Operating Procedures
- CAASPP Webcast presentations
- hands-on UAT environments
- caaspp.org

Informational Updates. ETS internal informational updates will follow an established protocol within CalTAC. ETS's Director of Operations will hold regularly scheduled internal briefing meetings with the CalTAC Manager and senior CalTAC Supervisors to provide the latest program updates. The internal briefings will occur at least weekly and will be scaled up to daily briefings, according to test administration needs.

As new information becomes available from the internal briefings of senior CalTAC Supervisors, ETS will distribute an updated informational flash to customer service representatives via e-mail and through a private, secure social media group used corporate wide. This flash tip sheet will detail the new information, the appropriate strategy for sharing the information with customers, the resolutions required, and the documentation method within ETS contact management tools and system. ETS will include informational flashes in any future training sessions, and will modify material to reflect these updates. As the CAASPP System evolves, ETS will update FAQs and training so that procedures for contact center staff remain up-to-date.

Annual and Periodic Customer Support Services Reports

CalTAC Annual Reports and Other Available Reports. ETS will continue to provide the CDE with annual reports that help determine the uses of customer support services. ETS will collaborate with the CDE to define views and intervals, and to gain approval on samples.

ETS will continue to distribute reports according to the CDE's specifications (i.e., posting to a project site or e-mailing to a distribution list), and will work with the CDE and its stakeholders at the Orientation Meeting to determine the most appropriate implementation method for program tracking and resolution.

Customer Contact Tracking System. The ETS customer contact tracking system collects contact information and tracks resolution and ETS will provide the CDE with detailed information on why a contact is calling and the resolution for each contact. ETS can also provide, at CDE request, customer service representative-level detail with a historical view for each time a customer has contacted CalTAC. ETS will collaborate with the CDE to anticipate events before they occur while providing support and resolution to the field with timely and effective information to resolve any emerging issues.

Customer Service Representative Efficiency. CalTAC uses a performance dashboard to view real-time telephone performance. ETS will use this dashboard to track individual performance and determine if additional support for the contact is necessary. ETS also uses the dashboard to make dynamic staffing adjustments as needed to maintain required response times.

2.5. Student Accessibility Tool

ETS will support the CA version of the ISAAP tool, including supporting the extract that can be uploaded into TOMS.

ETS will further customize and enhance the California ISAAP tool to include tools, supports, and accommodations that may be needed in order to respond to policy changes from the state, the federal government, or the Smarter Balanced Consortium, or there may be new accessibility components needed specifically for the new non-Smarter Balanced computer-based assessments. ETS will propose annually what changes are required and possible to customize and improve the California ISAAP Tool.

2.6. Internet Resource Site

ETS will maintain the web site that will be the central repository for all information regarding the CAASPP assessment program. At the beginning of the new contract period and annually thereafter, ETS will submit the Web site through a WebART review to ensure that the site continues to meet CDE Web standards. The portal will have a section to house accessible manuals, software, item samplers, training materials, etc. that does not require a user ID or password to access. The portal will have search capabilities for public use. The search results will provide links to the pertinent information in the current versions of manuals and documents posted.

The portal will also link to a secure site that will allow for secure posting of data directly to LEAs or accessible by LEAs for retrieval of data. Only authorized users will be able to access the secure site.

ETS will track and report the number of times that resources have been accessed on the portal.

As new Internet and social media resources become available, ETS will consider each to determine whether or not they might be appropriate for CAASPP. ETS will provide recommendations to the CDE for consideration.

ETS will host one annual focus group to specifically solicit input on the web site. ETS will translate this feedback into a Web site enhancement action plan each year for CDE review and approval prior to implementation.

2.7. Workshops and Webcasts

ETS will establish and implement a training plan for LEA assessment staff on all aspects of the assessment program. The CDE and ETS, in collaboration with the CDE Senior Fellows and other stakeholders as needed, will determine audience, topics, frequency, and mode (in-person, webcast, videos, modules, etc.) of the training, including such elements as format, participants, and logistics. It is anticipated that the training plan will be implemented in August annually.

ETS plans to conduct between 40-46 sets of workshops and Webcasts for each administration. Planned workshops and Webcasts are included in Table 1 at the end of this task.

ETS will present the names and qualifications of proposed presenters and all associated

Workshop and Webcast materials to the CDE in advance for its review and approval. Following approval by the CDE, materials will be posted for each Webcast on caaspp.org so that viewers may download them no later than the day before the presentation of the Webcast.

Webcasts

ETS will launch a series of live Webcasts each year starting in September, leading up to the start of summative testing in February, and will conclude each testing cycle with in-person post-test training on testing results and reporting. Webcast viewers will be provided with a method of electronically submitting questions to the presenters during the Webcast. The Webcasts will be closed captioned. The Webcasts will be recorded and archived for on-demand viewing.

In-person Training

In person trainings will typically be conducted at county offices of education. The first in-person training in a series will always be held in Sacramento. Proposed locations for the in-person training will take into consideration providing convenient locations for as many LEAs as possible while ensuring efficient use of limited staffing resources.

ETS will use an online registration system to track reservations and provide registration confirmation to participants with location, date, and time of their training session.

Videos and Narrated PowerPoint Presentations

To supplement the live Webcasts and in-person workshops, ETS will produce short “how to” videos and narrated PowerPoint presentations that will be available on caaspp.org. The videos will be provided in multiple formats (e.g., YouTube video, .mov file) and will be closed captioned.

2.8. Local Assessments: Smarter Balanced Interim Assessments and Digital Library

ETS will support California's K–12 educators in accessing and using Smarter Balanced interim assessments and their results. Additionally, ETS will help educators use Smarter Balanced's Digital Library. As described in Task 7.3.A.1, the ETS plan for supporting LEAs includes:

- use of a single system sign on for streamlined access
- a unified platform for delivery of all system components
- large-scale teacher training in the scoring of students' responses to constructed-response and performance task items (discussed in Task 7.3.A.1)
- training and materials to guide use of the interim assessments and accurate interpretations of scores and support effective use of results for instructional purposes (discussed in Task 7.3.A.1)

2.8.A. Smarter Balanced Interim Assessments

ETS understands that the intent of California is to have the Smarter Balanced-provided interim assessments available year round to LEAs through the life of the contract. To that end, ETS will deploy the interim assessments using the test delivery system in August of each year or during a timeframe that supports the annual rollover of CALPADS to the next school year. ETS will incorporate any Smarter Balanced-provided updates to the interim assessments by September 1 annually. The CAASPP Assessment Delivery System will deliver both adaptive and fixed form test designs to support core and block interim tests. The system will also allow LEAs to access the on-demand online administration year upon request, and it will provide seamless integration with other CAASPP System components.

ETS will provide the following materials for the Interim assessments:

- System User Guide
- Scoring Guide
- System Infrastructure Guide
- System Training workbook

2.8.B. Digital Library of Formative Assessment Resources

CDE-authorized California principals, teachers, and educators will have access to all the instructional and literacy modules, as well as the educational resources, available within the Smarter Balanced Formative Digital Library. ETS will seamlessly integrate this Digital Library sign-on into TOMS.

As an additional benefit a flexible user interface will allow authorized California educators to upload additional instructional modules and resources to the Digital Library, under the specifications and guidelines provided by Smarter Balanced. ETS understands that UCLA will host the Digital Library and may want to manage the process and means by which materials are added to the collection. Depending on how that process is managed, ETS will provide a solution that supports California educators' contributions to grow the resources available. ETS will also

support the collaborative tools provided by the Smarter Balanced Digital Library, including user ratings, feedback, and other evaluation tools.

Table 1. Planned CAASPP Training Workshops and Webcasts

	Name and Description of Training	Type of Training	Audience or Estimated Number of Attendees	Planned # of Sessions	Estimated Durations	Planned Locations	Estimated Timeframe to Provide Training	School Years Provided	SOW Task Reference
1	Summer Scoring Institutes Provide thorough training and practice on the scoring of operational items	In-person	200 California educators per session	8	1 day	TBD – propose: 2 North 2 Central 4 South	July	2015-16 2016-17 2017-18	2.7.B 8.1.A.2
2	Using the Smarter Balanced Digital Library Familiarize users with the content and uses of the digital library resources	Webcast (archived), PowerPoint	CAASPP Coordinators, Test Administrators, Educators	1	2 hours	caaspp.org	August	2015-16 2016-17 2017-18	2.7.B
3	Digital Library & Interim Assessment Clinics Provide information on the access and administration of the interim assessments and general information about access of the Digital Library and available resources	In-person	CAASPP Coordinators + 3 participants per LEA (as space allows) 50-100 participants per session	8	4 ½ hours	TBD – propose: 2 North 2 Central 4 South	August – September	2015-16 2016-17 2017-18	2.7.B
4	What is Computer Adaptive Testing Provides high-level information on CAT and how it works	Online Presentation	CAASPP Coordinators, Test Administrators, Educators	1	15 minutes	caaspp.org	September	As Smarter Balanced updates	2.7
5	Embedded Universal Tools and Online Features Explains the online tools available to students for testing and how to access and use them	Online Presentation	CAASPP Coordinators, Test Administrators, Educators	1	25 minutes	caaspp.org	September	As Smarter Balanced updates	2.7
6	Performance Task Overview Explains the Smarter Balanced PTs and Classroom Activities and provides examples	Online Presentation	CAASPP Coordinators, Test Administrators, Educators	1	20 minutes	caaspp.org	September	As Smarter Balanced updates	2.7

	Name and Description of Training	Type of Training	Audience or Estimated Number of Attendees	Planned # of Sessions	Estimated Durations	Planned Locations	Estimated Timeframe to Provide Training	School Years Provided	SOW Task Reference
7	Technology Requirements for Online Testing Provides technology requirements and readiness tasks in preparation for online testing	Online Presentation	CAASPP Coordinators, Technology Coordinators	1	20 minutes	caaspp.org	September	Annual updates as needed	2.7
8	Using the CAASPP Individual Student Assessment Accessibility Profile (ISAAP) Tool Tutorial Instructions for using the tool to create student test settings files	Video and PowerPoint	CAASPP Coordinators, Test Administrators, Educators	2	1 hour	caaspp.org	September	Annual updates as needed	2.7
9	Interim Assessments Hand Scoring System Presentation Instructions for accessing and using the scoring module for hand scored items on the interim assessment	Video, PowerPoint	CAASPP Coordinators, Test Administrators, Educators	2	1 hour	caaspp.org	September	Annual updates as needed	2.7
10	Interim Assessments Reporting System Presentation Familiarize users with available reports, navigation, and tools for the interim reporting system	Video, PowerPoint	CAASPP Coordinators, Test Administrators, Educators	2	30 minutes	caaspp.org	September	Annual updates as needed	2.7
11	Setting up Test Administrations in TOMS Demonstration of functions of TOMS	Video	CAASPP Coordinators, Test Administrators	1	15 minutes	caaspp.org	September	Annual updates as needed	2.7
12	Adding and Managing Users in TOMS Tutorial on how to add and manage users in TOMS/single sign-on	Video	CAASPP Coordinators, Test Administrators	1	15 minutes	caaspp.org	September	Annual updates as needed	2.7
13	Smarter Balanced Interim Assessments Provide an overview of the Interims, planning for them, uses of results and reporting	Webcast (archived), PowerPoint	CAASPP Coordinators, Test Administrators, Educators	1	2 hours	caaspp.org	September	2015-16 2016-17 2017-18	2.7.B
14	Preparing CALPADS Data Provide overview of CALPADS data elements and the process of loading to TOMS	Webcast (archived), PowerPoint	CAASPP Coordinators, CALPADS Coordinators	1	1 hour	caaspp.org	September	2015-16 2016-17 2017-18	2.7
15	TOMS Training Provide introduction to TOMS, logging on, and	Webcast (archived),	CAASPP Coordinators	1	1 hour	caaspp.org	September	2015-16 2016-17	2.7

	Name and Description of Training	Type of Training	Audience or Estimated Number of Attendees	Planned # of Sessions	Estimated Durations	Planned Locations	Estimated Timeframe to Provide Training	School Years Provided	SOW Task Reference
	configuring test administrations	PowerPoint						2017-18	
16	Configuring Online Student Test Settings in TOMS Instructions for setting embedded and non-embedded supports and accommodations	Webcast (archived), PowerPoint	CAASPP Coordinators, Test Administrators	1	1 hour	caaspp.org	September – October	Annual updates as needed	2.7
17	CAASPP: Preparing Your LEA's Technology for Online Testing Review LEA technological resources and requirements and secure browser installation	Webcast (archived), PowerPoint	CAASPP Coordinators Technology Coordinators	1	1 hour	caaspp.org	September – October	2015-16 2016-17 2017-18	2.7
18	Interim Assessment Scoring Workshop Train teachers in the effective and consistent use of scoring rubrics	In-person	100 California educators per session	8	3 hours	TBD – propose: 2 North 2 Central 4 South	September – October	2015-16 2016-17 2017-18	2.7.B 8.1.A.2
19	Using the Interim Assessment Reporting System and Interim Assessment Results Interpretation Information to support accurate interpretation and effective use of interim assessment scores	Webcast (archived), PowerPoint	CAASPP Coordinators, Test Administrators, Educators	1	2 hours	caaspp.org	October	2015-16 2016-17 2017-18	2.7.B
20	Accessibility and Accommodations for CAASPP Purpose and importance of accessibility, available tools, supports and accommodations, process steps	Webcast (archived), PowerPoint	CAASPP Coordinators	1	1 hour	caaspp.org	October	2015-16 2016-17	2.7
21	Introduction to new Primary Language Assessment Overview of new assessments and development process	Webcast (archived), PowerPoint	CAASPP Coordinators, Test Administrators, Educators	1	2 hours	caaspp.org	October	16-17, 17-18	2.7.C
22	Introduction to new CA NGSS Assessment Overview of CA NGSS assessments, development process and a view of sample items	Webcast (archived), PowerPoint	CAASPP Coordinators, Test Administrators, Educators	1	2 hours	caaspp.org	October	2016-17 2017-18	2.7.C
23	Student Paper-pencil Test Registration in TOMS Instructions for setting up students for paper-pencil testing	Webcast (archived), PowerPoint	CAASPP Coordinators, Test Administrators	1	1 hour	caaspp.org	November	Annual updates as needed	2.7

	Name and Description of Training	Type of Training	Audience or Estimated Number of Attendees	Planned # of Sessions	Estimated Durations	Planned Locations	Estimated Timeframe to Provide Training	School Years Provided	SOW Task Reference
24	Preparing Your LEA's Student Paper-pencil Test Registration File Instructions on file specifications and preparation and live demo	Webcast (archived), PowerPoint	CAASPP Coordinators, CALPADS Coordinators	1	1 hour	caaspp.org	November	Annual updates as needed	2.7
25	Using the Online Practice and Training Tests Differences and uses of Practice and Training tests, logging on, tools and layouts, and administration	Webcast (archived), PowerPoint	CAASPP Coordinators, Test Administrators	1	1 hour	caaspp.org	November	2015-16 2016-17 2017-18	2.7
26	Paper-Pencil Test Administration Workshop Familiarize coordinators with proper testing procedures, secure material handling, and secure test administration	Webcast (archived), PowerPoint	CAASPP Coordinators, Test Administrators	1	1 hour	caaspp.org	December	Annual updates as needed	2.7
27	Pre-Test Workshop Comprehensive overview of test administration procedures for all CAASPP assessments	Webcast (archived), PowerPoint	CAASPP Coordinators	1	2 hours	Virtual	January	2015-16 2016-17 2017-18	2.7
28	Alternate Assessment Training (Math, ELA) Introduction and administration procedures for alternate assessments	Webcast (archived), PowerPoint	Alternate Assessment Test Administrators	1	1 hour	Virtual	January	2015-16	2.7
29	Alternate Assessment Training (Math, ELA, CA NGSS) Introduction and administration procedures for alternate assessments	Webcast (archived), PowerPoint	Alternate Assessment Test Administrators	1	1 ½ hours	Virtual	January	2016-17 2017-18	2.7.C
30	Primary Language Pilot Test Administration Training Introduction and administration of the pilot test	Webcast (archived), PowerPoint	CAASPP Coordinators, Test Administrators	1	2 hours	caaspp.org	January	2016-17	2.7.C
31	Primary Language Field Test Administration Training Introduction and administration of the field test	Webcast (archived), PowerPoint	CAASPP Coordinators, Test Administrators	1	2 hours	caaspp.org	January	2017-18	2.7.C
32	CA NGSS Pilot Test Administration Training Introduction and administration of the pilot test	Webcast (archived), PowerPoint	CAASPP Coordinators, Test Administrators	1	2 hours	caaspp.org	January	2016-17	2.7.C
33	CA NGSS Field Test Administration Training Introduction and administration of the field test	Webcast (archived), PowerPoint	CAASPP Coordinators, Test Administrators	1	2 hours	caaspp.org	January	2017-18	2.7.C

	Name and Description of Training	Type of Training	Audience or Estimated Number of Attendees	Planned # of Sessions	Estimated Durations	Planned Locations	Estimated Timeframe to Provide Training	School Years Provided	SOW Task Reference
33	CA NGSS Alternate Pilot Test Administration Training Introduction and administration of the pilot test	Webcast (archived), PowerPoint	CAASPP Coordinators, Test Administrators	1	2 hours	caaspp.org	January	2016-17	2.7.C
34	CA NGSS Alternate Field Test Administration Training Introduction and administration of the field test	Webcast (archived), PowerPoint	CAASPP Coordinators, Test Administrators	1	2 hours	caaspp.org	January	2017-18	2.7.C
35	Test Security Requirements, test security guidelines for online and paper-pencil administrations, procedures for reporting irregularities	Webcast (archived), PowerPoint	CAASPP Coordinators	1	30 minutes	caaspp.org	January – February	2015-16 2016-17 2017-18	2.7
36	Pre-Test Administration Training (includes separate session for Alternate Assessments) In-depth train-the-trainer model on all aspects of test administration with live systems demonstrations with separate hands-on training for alternate assessment administrations	In-person	CAASPP Coordinators and Technology Coordinators 50-100 participants per session	17	4 ½ hours	Butte Humboldt Sacramento Shasta Alameda Fresno Monterey San Joaquin Santa Clara San Francisco Kern Los Angeles (2) Orange Riverside San Diego Santa Barbara	January – February	2015-16 2016-17 2017-18	2.7
37	Operational Scoring Weekend Institutes Operational training for scoring summative assessment items, qualifying, and live scoring	In-person and Scoring	100 California educators per session	8	2 days	TBD – propose: 2 North 2 Central 4 South	March – May	2015-16 2016-17 2017-18	2.7.B 8.1.A.2

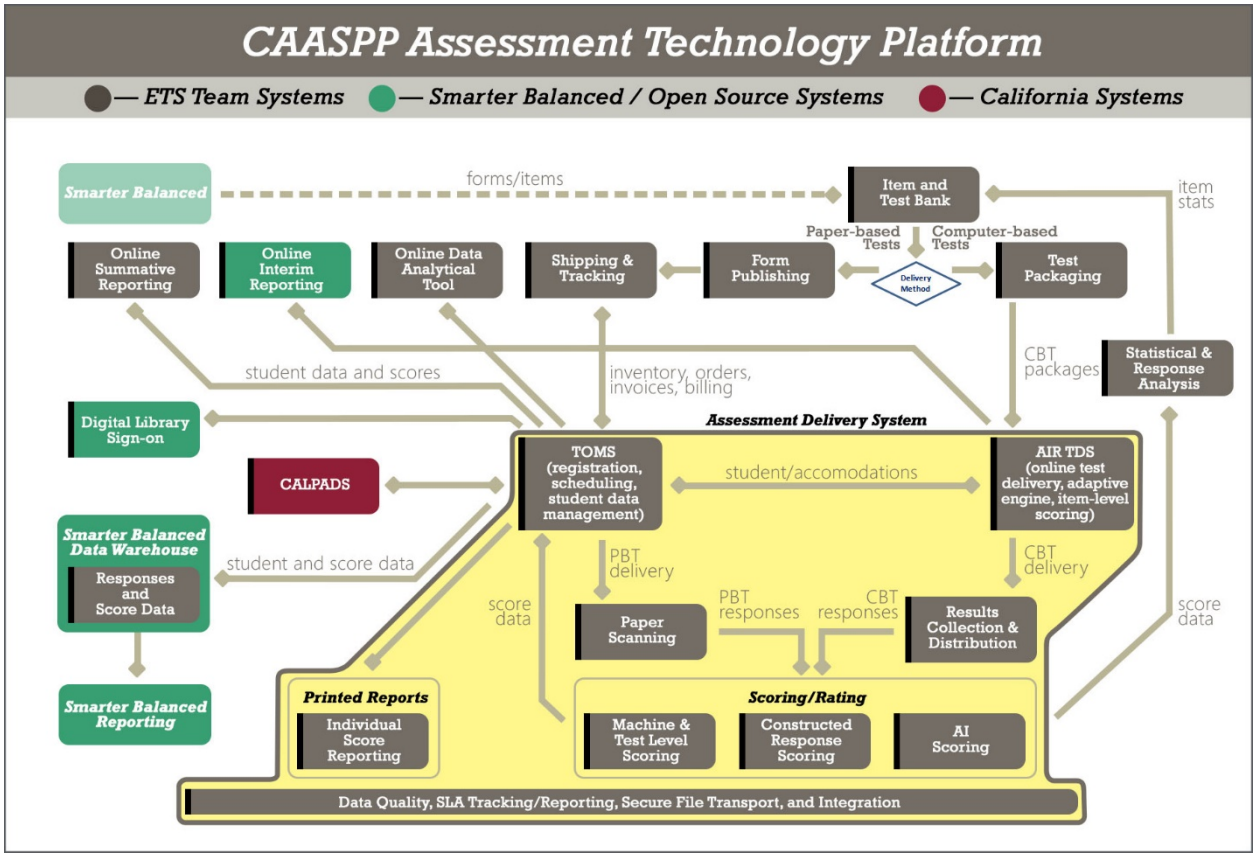
	Name and Description of Training	Type of Training	Audience or Estimated Number of Attendees	Planned # of Sessions	Estimated Durations	Planned Locations	Estimated Timeframe to Provide Training	School Years Provided	SOW Task Reference
38	Using the Aggregate Reporting System and Summative Results Interpretation Information to support accurate interpretation and effective use of summative assessment scores	Webcast (archived), PowerPoint	CAASPP Coordinators, Educators	1	2 hours	caaspp.org	May	2015-16 2016-17 2017-18	2.7.B
39	Post-Test Workshops Review reporting systems and features and provide guidelines for score interpretation Morning session: All CAASPP assessments Afternoon session: Focus on alternate assessments	In-person	CAASPP Coordinators (AM and PM sessions) Special education coordinators (PM sessions only) 50-100 participants per session per location	8	4 ½ hours	TBD – propose: 2 North 2 Central 4 South	May – June	2015-16 2016-17 2017-18	2.7
40	Additional Webcast (archived), PowerPoint #1	Webcast (archived), PowerPoint	TBD	1	1 hour	caaspp.org	TBD	2015-16 2016-17 2017-18	2.7.C
41	Additional Webcast (archived), PowerPoint #2	Webcast (archived), PowerPoint	TBD	1	1 hour	caaspp.org	TBD	2015-16 2016-17 2017-18	2.7.C
42	Additional Webcast (archived), PowerPoint #3	Webcast (archived), PowerPoint	TBD	1	1 hour	caaspp.org	TBD	2015-16 2016-17 2017-18	2.7.C
43	Additional Webcast (archived), PowerPoint #4	Webcast (archived), PowerPoint	TBD	1	1 hour	caaspp.org	TBD	2015-16 2016-17 2017-18	2.7.C

	Name and Description of Training	Type of Training	Audience or Estimated Number of Attendees	Planned # of Sessions	Estimated Durations	Planned Locations	Estimated Timeframe to Provide Training	School Years Provided	SOW Task Reference
44	Additional Webcast (archived), PowerPoint #5	Webcast (archived), PowerPoint	TBD	1	1 hour	caaspp.org	TBD	2015-16 2016-17 2017-18	2.7.C
45	Additional Webcast (archived), PowerPoint #6	Webcast (archived), PowerPoint	TBD	1	1 hour	caaspp.org	TBD	2015-16 2016-17 2017-18	2.7.C

TASK 3: Technology Services

As part of the Assessment Technology Platform solution for California, the CAASPP Assessment Delivery System includes all components required to deliver the Smarter Balanced and non-Smarter Balanced assessments for the CAASPP System. Figure 1 below provides a diagram of the overall system.

Figure 1. CAASPP Assessment Technology Platform



ETS will work closely with the CDE to evolve the existing high-capacity CAASPP test delivery system, used for the 2015 administration, to meet future requirements. The CAASPP Assessment Delivery System will, at minimum, deliver the Smarter Balanced summative assessments to approximately 10,000 schools and more than 3.2 million students in over 1,700 LEAs statewide that will use a wide variety of online testing devices (desktop computers, laptop computers, tablets, etc.). Additionally, the CAASPP Assessment Delivery System will deliver the Smarter Balanced Interim Assessments to all participating kindergarten through grade twelve students.

3.1. School Technology Readiness

Annually, ETS will work with the CDE to collect information on the technology readiness of schools. This information will include, at minimum:

- Bandwidth availability
- Networking capability
- Available facilities for computer based test administration
- Number of devices available for computer based test administration.

This information is the same as that outlined in the Smarter Balanced Technology Strategy Framework.

Collecting the School Technology Readiness Information

During the annual updates from LEA CAASPP Coordinators described in Task 2.1, ETS will incorporate the Technology Readiness Survey, which will be conducted in September of every year. The Technology Readiness Survey will be an online form. Annually in July, ETS will provide the draft Technology Readiness Survey to the CDE for the standard review and approval process described in Task 1.

The Annual Report on School Technology Readiness

Once ETS receives the results, they will be compared against the previous year's information. By November 1 of each year, ETS will submit to the CDE a preliminary report including a summary of the Technology Readiness Survey results. The report will also categorize the listed LEAs in terms of degree of readiness. The preliminary report will be updated and finalized by December 1.

Assistance to Schools to Meeting the Technology Requirements

Based on the results of the CAASPP technology readiness survey ETS will proactively reach out to each of these LEAs identified as being less ready, first via phone and subsequently by site visit to assist them in determining what they need to do to become more technologically ready to participate in the CAASPP online assessment. For each such contact, ETS will provide the CDE with a report and recommendation for action it should take. At CDE's direction, ETS will be available to the LEAs to implement these recommendations.

3.2. Assessment Delivery System

The solution supports both summative and interim Smarter Balanced assessments as well as the new succession CA NGSS, CA NGSS Alternate, primary language, and CAA. The solution will employ AIR's proprietary test delivery system, ETS's Test Operations Management System (TOMS), scoring systems from ETS and MI, and an online reporting tool from AIR.

3.2.A. Project Management Plan

During project initiation, ETS project managers will develop a Project Management Plan (PMP) for CAASPP System, including the Assessment Technology Platform. The PMP will cover the 3-year period of the contract; start-up tasks will be included only in year 1. ETS will ensure that the PMP is in compliance with CA Project Management Methodology (CA-PMM) and the State

Information Management Manual (SIMM) and will include all identified schedule elements such as actual and planned start and finish dates. ETS will use a template consistent with the CA-PMM to confirm that all key components are identified and presented in a consistent format. After completion, the PMP will remain accessible on the project SharePoint® site and will be updated annually. ETS will make the schedule available in MPP format for CDE. The ETS Technology Manager and ETS CPMO Project Manager will provide the PMP to the CDE within 30 days of contract start and will work with the CDE, the CDE contract manager, and the CDE state project manager to facilitate a review by Independent Verification and Validation (IV&V) Consultant and by Independent Project Oversight Consultant (IPOC).

The PMP will include, at minimum, the following elements:

- Scope Management Plan—During project initiation, ETS will identify and document scope using the Project Definition document template. The PMP will require the project team to document work in-scope, work out-of-scope, deliverables produced, stakeholders, and interdependencies with other projects.

- Organizational Chart and Governance Model—ETS has created the Project Organization chart as one component of the PMP. ETS's Project Review Committee will regularly evaluate the CAASPP program activities to ensure that the project team has the support needed to be successful

- Configuration Management Plan—ETS will document the configuration management plan for California and use a configuration management tool to manage changes to the production system, including production environments, software releases and their content, and other production configurations.

- Change Control Management Plan—ETS will manage the scope for development of the Assessment Technology Platform through a structured change management process. First, ETS will establish baselines for scope and schedule at the outset of the project. In the project SharePoint site, ETS will establish a change log to document and track change requests, and will set up a review process to confirm that requests are vetted with the appropriate stakeholders. Project leadership will then review change requests to assess impacts and gain agreement on how to address those impacts in support of a formal approval process. As soon a change request is approved and obtains signoffs, ETS will update the change log, integrate changes into the project plan, and re-baseline schedules if necessary.

- Communications Management Plan—During project initiation, ETS will plan for proper communications so that CDE stakeholders will be aware of not just the type of communications they will receive but also the purpose, frequency, and media (e.g., meeting, e-mail) of each communication.

- Risk Management and Escalation Plan—The ETS CPMO Project Manager will lead the project team and other key stakeholders through a risk identification and analysis session during the project's planning phase. Identified risks will be added to a risk log which remains accessible on the project's SharePoint site. In the event that a risk becomes an issue, the ETS CPMO Project Manager will add the issue to the issue log that is always accessible on the project's SharePoint site. The project manager identifies appropriate owners to remediate issues in a timely fashion to confirm continued project success while reducing the emergence of new issues or risks. Senior management,

consisting of ETS's Project Review Committee and CDE representatives, will regularly review critical project risks and issues.

- Quality Management Plan—The ETS project team will utilize the ETS Quality Plan template to construct a California Quality Plan during the Project Planning phase. The Quality Plan summarizes the quality targets and management processes undertaken during the Project Execution phase. As a result, ETS will be able to consistently reference the Quality Plan throughout the project to monitor and control the level of quality of the deliverables built and processes undertaken on the project.

- Requirements Management Plan—ETS based the requirements management process on best practices of the International Institute of Business Analysis. ETS uses this process to manage solution scope, requirements, and requirements traceability, as well as to maintain requirements for re-use and communicate the requirements. ETS will utilize seasoned business analysts to identify stakeholders; elicit, document, and confirm business needs; and manage traceability and gaps. The requirements management process includes securing approvals, managing issues that emerge during elicitation and analysis, and managing change control of baseline requirements and solution scope. ETS uses requirements traceability to detect missing functionality, assist in scope and change management, and during risk management. ETS analysts will confirm the requirements are clear, concise, accurate, and at the appropriate level of detail so that ETS can effectively communicate the requirements in a way understandable to the stakeholders.

- Schedule Management Plan—ETS will utilize detailed schedules and dashboards built in the Microsoft Project component of the Microsoft® Enterprise® Project Management (EPM) system solution to create and actively manage the project schedule. ETS builds schedules and dashboards based on well-developed scheduling principles and published best practice guidelines. Breakdown structures highlight key task dependencies, critical paths, milestones, deadlines, and resources. ETS then baselines and reviews the schedule on a weekly basis to verify the maintenance of all tasks and timelines. ETS will closely monitor any variance from the schedule baseline to minimize impacts with tasks added, deleted, or updated to reflect changes based on the project team's input.

- Resource Management Plan—ETS will monitor resources across all project teams and departments to optimize resource capacity, improve productivity, and use analytics to track utilization and reforecast staffing for projects when necessary.

ETS assumes that the CDE will provide comments to the initial PMP within 20 business days of receipt. ETS will respond and provide an updated PMP within 20 business days following receipt of the CDE written comments. Upon approval by the CDE, ETS will implement and monitor the PMP, and will collaborate fully with the CDE and the California Department of Technology (CalTech) to confirm that the plan meets expectations.

ETS will also collaborate with the CDE to determine the technology services summary information required for reporting purposes and will develop and implement a mutually-agreed upon format. ETS understands that the CDE may use the technology services summary to report to the SBE, CalTech, the California Department of Finance, and other stakeholders as needed.

3.2.B. System Requirements

ETS will implement the CAASPP Assessment Delivery System for this program according to the expectations of CDE staff, the CDE contract manager, and the CDE state project manager. ETS will plan each meeting to efficiently use the time of the CDE staff, the Independent Verification and Validation consultant, the Independent Project Oversight Consultant, and program management and technology staff to accomplish the tasks identified.

At the start of the contract, ETS will schedule a series of joint requirements sessions to review and discuss the minimum requirements outlined agreed upon by ETS and the CDE (RFS Table 3.1.1. is included as Appendix C for reference). ETS will be responsible for providing the initial requirements document, which will describe the known CAASPP requirements and how ETS handles those requirements. ETS proposes to hold joint requirements sessions before the Orientation Meeting. At each joint requirements session, ETS will use and refine the initial requirements document to establish that the requirements meet or exceed what is needed for the 2016 administration. The revised requirements document will also include a plan by which periodic reviews of the requirements will be conducted to confirm that they continue to meet the functional and technical requirements needed for CAASPP.

From time to time, there may be changes to state or Federal policies or Smarter Balanced requirements that would have an immediate impact on the CAASPP System. The revised requirements also will include a process for ad hoc requirement reviews to address these changes in a flexible but immediate manner.

Within 15 days of the effective date of the contract, ETS will conduct the Orientation Meeting as required in Task 1. ETS program managers will plan and facilitate this meeting, which will include topics under each functional area of the solution such as technology, assessment development, research, delivery, and operations. ETS will review the proposed work plan and implementation schedule and obtain specific information, data, and criteria in order to successfully implement the solution. By August 1, 2015, ETS will also present the revised requirements as defined and agreed to in the joint requirements sessions with the goal of receiving the initial go-ahead to implement the CAASPP Assessment Delivery System. Should additional discussions about the requirements be needed, ETS will schedule and conduct additional joint requirements sessions until the CDE approves the solution for implementation. ETS will submit the final systems requirements, including flow charts and other required artifacts, document to the CDE by August 15, 2015.

ETS's technology team will also participate in Annual Planning meetings, as described in Task 1.3, in Sacramento to review and confirm the scope of work. The purpose of the meeting will be to plan any changes to the scope of work, system enhancements and fixes, and the timelines to incorporate the changes for the upcoming test administration year. ETS will submit the revised systems requirements document, including flow charts and other required artifacts, to the CDE by August of each subsequent contract year.

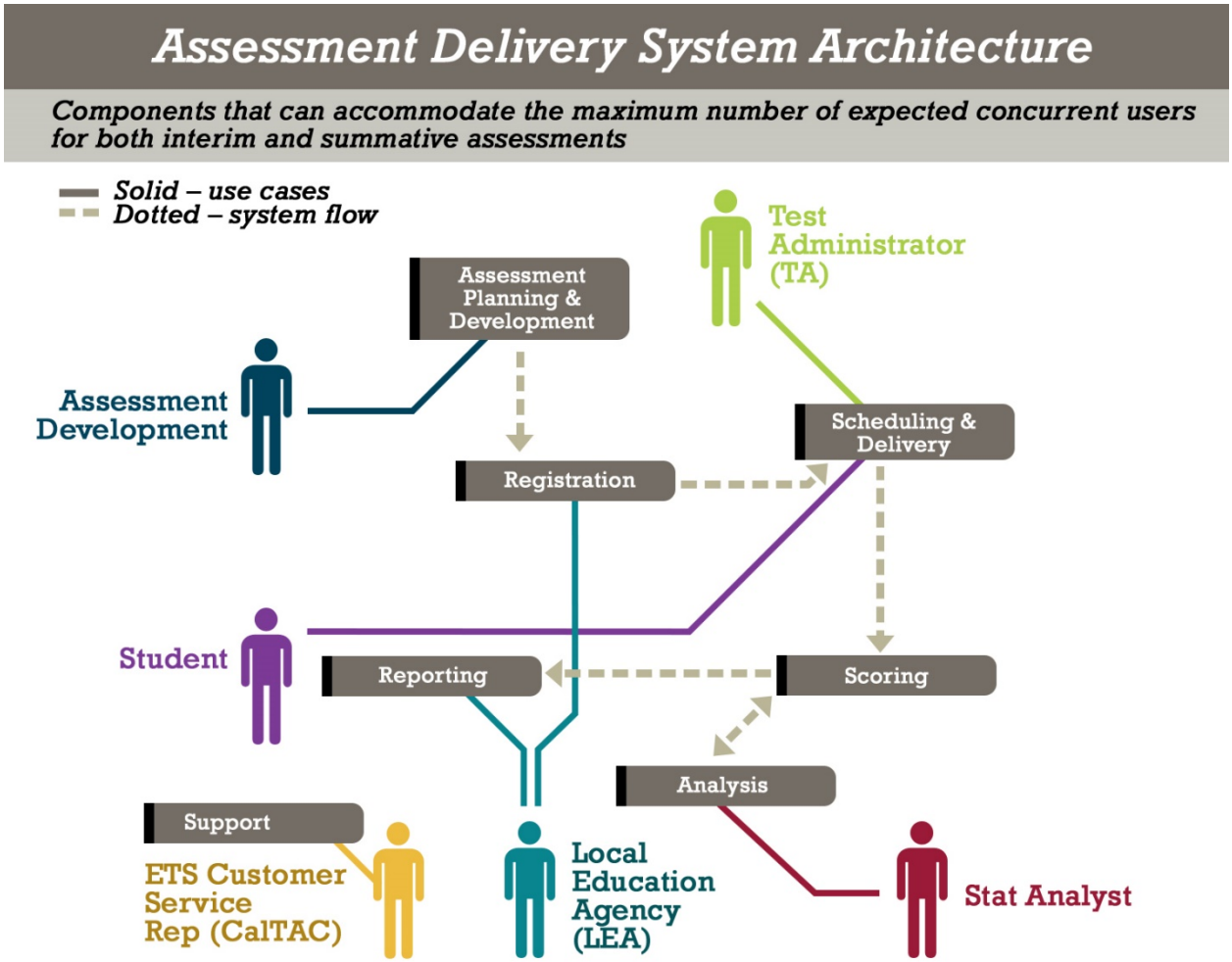
In addition to Orientation and Annual Planning meetings, ETS's technology teams will also participate in weekly management and technical/data exchange meetings, co-facilitated by the ETS Technology Manager and program manager that will anchor communication between all parties and appropriate technical personnel. These weekly meetings will provide the forum for communication with the CDE about project activities and technical items/issues.

ETS will document all business, technical, and functional requirements, new and updated, that are captured in the joint requirements sessions. ETS will then implement these, after the CDE's approval, following the ETS software development lifecycle methodology.

3.2.B.1. Assessment Delivery System Architecture

The solution on the following seven major domains: assessment planning and development, registration, scheduling and delivery, support, scoring, reporting, and analysis (see Figure 2).

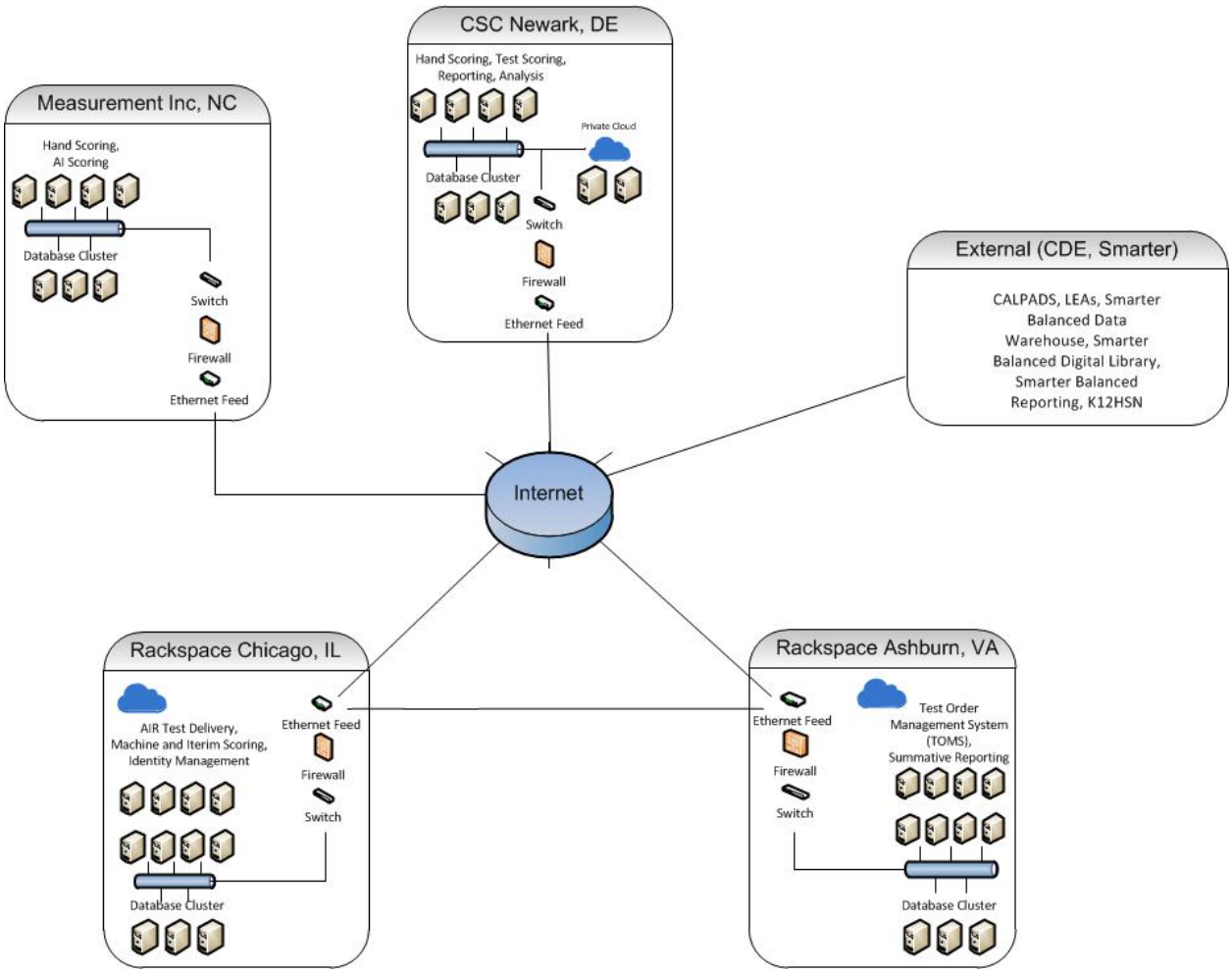
Figure 2. CAASPP Assessment Delivery System



The ETS solution supports all operational domains, from test development to scoring and reporting. ETS's system consists of fully integrated individual component services that provide a high performance and robust solution for the administration of Smarter Balanced and non-Smarter Balanced assessments for California.

Figure 3 represents the high level physical architecture of the CAASPP Assessment Delivery System that supports interim and summative Smarter Balanced assessments as well non-Smarter Balanced assessments.

Figure 3. Scalable Architecture of the CAASPP Assessment Delivery System



The CAASPP Assessment Delivery System will use a single proprietary solution (AIR Test Delivery System) that meets the general Smarter Balanced defined requirements. ETS will further clarify with the CDE that this implementation addresses any California-specific variations allowable through the Smarter Balanced state procedures manual. Where the solution integrates with external Smarter Balanced systems, such as the Digital Library, (e.g. Digital library, UCLA), ETS will use the defined standards and formats for data exchange.

The configuration specifications development process requires making a number of important decisions, often in a short period of time, following contract award. ETS will schedule a series of one- to two-hour meetings over several days to review the provided system configurations and inform any required adjustments. ETS will coordinate with the CDE to schedule the systems configuration meetings to work through the necessary details of the solution specifications.

During these specifications meetings, ETS will work through the configuration decisions needed at one time. When applicable, ETS will provide screen shots and other supporting documentation to allow participants to visualize how different options will look in the various solution components. Decisions to be made during the configuration specifications meetings will include, but are not limited to:

- Test names and the order of tests listed
- the dates during which the student test window will be open, including any scheduled downtime for maintenance and updates
- which test settings that the TA can change in the TA interface at the time the student takes a test, and which test settings must be changed in advance in TOMS
- what values are allowed for each tool
- the content of the messages that will be displayed to the student at various times during a testing session
- which forbidden applications should be included in the check performed on the student's computer prior to testing

ETS will record all decisions made during the specifications development process. ETS will provide the documentation to the CDE, summarizing major decisions and any issues for which a final decision was not made during the meetings.

3.2.B.2. Interface Requirements

The CAASPP Assessment Delivery System provides a number of touch points with external systems and components as required by the CDE and/or Smarter Balanced policies. To meet those needs, systems will support scalable and reliable integrations with other systems and technologies by utilizing standardized interfaces wherever possible. For Smarter Balanced assessments, ETS will use the plug-and-play XML data exchange for the information about items and test packages needed to support test scoring. Non-Smarter Balanced computer-based assessments will also use the Smarter Balanced test package format whenever possible. If a non-Smarter Balanced computer-based assessment requires a different format to best support the items types developed for those assessments, ETS will work to confirm that the system can support the formats, prior to the item development process.

The CAASPP Assessment Delivery System consists of a series of integrated components. Even still, the CDE, LEAs, and schools will be able to access the features needed to administrate, manage, operate, and conduct test delivery using a single sign-on. This enables these components to appear to users as a single integrated system. ETS will work with Smarter Balanced to provide a solution that allows users to log onto the CAASPP systems and the Smarter Balanced systems using a single sign-on.

Smarter Balanced Implementation Readiness Package

ETS has verified that the delivery system conforms with the Smarter Balanced Implementation Readiness Package (IRP) version 1.0, which currently covers capabilities in test administration and item level score results delivery. Annually, and upon a request from the CDE, ETS will provide evidence, including the Summary Performance Report produced by the Implementation Readiness Package as well as electronic access to the simulated assessment to allow the CDE to verify that items and applicable tools, supports and accommodations rendered correctly; items were scored correctly; and results were correctly delivered to the Smarter Balanced data warehouse.

CALPADS

ETS will verify with the CDE ETS's ability to accurately accept data extracts from CALPADS, import that data into the management system, and provide appropriate exception reporting to the CDE. ETS will configure TOMS to process daily CALPADS updates. To be consistent with the 2015 CAASPP System, ETS anticipates receiving two CALPADS extract files nightly via SFTP. One extract file will have organization data, and the other will have student data.

To follow the process for the 2015 CAASPP System, ETS will coordinate with the appropriate CDE staff to facilitate the secure upload of CALPADS data extracts for use in the summative assessments. ETS will also verify the handling procedures for approval of paper-pencil test materials and special forms.

ETS will process the CALPADS files within 24 hours of successful receipt from the CDE. ETS will provide the following notifications when processing the CALPADS data:

- Notify the CDE via e-mail by 8 a.m. PT if one or more of the CALPADS extract files fail to upload to the FTP site.
- Notify the CDE via e-mail within 2 hours of processing whether ETS has received and has processed the file and the number of records processed.
- Notify the field via e-mail and caaspp.org system alert if there are any issues with the files that affects the field.

LEA System Compatibility

ETS will continue to propose to the CDE ways to optimize the appropriate data capture from LEAs in the CALPADS interface, so that the regular extracts provided to support CAASPP accurately reflect the CDE-approved supports and accommodations. ETS will also continue working closely with the CDE by providing a TOMS user interface that provides the LEAs with the flexibility to update student support or accommodations needs directly. To be consistent with the 2015 CAASPP System, ETS will consult with the CDE to establish the protocols and permissions needed to allow for this flexibility and configure TOMS accordingly

3.2.B.3 Data Security

ETS maintains dedicated staff with responsibility for information security, physical security, test security, privacy, disaster recovery/business continuity, and internal audit. These staff members communicate and collaborate via a corporate-level Security Steering Committee of leaders responsible for each function, which ETS's chief information security officer leads.

Data Security Plan

ETS will provide all interfaces with the most stringent security considerations in mind, including interfaces for data encryption at rest and in transit for databases that store test items and student data. The CAASPP Assessment Delivery System integrates best security practices, including system-to-system authentication and authorization, and meets the Federal Information Processing Standard Publication 140-2 (FIPS PUB 140-2) issued by the National Institute of Standards and Technology (NIST). All CAASPP data will remain within the continental United States as required by the CDE.

ETS will manage, maintain, transport, and appropriately secure data storage and backup files. Also, ETS will employ industry-standard encryption to protect personally identifiable information

both when it is in storage and when it electronically transfers across a public network. ETS will maintain that data in a portable format as agreed upon with CDE.

ETS will meet the CDE's expectations to develop and execute a data security plan that follows NIST SP 800-15 rev1 to comply with the applicable data security requirements outlined in the final system requirements that may be updated annually. Discussions about the data security plan and user roles and permissions will be an integral part of the joint requirements sessions, and ETS will document decisions in the requirements document for the CDE's approval.

Working with Subcontractors and Vendors

ETS's company policy mandates an Inter-Enterprise Security Assessment (IESA) of external organizations whenever their work impacts any of the following: sharing sensitive or critical data, communicating sensitive or critical data via non-ETS networks and systems, or interconnecting ETS networks and systems with others. ETS requires subcontractors and vendors by contract to maintain agreed-upon security controls and to provide periodic control assurance.

Providing for User Roles and Permissions

The CAASPP System will feature system access control features and authentication of users using industry-standard user access, authentication methods, and encryption. The CAASPP Assessment Delivery System allows for numerous user roles and permissions based on the functions that each user must perform in order to complete their responsibilities for the CAASPP System. ETS will coordinate with the CDE to schedule meetings to review, refine, and add user roles and permissions for finalization within 15 days of the contract start date.

3.2.B.4. System Development Process

At the CDE's direction, ETS will provide process maps, standard operating procedures, templates, definitions of roles and responsibilities, technical documentation utilizing templates, and project schedules to the CDE's Independent Verification and Validation consultant and Independent Project Oversight Consultant.

Design Process

Led by the ETS Technology Manager, ETS will perform design at two levels:

- **Solution Architects** will tailor a high-level solution design, designing for innovation and capacity from the start. Their work will provide the big picture, establish that all bases are covered, and confirm that all involved parties are identified and collaborating to make CAASPP successful. The solution architects' high-level solution design includes: (a) a high-level use case diagram identifying the key capabilities/domains of the solution, (b) activity diagrams depicting flow of responsibilities across software applications, (c) deployment diagrams identifying all participating applications and all interfaces, and (d) other Unified Modeling Language diagrams and text as needed to describe the solution. These solution architects work closely with the various development teams in scope for the solution.

- **Application Architects** on these development teams then design their respective software applications and interfaces based on the solution design, verifying that their component fits in with the others.

Development and Testing Process

ETS's SDLC teams will continuously improve, support, and enforce smooth and effective operation end-to-end in the technology components of this project. This team will work closely with all IT staff across ETS to establish smooth operation, quality output, and exceptional communication. ETS will perform an analysis at two levels. For the first, at the business level, a specialized team of business analysts will work with the CDE to capture, confirm, and analyze the CDE's needs; at the second, software level, system analysts will determine the functions of the systems based on the business needs. Through ETS's documentation practices, ETS will capture and account for all of the CDE's functions.

Validation Process

ETS will follow industry best practices in software development and coding for the CAASPP System. This means ETS will use continuous integration, unit testing, code reviews, separation of environments (e.g., development, various levels of testing, and production), and version control. ETS will use repositories to systematically control all versions. ETS will use reference architecture to guide the use of technologies to keep abreast of the latest technologies, verifying that external support is available and keeping IT focused and efficient. ETS also verify operational readiness of software development by (1) developing knowledge scripts for use by CalTAC personnel on how to route issues raised by end users, (2) documenting/communicating how to operate the software to the operations team, and (3) updating the software's disaster recovery plan as appropriate.

ETS's software development teams perform rigorous testing of their developed software, including unit testing, dev-to-dev integration testing, and functional testing. ETS will complement that with additional rigorous testing by a dedicated group specializing in software testing. This group provides a robust suite of testing, including: (1) functional testing, (2) integration testing, (3) performance testing, (4) security testing, and (5) accessibility testing. In particular, in the area of performance and load testing, this group will verify that ETS meets the scalability needs of California through capacity testing, extended period testing, stability testing, stress testing, functional verification under load testing, aggregate testing, and increasing load testing. Dedicated performance testers will tune specialized performance testing tools for the CAASPP System to account for the anticipated load.

ETS's software testing group will perform progression and regression testing using a combination of commercial, open source, and custom developed tools. This testing will follow a rigorous and robust process. ETS will strictly manage defects and maintain traceability between requirements and test cases in order to verify complete coverage. ETS's testing group will leverage testing automation through scripting and specialized testing tools in order to bring great efficiencies and value to the CDE by saving on manpower and enabling robust regression testing — all while utilizing highly skilled testers to weed out those issues that tools can overlook.

3.2.B.5. System Implementation

The System Implementation Plan will be part of the PMP, and ETS will discuss this plan as part of the joint requirements sessions before the Orientation meeting. Following the Orientation meeting, ETS will refine the System Implementation Plan for final review and approval by the CDE.

Overview of Hosting System

ETS will use two proven hosting providers to meet the CDE's requirements: Rackspace® and CSC.

System Implementation Readiness Assessment Methodology and Schedule

To cover system implementation readiness assessments, or the Operational Readiness Review (ORR), a dedicated team of release managers carry out ETS's Release Management (RM) process. As the pilots, field tests, and eventually implements new CAASPP computer-based assessments are conducted, ETS will analyze historical test taker estimates as well as survey data from LEAs about the target test taker populations to plan for a capacity that will support continuous systems operations for all CAASPP computer-based assessments.

Implementation schedule, including Field Tests and Pilots

ETS will work closely with the CDE and use the RM process to establish the implementation schedule for all administrations, including CA NGSS, CA NGSS Alternate, and primary language pilot tests in 2017 and field tests in 2018.

Overall Resources Needed to Support the Implementation Effort, including Hardware, Software, Facilities, Materials, and Personnel

By means of a formal resource planning process, ETS proactively determines and regularly re-assesses anticipated resource capacity based on California's estimates for computer-based Smarter Balanced summative and interim assessments, test taker volumes, and expected peak volumes. ETS will also use historical resource usage data from the 2014 field test and the 2015 administration to refine capacity estimates. As the pilot tests, field tests, and eventually the implementations of the new CAASPP computer-based assessments are completed, ETS will analyze historical test taker estimates as well as survey data from LEAs about the target test taker populations to plan for a capacity that will support continuous systems operations for all CAASPP computer-based assessments. Capacity planning will enable the right sizing of the infrastructure capacity in order to scale rapidly and handle spikes in demand.

Security Features Associated with the System When it is Implemented, Including Security during Implementation

ETS has built security into the production environments and the technologies used and software developed. ETS's software development process and software testing process includes a comprehensive security framework. This risk-based framework focuses on minimizing vulnerability, increasing awareness, and developing proficiency. In order to establish this level of security, ETS assesses every component of its systems for vulnerability. ETS utilizes Threat Modeling analysis and Attack Tree analysis, which are methods to analyze designs for threats and mitigate them.

Simultaneously, ETS will employ a few different methods of security testing, including vulnerability testing, penetration testing, and vulnerability code review. These methods utilize numerous state-of-the-art automated tools as well as manual security assessment and hacking techniques performed by dedicated and trained security professionals. These methods also involve comprehensive testing and analysis steps.

Driving software development and providing a measurement base for testing, ETS will use tools to generate security requirements tailored to individual systems based on their characteristics. Open Web Application Security Project (OWASP) best practices, the industry leader in security

standards, guides software development to verify that the software is secure. ETS also has an Information Protection Office (IPO) group in IT with oversight over all aspects of security, including software, hardware, network, and personnel security.

Performance-monitoring Tools and Techniques

ETS will employ a number of strategies to verify ongoing systems performance, including monitoring of system availability and providing reports of online system usage to the CDE. ETS can configure the metrics and thresholds for monitoring based on the CDE's needs during start-up planning and annual project planning engagements.

ETS will include detailed planning steps identified during project initiation with CDE to identify the most effective parameters for the assessment programs, so that systems is configured to capture and provide reports that are useful for the CDE. During subsequent project meetings, ETS will establish regular reporting practices and periodically review the elements being captured and reported out, providing the most relevant and actionable data possible for the CDE and other stakeholders.

Site-specific Implementation Requirements

Outside of preparation of the computer labs at the schools, the test delivery system has no site-specific implementation requirements. ETS will provide a diagnostic tool that may be used by LEAs and schools to verify that they have the bandwidth to support the desired number of testers.

System Acceptance and Sign-off Process

To accomplish system acceptance and sign off, ETS will deploy systems to a staging area, which mirrors the final production environment for operational and user acceptance testing by clients such as California. ETS will develop and review the user acceptance testing to confirm that systems meet the CDE's requirements. Final approval of user acceptance testing triggers final deployment of the system.

3.2.B.6. User Experience

ETS will use a rigorous applications user experience design process, which includes checkpoints during the following phases: architectural design, requirements gathering, user interface (UI) design, usability testing, piloting, and operational delivery. Application design and development will follow industry best practices for delivery on multiple platforms and devices, leveraging World Wide Web Consortium (W3C®), Microsoft®, and Apple® human interface guidelines.

For accessibility, ETS will adhere to the Web Content Accessibility Guidelines (WCAG) 2.0, Level A & AA. ETS will audit and validate application content and interfaces to confirm they are compliant with international Web standards. The WCAG 2.0 guidelines meet or exceed the WCAG 1.0 and Section 508 guidelines set forth in the California Government Code section 11135 and policies included in the CDE's Web Accessibility Standards. As part of this contract, the development process will incorporate the checklists provided on the CDE Web site (http://www.cde.ca.gov/re/di/ws/webaccessstds.asp) into the development checkpoints.

ETS will include detailed plans for conforming to the User Experience requirements and will include these plans as part of the PMP document described in Task 3.2.B. The User Experience plans will outline the following:

- Consistent look and feel
- Name of Student Displayed on Workstation
- Single Sign-on and Easy Navigation
- Best Practice Standards
- Accessibility Standards
- Online Help
- Identical Interfaces for Administrators and Students

3.2.B.7. Technical Assistance Center (Technology Support)

ETS provides Tier 1, 2 and 3 support for the CAASPP Assessment Delivery System via telephone, e-mail and customer-initiated chat.

For telephone support, ETS uses a Verizon-hosted implementation of Avaya Contact Center v.7.0. The ETS California Technical Assistance Center (CalTAC) can support the staff required to quickly respond to contacts and can shift calls to another ETS Help Desk location if needed for disaster recovery purposes. Additionally ETS will use the Verizon-hosted cloud service to provide additional services. The Avaya and Verizon platforms have back-up technologies in place to continue to route calls in the event of a localized issue. The ETS Help Desk solution includes audio recording of 100 percent of inbound calls and call storage for up to six months.

ETS will use eGain® for e-mail and chat response management. ETS's e-mail and chat software have the capability to separate Tier 1, 2, and 3 contact types and respond to them based on set timeframes.

ETS will provide escalation to Tier 2 and Tier 3 via telephone, e-mail or chat transfer. ETS logs all contacts and their status as cases into the Customer Relationship Management (CRM) system by institution, district, and individual contact.

ETS will maintain e-mail addresses for various groups such as the LEA and CDE information technology groups to allow for quick dissemination of information. During the Orientation Meeting, and at each Planning Meeting, adding specific groups to the CRM workflow will be discussed.

Cases escalate to Tier 2 and Tier 3 support via a workflow system based on program and issue type, which allows ETS to determine when cases escalate to resolver groups. LEAs or other callers will receive a unique case number that they can reference their case against for all contact methods. The CRM system provides detailed level-reporting for the program overall or down to the school level. Reports on case escalation and case aging are available for review.

3.2.B.8. System Delivery Release Management

ETS will use the RM process for coordinating, tracking, and reporting on software releases, from new release identification through production implementation. The process consists of three phases: release planning, release tracking, and release approval.

ETS will schedule RM planning meetings based on the agreed-upon frequency among the stakeholders, including AIR, MI, and the CDE. These Orientation and Annual Planning meetings

will provide a forum for ETS to verify that the California releases are well-understood, that risks are identified, and that mitigation plans in-place. ETS will hold a joint meeting with parties to be identified by the CDE prior to a production release to review the migration steps, address risk, and obtain a consensus approval for the release. ETS will develop the System Delivery Release Management Plan during RM planning, which is the initial starting point of the RM process.

As part of the Release Tracking Process, ETS will have a dedicated RM group that actively coordinates, tracks, and reports on software releases from the initial planning phase through to production deployment/implementation. The RM group will work directly with the ETS IT manager and program manager for CAASPP so that the team effectively coordinates tasks, requirements, and communications with the CDE. ETS will establish communication channels for release of information notification and will determine the stakeholders, communication frequencies, and information the stakeholders should communicate via these channels. RM also obtains the implementation approvals to initiate the production deployment process.

ETS will distribute the release schedule to all identified stakeholders identified, who will then need to review and approve the Release Management Schedule and associated tasks respectively.

Other key Release Management processes and services include the following:

- Processes and procedures for communications, and coordination with internal and external partners, will be a critical component of the process, since ETS includes external partners such as AIR, MI, and the CDE.
- Provide release artifacts that describe release content, testing requirements, and data sourcing to the CDE.
- Closely coordinate system outage management with the CDE so that it occurs when no testing is taking place, at night or on weekends, and will not impact batch processing.
- Provide environments that mirror production to the CDE for end user acceptance testing.
- Provide SDLC Release testing procedures, including regression and integration testing with CALPADS, Smarter Balanced, and other external partners, to the CDE.
- Provide a detailed and complete Migration document that details every step and every piece of information that is needed to deploy it to production from scratch, including application and environment configuration, third-party libraries/software/technologies, system accounts, connection details, complete steps to install the entire environment and the application, as well as rollback procedures.
- Provide the user acceptance testing (UAT) plan, which documents processes and procedures for system delivery acceptance.
- Conduct post-production validation (PPV) using predefined manual and automated scripts to verify that the system is released correctly and that it is operational. ETS will also work with the CDE to develop and review the user validation scripts to verify that users deploy the system properly in the schools and that it remains accessible on all the devices used for accessing the ADS.
- Initiate a roll back to the previous state of the production environment in the unlikely event that the PPV is not successful. Once system engineers roll back the release, the

software development team verifies the release once again to verify that the rollback was successful.

3.2.B.9. Performance

The CAASPP Assessment Delivery System will support up to 500,000 concurrent users. Should there be issues with performance during the administration of Smarter Balanced and non-Smarter Balanced computer-based summative assessments, ETS has the capability to "turn off" or throttle back access to the Smarter Balanced Interim Assessments upon direction from the CDE.

The CAASPP Assessment Delivery System also includes existing network optimizations with the California K-12 High Speed Network (K12HSN). ETS will continue the existing optimizations and will work with the CDE and the K12HSN vendor to continue improving performance whenever possible.

Performance Testing

ETS will conduct three types of performance testing: 1) load testing to verify customer-facing components function under peak expected loads; 2) verification that back-end processes run in acceptable time frames under all expected conditions; and 3) validation that individual requests are processed to specification, excluding exceptions such as certain administrative reports. ETS will:

- execute tests (with appropriate iteration)
- analyze the results
- implement corrective actions

Working with CDE State Project Manager, the Independent Project Oversight Consultant (IPOC), and Independent Verification and Validation (IV&V) consultants

Within 10 business days of the performance report produced by the IV&V contractor, ETS will develop and submit a detailed Systems Performance Plan, in coordination with the CDE contract monitor and the CDE state project manager. The plan will include the most relevant ETS artifacts for monitoring performance, as well as the process that will be used to work collaboratively with the IPOC and IV&V consultants. During subsequent project meetings, ETS will establish and maintain regular reporting practices and issue escalation procedures to the CDE contract monitor, CDE state project Manager, the IPOC, and IV&V consultants.

Working with LEAs to Conduct Benchmark Testing

As part of the System Performance Plan, ETS will propose a list of schools to consider for benchmark testing; and will conduct systems benchmark testing with a set of LEAs and schools. The proposed list will include schools that represent the range of school types that participate in the CAASPP System. ETS will also schedule and LEA participation requirements for the benchmark testing; and will submit this list to the CDE for review.

Upon the CDE's approval, ETS will contact each LEA to obtain permission to conduct benchmark testing. Each LEA will receive detailed information on what is required to participate in the benchmark testing and the goals for the benchmark testing. Within 10 business days upon completion of the benchmark testing, ETS will submit a report of the results, with recommendations for performance improvement where necessary. ETS will work directly with

the CDE staff, including the CDE contract monitor and the CDE state program manager, to implement the systems changes needed.

3.2.B.10. Disaster Recovery and Business Continuity

ETS will provide robust and fault-tolerant systems and processes. ETS houses systems in Tier 3 data centers with dual-powered equipment and multiple uplinks to support at least 99.982 percent availability. Additionally, industry-standard backup and recovery procedures are in place. ETS will work with the CDE to document and execute on a formal DR/BC plan that supports the specified uptime and recovery time objectives.

3.2.B.11. Data Policy Retention and Destruction

ETS complies with the data retention, handling, and destruction requirements outlined in the requirements in the California State Administrative Manual (SAM) Section 5305.8; the Department of Education Administrative Manual (DEAM) sections 10120, 10600, and 10601; California Education Code (EC) 60607; and the Family Educational Rights and Privacy Act (FERPA) of 1975.

The ETS solution also meets the Federal Information Processing Standard Publication 140-2 (FIPS PUB 140-2) issued by the National Institute of Standards and Technology (NIST) for data with personally identifiable information and secure test data (e.g., items, score keys), both in transit and at rest.

To comply with the contract transition requirements, ETS will maintain the final data of record as identified in the Requirements document and will confirm the appropriate transfer of the information to the next contract. ETS will securely destroy any data generated by and for CAASPP not considered the data of record. ETS will seek the CDE's approval prior to the secure destruction of these provisional data.

3.2.B.12. Maintenance and Operations

ETS will manage and coordinate requested changes in an orderly fashion. This will include scoping, at a high level, the amount of overall software changes anticipated for each test administration as well as account for infrastructure and technology upgrades.

As California's needs change over time, ETS will capture those growing needs as Business Requirements, which will then be allocated to relevant ETS applications for implementation. The application development teams determine Functional Requirements additions/changes that address those changed business needs. The additions/changes will be allocated into releases considering the customer's timing needs and other constraints.

ETS will establish appropriate communication channels to coordinate and communicate both scheduled and unscheduled releases, to the CDE's specifications. Every release will contain release notes, including a list of all the functional changes and all the bug fixes that went out with the release.

TASK 4: Test Security

ETS will provide the CDE with a secure system that is designed to meet the security challenges—both current and emerging—facing today's LEAs and schools. The system has security checks before, during, and after testing—protecting the integrity of the CAASPP System.

4.1. Test Security Plan

Upon commencement of the contract, ETS will review and propose revisions to the CDE for the current test security plan as needed to be specific to the 2016 CAASPP administration. ETS will deliver the draft 2016 test security plan to the CDE at the Orientation Meeting. Then the 2016 test security plan will be revised based on comments from the CDE review and, within three working days after receipt of the CDE's comments, will be delivered to the CDE. ETS will deliver the final version of the 2016 test security plan to the CDE within three working days after receipt of the revised plan. Upon CDE's approval, ETS will implement the test security plan and will annually revise the test security plan for each administration.

Commitment to Security

ETS shares the CDE's commitment to the confidentiality of students' personal data as well as to the security of tests and will strictly enforce ETS's security process. Every ETS employee must sign and abide by the ETS Code of Ethics, which explicitly describes the personal responsibility of employees to protect personally-identifiable information and intellectual property. ETS subcontractors must also sign documentation acknowledging their understanding of ethical and legal business practices, the need for site security, and expectations for confidentiality policies.

California will have the support of dedicated ETS staff who are responsible for information security, privacy, test security, physical security, disaster recovery/business continuity, and internal audits. These staff members communicate and collaborate via a corporate-level security steering committee, led by ETS's chief information security officer.

Continual education and certification allow ETS to keep up-to-date in emerging security threats and industry best practices, both of which inform the continuous improvement of security practices and services.

ETS has adopted the International Organization for Standardization's (ISO's) 27000 series of standards as both its information security framework and the foundation of its Corporate Information Protection policies. This series of standards for information security management and control drives ETS's information security program, as well as the manner in which ETS delivers services.

In addition to the ETS Code of Ethics policy noted above, ETS require all employees, agency personnel, consultants, and other work-for-hire staff that use its network services to sign a statement of agreement, verifying that they have read the ETS Corporate Information Protection policy and that they understand and agree to abide by its provisions. In addition, all staff who see or handle secure test items, forms, or booklets must sign a confidentiality agreement as a condition of employment. Information protection policies and the confidentiality agreement form will be provided to the CDE upon request.

ETS's infrastructure provider holds an ISO 27001 certification for both ETS's data center, where ETS systems such as servers and the mainframe reside, and ETS's operations (e.g., network

administration and desktop support). This certification covers the systems and internetworks supporting all phases of ETS's assessment process, including identity, authentication, authorization, registration, test delivery, results collection, scoring, and reporting. An independent firm regularly audits controls and provides an annual SSAE16 Statement of Controls report.

Secured Access. The ETS data center will continue to protect the CAASPP System's data. Only personnel with functional responsibilities may unlock the doors with their badges, and authorized personnel accompany visitors within the data center at all times. The data center contains extensive smoke detection and alarm systems, as well as a pre-action fire-control system. ETS stores critical files for software, applications, and documentation offsite in a secure location and has a backup site so that operations may continue in the event of a natural disaster.

The Assessment Delivery System is hosted in secure data centers in Chicago, Illinois, and in Ashburn, Virginia, that meet or exceed industry standards, are regularly audited by an independent firm, and provide multiple physical layers of security, including: an integrated proximity card-reader system, a closed circuit monitoring throughout the facility, and security staff available 24 hours a day, seven days a week. Industry standards and best practices — such as file system encryption, host-based firewalls, system hardening, and secure access — are used to enable network, host, and application security.

ETS is in compliance with all applicable legal and regulatory obligations at both the state and federal level. Applicable regulations for information security most often involve the protection of privacy, payment mechanisms, and other sensitive information and systems. Internal and external audits and management reviews grade compliance. Every three years, a team of internal and external auditors, analyze and evaluate, audit the products and services delivered.

Item and Test Development Security

ETS will keep materials locked when not in use and will transmit items via ETS's internal item banking system or secure file transfer protocol sites to maintain security for item development, item field tests, and test form construction. ETS will encrypt databases and backups to meet the standards published in Federal Information and Processing Standard 140-2.

Item Bank Security

The measures ETS takes for assuring the security of electronic files are as follows:

- Access to item banks requires secure login identification and passwords, and is restricted to the least amount of privilege required to perform one's job functions.
- Backups of electronic forms of test content and item banking systems will be kept off-site in order to prevent loss from a system breakdown or a natural disaster.
- The off-site backup files will be kept in secure storage, with access limited to authorized personnel only.

Committee Meeting Security Procedures

For committee meetings participants will be required to sign and submit confidentiality forms. For meetings that use paper materials, participants must sign numbered materials in and out.

Computer Based Testing Security

ETS designs identity and access management as a set of services, processes, and technologies to securely and consistently manage user identities, privileges, and usage. ETS strictly controls access to the CAASPP Assessment Delivery System based on the assigned user role.

The CDE can direct ETS to change access to data and functionality at any time based on the available user roles. The CAASPP Assessment Delivery System will require users to authenticate themselves by providing a username and password before gaining access. The system's single sign-on implementation will use industry-proven security standards and best-practice protocols. ETS also will enforce an industry-standard secure password policy every time a user creates a new password or updates an existing one.

The test delivery system will provide a secure browser that locks down the student's desktop by blocking certain external applications and system hot keys. Any student or item data communicated to and from the test delivery system uses industry-standard encryption to enable secure content delivery. ETS will follow established standards and perform quality inspections so that the data are accurate.

Paper Pencil Testing Security

ETS has agreements with more than 60 printing vendors specializing in the production of high-stakes assessment materials, including secure test booklet printing, accessible formats, scannable form production, non-secure materials production, non-standard formats, and other media.

Only those printing vendors who have met the security criteria and who have successfully passed the qualification process will produce secure test materials for the CAASPP System. ETS will use established, secure processes to facilitate the back-and-forth of quality checks during the production cycle. ETS will use a secure courier to ship all test materials to California LEAs in unmarked boxes, bearing only the return address of ETS's test materials processing center.

ETS will combine bar-code reading technology with a proprietary order tracking system to facilitate closed loop tracking for all secure materials. This process will create a permanent, detailed record of items distributed to each school, which can be matched against returning materials to assess the completeness of each district's/school's return.

ETS will systematically match the captured barcode numbers to the outbound shipment barcode numbers' data files. An output log will be generated that identifies missing test materials by school and LEA. ETS program managers will receive this log, called a "Missing Materials Report," for follow-up calls to LEA staff to investigate any missing test materials. ETS will provide a document identifying the check-in of all secure materials after each administration.

ETS will use a barcode verification system to account for the secure items received in the warehouse for closed loop tracking.

ETS will obtain written permission from the CDE prior to proceeding with certified, approved destruction at an approved facility after appropriate retention periods. Upon destruction, ETS will present a certificate of destruction of those materials.

Encryption of All Test Items and Student Data at Rest and In Transit

ETS will provide all interfaces with security for data encryption at rest and in transit. Encryption at rest primarily applies to any data files that reside on a server that uses the secure File Transfer Protocol (SFTP) waiting to be retrieved. Best security practices, including system-to-system authentication/authorization, are integrated in ETS's solution design to meet the Federal Information Processing Standard 140-2 issued by the National Institute of Standards and Technology. As the CDE requires, all CAASPP data will remain within the continental United States.

Secure Data Transmissions

As a part of implementation, ETS will establish an SFTP service that will manage SFTP transfers to a directory structure. Gatekeepers, generally one in California and one at ETS, will determine access privileges. The ETS gatekeeper will be responsible for approving all users for access.

Reporting

The reporting system will produce quality-controlled reports and copy them to a secure location. There, score recipients can access only the information allowed by their security profile.

ETS will store California students' information on servers that will be encrypted and protected with multiple levels of password protection to prevent unauthorized access. Additionally, ETS will earmark the reports displayed to a particular user for his or her assigned access permissions. The method used to download or electronically transfer files that contain student level data will utilize encryption that meets the standards outlined in Federal Information Processing Standards 140-2. Secure socket layer encryption will protect all data transferred over the Internet, and ETS will maintain data behind a corporate firewall; intrusion-detection software monitors this firewall for breaches 24 hours a day, seven days a week, 365 days a year.

4.2. Test Administration Monitoring

ETS will provide the following test administration monitoring activities for the CAASPP System:

- working proactively with LEA CAASPP Coordinators
- social media monitoring
- on-site test security site visits

During a test administration cycle, ETS will meet weekly with the CDE to review test monitoring activities, including the areas described in the following sections. These weekly meetings are separate from the weekly management meetings and will focus specifically on test monitoring activities such as appeals for computer-based tests.

Working with LEA CAASPP Coordinators

Prior to the beginning of the test administration window, ETS's program staff and ETS's Office of Testing Integrity staff will provide training, through a live Webcast, to LEA CAASPP Coordinators over all required test security procedures for the CAASPP System. ETS will record and post the Webcast to http://www.caaspp.org/ for later viewing. The test security training Webcast will use a train-the-trainer model — that is, in addition to informing LEA CAASPP

Coordinators of the test security requirements, ETS will provide them with tools and training materials that they may use in training their LEA staff, CAASPP Test Site Coordinators, Test Administrators and Test Examiners, and even students.

ETS will also provide additional information, tools, and materials on http://www.caaspp.org/ that will assist LEAs in meeting test security requirements. ETS will work with the CDE to provide additional test security materials, as needed, for LEAs.

ETS will also work directly with LEA CAASPP Coordinators and Technology Coordinators as they prepare their local systems, devices, and sites for test administration. ETS will conduct up to 100 on-site visits and up to 200 virtual site visits to LEAs to provide technology and test preparation support as needed.

The CAASPP Assessment Delivery System includes an online method for submitting appeals for computer-based assessments. ETS will work with the CDE to develop the online testing irregularities reporting process, which will include a decision tree to address reported irregularities in a timely fashion.

Social Media Monitoring for All CAASPP Tests

ETS will monitor social media and other Web sites throughout each CAASPP administration. Monitoring will begin when the first LEA receives its test materials in January of each administration year and will end upon the closing of the final testing window, in August, or when the last LEA has confirmed completion of testing. ETS will monitor such Web sites as YouTube®, Facebook®, Instagram®, Google+®, Twitter®, and school and LEA Web sites. ETS will include other Web sites identified during the test administration window. ETS will look for any postings — both images and text — that include secure test materials such as test questions or passages, test booklet covers, and answer documents.

For each identified posting, ETS will collect any relevant information, including student name and school or LEA, if possible. ETS will enter this information into a secure online log that is accessible by both ETS and CDE staff. ETS test development and psychometric experts will evaluate each posting identified to be test material and will make recommendations to the CDE on the impact of the items to the validity of the test administration.

On-site Test Security Visits

ETS's Office of Testing Integrity and partner In-Touch Insight will plan and conduct up to 130 on-site test security site visits annually. In-Touch's team of in-state auditors will conduct the test security site visits.

OTI and CAASPP Program Management staff will provide training to the In-Touch auditors on the expected site visit audit procedures. ETS will conduct the auditor training via live Webcast from the ETS Sacramento office, which will allow participation by CDE staff. ETS will record and post the Webcast on an auditor-only section of http://www.caaspp.org/ for later viewing. Each auditor will complete the provided training; and In-Touch supervisors will not assign auditors to site visits until they verify the completion of training.

The site visits will include audits of both computer-based and paper-pencil test administrations. ETS will conduct before-, during-, and after-testing audits, including:

- 25 pre-test audits (both computer-based and paper-pencil testing)
- 60 during-testing audits (both computer-based and paper-pencil testing)

- 15 post-test audits (paper-pencil testing only)

ETS will submit the proposed test security site visits auditor checklists to the CDE for review and approval. ETS will randomly select 125 LEAs as potential sites, with 100 primary sites plus 25 replacement sites. The proposed list will be representative of California's diverse LEA demographics. In addition, ETS will include up to 30 additional LEAs at the CDE's direction. ETS will submit the combined list to the CDE within 60 working days before the first test administration window.

Upon the CDE's approval of the combined list, the In-Touch auditors will begin scheduling the 130 test security site visits. Auditors will notify the LEA CAASPP Coordinator at least three working days before the scheduled site visit. At the direction of the CDE, a site visit may be scheduled and conducted immediately.

When conducting the site visits, auditors will present a letter of introduction from the ETS Office of Testing Integrity as well as valid government-issued identification. In-Touch will conduct thorough background investigations of each potential auditor before the auditor may complete training and conduct audits for CAASPP.

ETS will report the schedule of site visits weekly to the CDE. As site visits are completed, ETS will also report the preliminary results of the site visits. When a site does not meet the test security requirements, ETS will work with the CDE to determine the next action item, such as instigating a security breach investigation. ETS will submit the final report for a site visit to the CDE within 10 working days after the completion of that site visit.

4.3. Investigating Security Breaches

ETS will conduct an investigation of any confirmed test security breach that may compromise the CAASPP administration. An investigator from OTI will be available within 48 hours to handle security concerns related to the CAASPP administration.

Investigations will include interviews with Test Administrators and/or Test Examiners, students (at the discretion of the LEA), CAASPP Test Site Coordinators, and any others who had access to the test materials (online or paper). ETS also analyze data from computer-based incident response and forensic investigation. These investigations will attempt to determine the identity of those involved in the incident, recover any missing material, and assess the extent to which they compromised the test content.

For all reported security breaches, ETS will coordinate and communicate the investigation with the CDE. If the breach involves Smarter Balanced test materials, ETS will work with both the CDE and Smarter Balanced to conduct the investigation and determine the proposed resolution. If the breach occurred in one or more of the member states, ETS assumes that Smarter Balanced will notify the CDE, and will coordinate with both the CDE and Smarter Balanced to mitigate the breach.

When requested, OTI will conduct an immediate on-site investigation in response to security breaches. As required, ETS will obtain the CDE's approval prior to the investigation. OTI will investigate and report results to CAASPP program management within five days of being informed of a security breach. When necessary, ETS will provide immediate reports through telephone and/or e-mail.

In-Touch auditors will immediately report any breaches to OTI, and OTI will notify CAASPP program management, which will in turn will immediately notify the CDE. ETS requires auditors to file an online site visit form with ETS within three days of the site visit.

ETS will submit a summary report of the investigation within 10 working days following the conclusion of the investigation.

TASK 5: Accessibility and Accommodations

ETS is committed to establishing that California students have the most accessible user experience with the CAASPP System. In this section, an overview is provided of the appropriate universal tools, designated supports, and accommodations that are available in compliance with Smarter Balanced policies and with the California Code of Regulations, Title 5, sections 853.5 and 853.7.

5.1 Accessibility Plan for Computer-based and Paper-pencil Tests

5.1.A. Computer-based Tests

ETS will use the AIR proprietary TDS to deliver all CAASPP computer-based assessments including: Smarter Balanced summative assessments, Smarter Balanced interim assessments, CAA, CA NGSS, CA NGSS Alternate, and Primary Language. ETS will provide students access to all of the appropriate universal tools, designated supports, and accommodations needed for the computer-based assessments, which align with the Smarter Balanced Usability, Accessibility, and Accommodations Guidelines (see table in Appendix D). ETS will review the accessibility supports to ensure consistency with Smarter Balanced and as appropriate for the given non-Smarter Balanced CAASPP assessment. California will be able to determine whether Test Administrators may adjust settings at the beginning of the session or whether access to specific features requires higher-level authorization.

ETS intends to work with Smarter Balanced and the state of California to implement new tools or supports in the student interface and secure browser. ETS is committed to working with the CDE and Smarter Balanced to support emergent technologies and accessibility features to the greatest extent possible. As new opportunities arise, ETS will review the technology or feature and make recommendations to the CDE and, if appropriate, Smarter Balanced on the potential systems and impact. ETS will implement new technology or features that are approved in writing by the CDE and ETS.

According to the CDE's needs and preferences, ETS offers the following choices so that each accommodation can be:

- available to all students
- assigned to students in advance through data upload or through the designated state, LEA, or school administrators
- assigned to students at testing time by the test administrator

At the beginning of the contract and annually thereafter, ETS will make recommendations to the CDE on the assignment of the tools and supports. ETS's recommendations will be based on experiences from the previous year's CAASPP administration as well as information from other sources if available such as the California Special Education Management Information System (CASEMIS) and TOMS.

5.1.A.1. Print on Demand

The AIR system will continue to support the print on demand accommodation for items. It is the responsibility of the local test administrators to securely destroy any items that were printed. The test administration manuals developed for each assessment and the test security Webcast

will provide full instructions for the secure destruction of locally printed secure test materials. Test security site visit audits, described in Task 4, will include audits of the proper handling of these secure materials.

The TDS will deliver real-time adaptive Braille; large print, AIR's secure print-on-demand feature, which prints an item or item group to a designated printer, for large print and other paper assessments, or to an embosser for Braille forms. Only the computer-based assessments will be available through the Print-On-Demand feature – paper-pencil assessments will be provided separately to LEAs by ETS.

The print-on-demand function are protected with security controls at three levels:

- embedded security in the print-on-demand function
- authentication, which confirms that only authorized users access information
- policy and test administration procedures, which confirm the proper handling, retrieval, and tracking of secure materials

5.1.A.2. Assistive Technology

The TDS currently supports a wide array of assistive technologies, and ETS continues efforts to expand the classes of these assistive technologies. The system's streamlined interface adheres to Web Content Accessibility Guidelines 2.0, and AIR is actively working to secure certification of compliance. Permissive mode is built into the system, which relaxes these security restrictions for individual students who need to use such technologies.

The TDS currently works with a variety of refreshable Braille devices, screen readers, on-screen keyboards, and a wide array of input devices.

ETS will collaborative with the CDE to understand the assistive technology needs of California LEAs and students. While it is impossible for any organization to guarantee support for unknown hardware and software, ETS is committed to providing accessibility for all students.

5.1.A.3. Translations

The TDS will support all means of translation access which Smarter Balanced has designed within its assessment system or which the CDE determines to be available for the new CAASPP assessments. The availability of access features, embedded supports, and accommodations is completely configurable, at the CDE's direction.

Translations for Smarter Balanced Assessments

ETS's system will deliver all Smarter Balanced items with translation tags for all required language translations and the provided translations will remain consistent with Smarter Balanced specifications. These translations include Spanish, Arabic, Vietnamese, Cantonese, Mandarin, Tagalog, Punjabi, Korean, Russian, Ilocano, Ukrainian, and American Sign Language (ASL).

Translation Glossaries for CA NGSS

The TDS will also deliver the translations for the CA NGSS assessments (excluding the CA NGSS Alternate). For Spanish stacked translations, ETS assumes that approximately 300-350

words may need to be translated for each of the three grade-level tests developed, for an estimated total of 900-1,050 words.

ETS assessment development specialists will work with EL specialists to identify the words that are recommended for translation. ETS will submit the recommended word lists to the CDE for review and approval. The CDE-approved word lists will then be submitted to ETS's translations services vendor. ETS will provide the translation glossaries (for stacked translations) in each of the languages supported by Smarter Balanced for CDE review.

In addition, ETS will provide full translations of the CA NGSS Assessments in Spanish. ETS assumes that the CDE will provide its own language experts to conduct the CDE reviews. At the CDE's direction, ETS will arrange to have an independent review completed.

5.1.B. Paper-pencil Tests

ETS assumes that the following assessments[2] will require braille and large print versions in accordance with student IEP requirements:

- Smarter Balanced ELA and mathematics, grades three through eight and grade eleven
- California Standards Tests (CSTs) and California Modified Assessment (CMA) for Science in grades five, eight, and ten
- Standards-based Tests in Spanish (STS) for Reading/Language Arts (RLA) in grades two through eleven

The print quantities of the CST/CMA for Science and the STS RLA braille and large-print test books will be estimated based on usage from previous administrations and take into account any other factors that could influence volumes. The quantities of the Smarter Balanced braille and large-print test books will be based on orders provided by LEAs through TOMS by December 1 annually.

ETS will provide detailed LEA CAASPP Coordinator instructions and test administrator directions to support the test for the special versions.

ETS will produce sufficient quantities of the special version test booklets and supporting answer documents to support the initial orders, any supplemental orders, and any samples necessary to support review and archival processes. ETS will continue to make available the special versions of tests, along with their accompanying test materials, even when the standard paper-pencil version is no longer administered.

5.1.B.1. Braille and Large Print Testing Materials

Braille Versions of the CST and CMA Science tests and STS RLA Tests

Braille versions for this contract will be based on existing braille versions of the previously administered assessments. ETS assume that some level of updates and edits to existing braille materials.

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[2] Although operational during the life of the contract, ETS assumes that the California Alternate Assessments for ELA and mathematics and the CAPA for Science will not require braille and large-print versions since the proposed assessment design is primarily an examiner-led test delivery. ETS also assumes that the NGSS (general and alternate) and the primary language assessments will not require braille and large print during this contract period.

If revisions to the existing braille versions are required, ETS will use contracted braille for CST sciences and CMA sciences and uncontracted braille for STS grades two through eleven.

Fixed-form, paper Braille Versions of the Smarter Balanced Summative Assessments

ETS assumes that UCLA will provide the fixed-form braille versions of the Summative Assessments for all grades and content areas as a print-ready PDF. ETS will brand the braille versions with CAASPP-specific covers. There will be no other revisions made to the Smarter Balanced braille versions.

Large-Print Versions of the CST/CMA Science and STS RLA Tests

Large-print versions for this contract will be based on existing large-print versions of the previously administered assessments. Like the braille versions, ETS assumes that there will be some level of updates and edits to the existing large-print materials.

If revisions are needed to the existing CST for Science, CMA for Science, or STS for RLA large-print versions, ETS test developers will identify those items that require special attention from the staff responsible for producing the large-print forms. The large-print version will be produced in a font format that is equivalent to 20-point Arial.

Large-Print Versions of the Smarter Balanced Summative Assessments

ETS assumes that Smarter Balanced will not provide a large-print version of the Smarter Balanced tests. ETS will produce large-print versions that meet the standard state requirements that approximate 14-point font through photo enlargement. ETS will indicate which items cannot be used for scoring because of art or graphics that may be affected by enlargement, and about the spacing of materials that affects performance on items.

ETS will print the large print test forms on 11″ x 17″ paper. The large print test forms will follow the pagination of the standard-size test book.

Distribution of Braille and Large Print Testing Materials

ETS will package forms into kits that are ready for distribution to the LEAs on the same schedule as the standard version of the tests. LEAs will use ETS's system to order braille and large print kits, just as they do for the standard test materials.

Braille kits will include:

- Braille test booklet
- operational test booklet
- Braille response document
- operational response booklet
- directions for administering, transcribing, and returning Braille tests
- boxes and envelopes, along with pre-paid return shipping labels, included in the shipment of all materials to the LEAs

Large print kits will include:

- large print test booklet
- booklet directions for administering, transcribing, and returning large print tests
- boxes and envelopes, along with pre-paid return shipping labels, included in the shipment of all materials to the LEAs

ETS will discuss the proposed plans in the project planning meeting, and ETS will make any adjustments to existing procedures or plans for development of accommodated materials.

Scoring of Braille and Large Print Testing Materials

Student responses for the CST/CMA science and STS RLA tests will be marked on a paper-pencil answer document and will be returned to the ETS scoring center for processing.

ETS assumes that the Smarter Balanced paper-pencil Summative Assessments will be available by August 1 annually. Test administrators will use the TDS to transcribe the student responses directly into the system, which will allow for scoring and reporting along the same schedule as the computer-based assessments.

5.2. Individualized Aids

All of the universal tools, designated supports, and accommodations currently required by California are supported. That said, ETS also understands that new technology and accessibility features will become available in the future.

To support this, ETS's secure test delivery system will include a feature by which LEA CAASPP Coordinators could request the use of individualized aids. Using TOMS, the LEA CAASPP Coordinator can select a request button while viewing a student profile. The request would automatically generate a request form linked to that student and would include all required information including:

- LEA name, County-District-School (CDS) code, and mailing address
- LEA CAASPP Coordinator's name and contact information
- the LEA or site testing window, test, and grade
- the Statewide Student Identifier (SSID) for the student for which the accessibility is requested

The LEA CAASPP Coordinator would then provide information on the individualized aid being requested and description of student need(s) that would be addressed by the individualized aid. If the CDE would like to expand the ability to request individualized aids to others, for example the test administrator, ETS can configure the user roles to allow for this at no additional cost to the CDE.

Annually at the end of each administration, ETS will provide a summary to the CDE of the individual aids requested and the CDE decisions made for each request.

TASK 6: Assessment Development

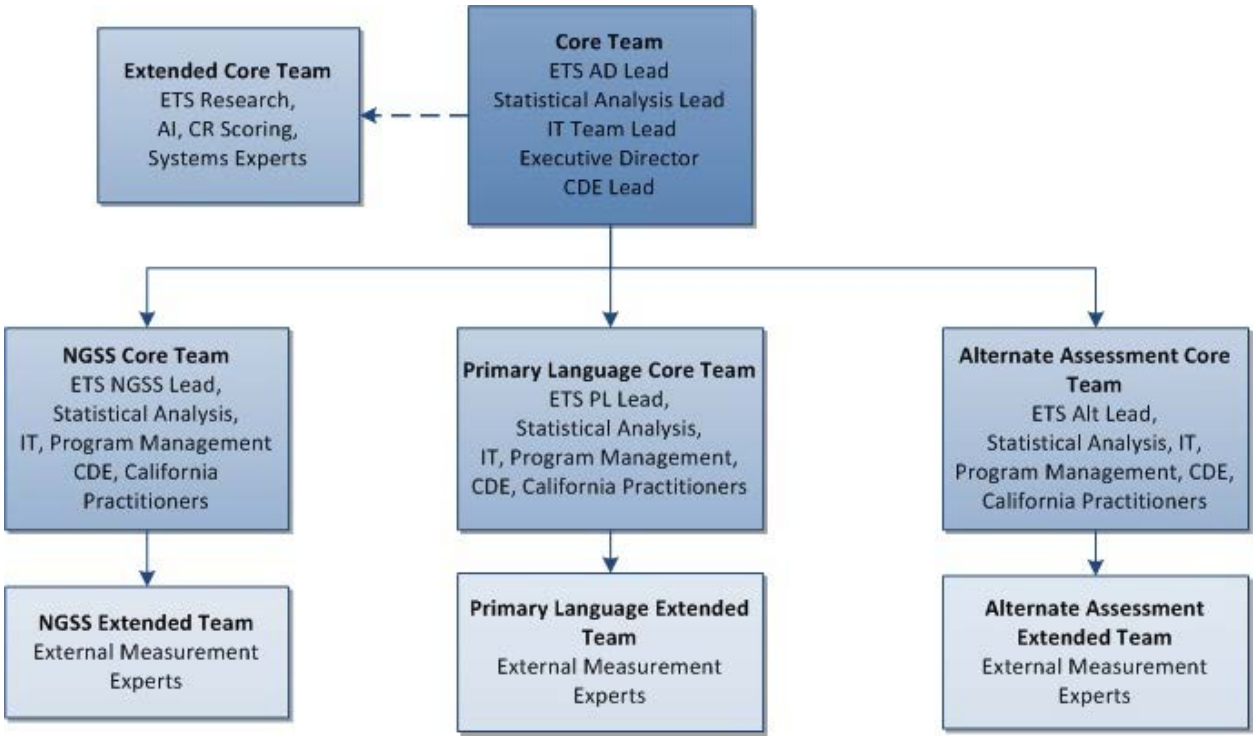
ETS will provide a design plan that provides flexibility based on SBE direction and in collaboration with the CDE. Design and item development through forms construction is performed by ETS Assessment Development with guidance from the lead Psychometrician.

6.1. Assessment Design

For the new assessments ETS will establish test design teams that include representatives from ETS internal areas of Assessment Development, Statistical Analysis, Program Management, and Information Technology, as well as representatives from test delivery partner AIR.

ETS will work with the CDE to engage the appropriate national and state-specific experts to participate in these test design teams. Figure 4 provides an overview of ETS's test design team structure.

Figure 4. Test Design Team Structure



Once the SBE has approved the design plan for each assessment, ETS will begin the test design process with two steps that are foundational to the evidence-centered design (ECD) process:

- identification (based on the CDE's guidance) of the specific uses of student scores and the claims that CDE wishes to make based upon those scores
- creation of detailed descriptions of the learning domains to be covered in the assessment

CA NGSS-Aligned Science Assessments and Alternate Science Assessments

For planning purposes, ETS assumes that the test development activities for the CA NGSS science assessments, inclusive of the CA NGSS alternate science assessments, focuses on the assessments required to meet federal accountability. ETS will work with CDE to develop new CA NGSS science assessments in three grades to be determined through stakeholder input and approved by the CDE and the SBE. Development activities for the CA NGSS alternate science assessments is described with the California Alternate Assessment activities within this task. The CA NGSS alternate science assessments will be in the same grades approved by the SBE for the CA NGSS science assessments.

ETS will work closely with CDE to develop CA NGSS-aligned assessments that best meet the state's vision. Other sources of appropriate items may be considered to create the necessary pool for test development and other resources.

California Alternate Assessments for ELA and Mathematics

Per *EC* Section 60640(b)(3), the CAA is limited to the same grades and subject areas assessed by the Smarter Balanced summative assessments (i.e., ELA and mathematics in grades three through eight, inclusive, and grade eleven). ETS will incorporate the ECD test development process with a high-level test design focused on the principles of universal design for learning. Using these concepts to guide test design and item development will allow ETS to create an assessment that is accessible to the widest range of students—and the resulting test scores will accurately reflect the claims of the assessment.

ETS proposes an innovative design that could evolve towards an adaptive assessment at each grade, from three through eight and grade eleven. For ELA and mathematics this design will need to evolve from an initial linear assessment in the 2015–16 administration to potentially an adaptive assessment in the 2017–18 administration. ETS will work with the CDE and with California stakeholders to determine if this proposed design meets the state's needs.

In this SOW, ETS describes the core elements of the 2015–16 alternate assessments and then discusses how these core elements could evolve towards a multistage adaptive assessment by 2017–18. This multistage assessment would include ELA and mathematics, along with the field test of a CAA NGSS alternate assessment that follows the same test design (e.g., tiered adaptive) and administration procedures. If approved by the CDE and the SBE, this design will allow the CDE to deliver a linear computer-based assessment in 2015–16 for ELA and mathematics and have the potential to evolve towards an adaptive test design. Upon the direction and approval of the CDE and SBE, ETS would incorporate other sources of appropriate items if they become available to create the necessary pool for test development and other resources.

The core elements include:

- test design and item development to allow for students at all achievement levels, from essential understanding to CCC, to show what they know and can do
- incorporating student background characteristics into assessment design and analysis
- accessible and flexible delivery of assessment tasks that allow for the diversity of student communication, attention, and sensory needs to show what they know and can do

Working with the CDE, ETS will identify a plan for an adaptive test design that meets core psychometric requirements and is reasonable in test length and cost. Several options exist, including: adapting within an item or task (e.g., routing students to a related item that measures foundational skills if they answer an item incorrectly), item-level adaptive testing, multistage adaptive testing, and routing students to different difficulty levels using background information.

The ETS item development plan will support the exploration of acquiring and incorporating item banks such as NCSC as those item banks become available to California. This will offer California comparable measurement precision with reduced testing time compared to the 2015 NCSC test design.

Incorporate Student Background Characteristics into Assessment Design and Analysis

Recent advances in alternate assessment design recognize the value of using data on student background characteristics to:

- evaluate the fairness of assessments for different groups of students
- document the validity of the assessment based on external criteria
- route students to appropriate test difficulty
- inform standard setting

An efficient way of collecting background information is through the use of a short student inventory that teachers can complete during a student's first year of testing, with a shorter version for subsequent years. One example of this is the NCSC Learner Characteristic Inventory (LCI). California teachers who completed the NCSC pilot tests completed the LCI, which allowed for deeper analysis of pilot test and field test data. In addition, ETS can use the NCSC LCI along with the NCSC Student Response Check (SRC) to route students in an adaptive assessment, or to determine test stopping rules for students who are unable to respond to test items due to their current functional levels.

ETS will work with the CDE to adapt the LCI or develop a similar inventory that allows administration to either students or teachers to describe a student's abilities relevant to the constructs that the test measures. Another possible flexibility is to use teacher ratings to inform "stopping rules" (e.g., using teacher ratings in conjunction with a screening assessment to identify students without a foundational level of communicative competency).

Finally, ETS will work with the CDE to include one question (per content area) to allow teachers to rate student abilities in relation to applicable achievement-level descriptors (ALDs) (for example, the Performance Level Descriptors likely available from NCSC for ELA and mathematics and new CA-NGSS Alternate science PLDs) that summarize the grade- and content-specific knowledge and skills expected of students at different levels of proficiency. This additional question would simply ask the teacher to identify the level of proficiency that most closely matches the level of proficiency that the student demonstrates in the classroom. What would emerge is a grouping of students by achievement levels based in part on the recommendations of teachers who have the most knowledge of and experience with the students. Then, once ETS receives each student's test score information, ETS will have a clear relationship between item and test performance and student ability levels. ETS may apply a contrasting-groups analysis to these data to recommend preliminary or tentative cut scores—the minimum test score needed to enter a proficiency level.

Accessible and Flexible Delivery

The third core element of an alternate assessment is accessible and flexible delivery of test content. Students with significant cognitive disabilities use a wide diversity of expressive/receptive communication modes. For example some students use various augmentative and alternative communication (AAC) systems, while others may respond verbally, through sign language, or through gestures, verbalizations, or facial expressions. To accommodate this diversity, ETS will use an online delivery platform along with individualized administration that allows for print-on-demand paper or tactile delivery and scribe/reader facilitated administrations for students for whom these accommodations are appropriate.

California Primary Language Assessment

ETS will work with the CDE to develop a careful and collaborative design process. ETS will work with the CDE to develop new primary language assessments in Spanish in grades to be determined through stakeholder input and approved by the CDE and the SBE. ETS understands that Spanish is the leading primary language in California. For planning purposes, ETS will work with the CDE to develop primary-language tests in Spanish.

For planning purposes, ETS assumes that the California primary language assessment focuses on reading and writing, though of course the final decision rests with the CDE. ETS assumes that the CDE would like to create a test that covers reading and writing.

The new primary language assessment will align with the literacy standard and expectations that mark the CCSS. Therefore, one logical approach is to build an assessment that utilizes the same sorts of items and performance tasks which the Smarter Balanced ELA assessment uses, including: items on short and longer texts, as well as questions that require selected responses, interactions with texts (such as highlighting and table creation), and written responses. Additional sources for appropriate items will be considered if necessary.

While ETS will support development of an assessment that will use the sorts of tasks used in Smarter Balanced, this test is in no way meant to be a translation or adaptation of Smarter Balanced. Rather, ETS will develop the assessment as a primary language assessment in the primary language while meeting CCSS ELA/Literacy standards. In other words, it will be a Spanish RLA test developed in Spanish—not a translation or adaptation of an ELA measure.

Process for Working with the CDE and its Stakeholders in Designing and Developing Test Designs

ETS will implement the following plan to help California design forward-looking yet practical assessments for CA NGSS science, primary language, and alternate assessments. ETS understands that the state will undergo a thorough process by which the State Superintendent of Public Instruction (SSPI) will provide assessment recommendations to the SBE and legislature for consideration. Test development activities for the CA NGSS, CA NGSS alternate, and the primary language assessments will commence upon direction by the CDE. The work will proceed in the following stages and on the schedule described below in Table 2.

Table 2. Summary of Process for Designing and Developing California Assessments.

Process Step	Associated Tasks	Deliverables to the CDE for Review and Approval
Step 1: Create a Draft High-Level Design Document for the CDE's Consideration	• convene ETS and external subject matter experts • develop draft claims and propose evidence to support those claims • identify items, tasks, stimuli, passages and simulations to provide evidence • determine test format	Draft High-Level Design Document
Step 2: Review Initial Draft of High-Level Design Document	• stakeholders meet throughout the state	High-level Design
Step 3: Produce Detailed Task and Test Specification Documents	• develop specifications for items and tasks • develop specifications for test forms • draft initial achievement-level descriptors (ALDs) • draft plan for producing operational results of assessment	Detailed Specifications Documents
Step 4: Conduct Reviews of Detailed Item and Test Specifications and ALDs	• review with the CDE staff • conduct stakeholder outreach	Revised Test Design and Specifications Documents
Step 5: Finalize Design and Specifications Documents	• finalize documents based on input collected in Step 4	Final Design and Test Specifications Documents.

6.2. Item and Task Development

All items that ETS develops will meet the technical criteria established in the American Educational Research Association (AERA), the American Psychological Association (APA), and the National Council on Measurement in Education (NCME) Standards for Educational and Psychological Testing.

ETS Item and Task Development Processes

In Table 3, ETS describes the standard item and task development processes, which ETS will use for the CAASPP System. Note that ETS discusses both standard processes for more traditional items, as well as the robust processes ETS uses for the development of more complex items types (e.g., interactive and scenario-based tasks).

Table 3. Summary of Process for Item and Task Development for California Assessments

Process Step	Associated Tasks	Deliverables to the CDE for Review and Approval
Step 1: Review Existing Item Pools	Existing items will be evaluated and placed into one of the following categories: • Item aligns with the test specifications and can be used in the assessment as is • Item can be used in the assessment with modification • Item cannot be used in the assessment	Analysis Report
Step 2: Create and Submit Annual Development Plans	• Detailed development targets by content classification, item type and grade • Identification of all deliverables, including items, rationales, rubrics, stimuli, copyright permission, etc. • Definition of metadata that will be associated with all items and tasks • Description of major review steps • A detailed schedule for the development process	Item Development Plan
Step 3: Recruit and Train Item Writers	• Selection and training of item writers • Item writing assignments	Item Writing Workshop Plan
Step 4: Creation of Items and Tasks	• draft quality items ranging from the simpler to the most complex and innovative • develop associated metadata establishing item alignments to the framework targets • utilize Agile Development	Deliverable in Step 6
Step 5: Internal Reviews at ETS	• Three internal content reviews • An internal editorial review • An internal bias and sensitivity review	Deliverable in Step 6
Step 6: Submission of Tasks to CDE and CDE Review	• Performance Task Development • Technology-Enhanced Item Development • Traditional Item Development	Draft Item Development
Step 7: External reviews with content and bias and sensitivity review panels	• Recruit Committees • Prepare the Necessary Materials • Facilitate Review • Record results	Meeting Summary Report
Step 8: Alternate Test Formats	• Follow American Printing House for the Blind (APH) and ETS guidelines	

Step 1: Review Existing Item Pools

Once ETS has completed test designs, ETS will review any relevant existing items or passages in the California pools for appropriateness for the tests. ETS understands that it is not sufficient that an item can be "classified" according to a standard. For example, for CA-NGSS, items must truly measure the core ideas, practices, and cross-cutting concepts of CA-NGSS, and must fit the new assessment specifications.

Step 2: Create and Submit Annual Development Plans

After completing the review of the existing pools (where appropriate), ETS will complete a plan for item and task development for each new assessment.

Since CAA will be an operational assessment beginning with the 2015-16 administration, the initial development plan will be constructed to allow for embedded field-testing in 2015-16. ETS will submit the initial item development plans for alternate ELA and mathematics by December 2015, and the schedules for Steps 3 through 8 will be based on a December 2015 approval date by the CDE.

For planning purposes for CA NGSS science, CA NGSS alternate science, and primary language, the plan will be constructed to allow for pilot testing in the 2016–17 school year. ETS understands that the development plans and schedules for Steps 3 through 8 below will be dependent on SBE approval and directions provided by the CDE to ETS on the assessments to be developed for these areas.

Step 3: Recruit and Train Item Writers

To achieve a strong representation of educators from California in the item development process, ETS with the guidance of CDE will recruit California educators. When each new development cycle begins, ETS will conduct in-person and virtual item writing workshops that provide an overview of the subject framework, subject-specific guidelines, item writing techniques, factors that influence item difficulty, criteria for selecting stimulus materials, accessibility considerations, determination of appropriate item types to target specific measurement goals, translatability considerations, and bias/sensitivity guidelines.

ETS will give item writers assignments that include item target attributes, such as difficulty level and assessment goals. Assignments will include additional desired item attributes such as difficulty level, use of specific stimuli including media elements, accessibility guidelines, and tools and simulations. Outside item writers will sign and submit standard confidentiality agreement forms and will submit draft items to ETS electronically using appropriate security measures.

Step 4: Creation of Items and Tasks

Central to the development of items are the standards for which CDE wants to collect evidence of student understanding. For many standards, the selection of passages and stimuli is a key component to ensuring items and tasks are aligned to the standards. For example, the CCSS for English Language Arts places an emphasis on text complexity as the major differentiator of standards across the grades, and the CCSS for Math and the CA-NGSS emphasize the application and generalization of knowledge and skills in a variety of settings.

Similarly, the creation of items involves more than the item content. Part of the ETS item development process includes the development of rationales (e.g., for incorrect answer options

in selected response items) and scoring information and/or rubrics (for constructed response items).

Agile Development

ETS will ensure that traditional items (such as selected response, technology-enabled items, and constructed response items) are created to measure accurately specific content and to provide meaningful information based on student responses. ETS also has processes in place for developing more innovative items and tasks such as those required to address CA-NGSS next-generation task development.

An Agile Software Development approach will be used for the development of all technology-based performance tasks under this proposal, as used by ETS on NAEP science development for NCES performance tasks. Agile Development involves iterative stages of development with clear targets for the development goals and functionality at each stage of the development. Each stage is informed by data collection procedures and review commentary that improves the quality and usability of the final product, so that the critical investments that are needed for sophisticated and complex measurement tasks can be made appropriately at each stage shown below.

Task Outline Agreement Review. For science performance tasks, the task concept involves an outline with key elements that will be incorporated into the tasks, including standard item development characteristics such as framework targets and overall formats but also performance-specific elements such as the inquiry question to be addressed, the independent and dependent variables to be included.

Alpha Draft Task Agreement Review. The next stage of review by CDE will be of a programmed version of the task called the “alpha” build, with final text and all item content in place and mockups of graphics, animation and functionality.

Certification Review. This is a Keep-or-Drop review by CDE. During this review, the performance tasks are reviewed for their fidelity to the final text agreed upon at the Alpha draft task build text (see above) and for the final functionality as agreed in the Alpha draft task build functionality mockup.

Step 5: Internal Reviews at ETS

ETS has well-established procedures for reviewing all items to ensure they meet California’s expectations. Throughout this multi-step item review process, ETS assessment specialists continuously evaluate the match of the items to the standards, the appropriateness of the items to the population being assessed, the importance of the information being assessed, and the implications for instruction. Another key aspect of item reviews is ensuring conformity with California Test Item Specifications and the California Style Guide. If an item is deemed to be unrelated to the content standards, to not be age appropriate, or to provide inappropriate models for instruction, it is revised or eliminated.

Step 6: Submission of Tasks to CDE and CDE Review

ETS is committed to providing CDE sufficient time to review and approve all content materials prior to assessment review panels. For Performance Task Development, ETS proposes a schedule where CDE review of traditional items coincide with the Alpha Draft Task Agreement Review of Performance Tasks. CDE review of Technology-Enhanced items will follow an

approach similar to selected response and constructed response items. All items and tasks for year one development will be submitted to CDE for review.

Step 7: External reviews with content and bias and sensitivity review panels

ETS will present its plan for CDE review followed by field review of the items and associated scoring rubrics. All assessment items are to be reviewed upon the completion of item editing. Each item must be reviewed by a Content and Bias/Sensitivity Review Committee in each content area to confirm that the item is of high quality, that it has accurate content alignment for that content area, that it measures the skill in a sound manner, and that the item does not unfairly advantage/disadvantage any student, and that it is not offensive to students, parents, or the public.

ETS Will Prepare the Necessary Materials and Facilitate Review

For each meeting, ETS will prepare and provide all required review materials. ETS facilitators will record all committee input in master item books, with a location to mark the committee's judgment of "Accept as is," "Accept with edits," or "Reject." At the conclusion of each meeting, ETS and CDE representatives will discuss issues or discrepancies in notes or committee recommendations. For performance tasks, see the review criteria recording for each stage of review described above (Accept/Decline followed by revise to Accept for Outline and Alpha Build reviews; Keep/Drop for Certification review stage).

Recruitment of content and bias/sensitivity committee members

ETS will seek applications from California educators by emailing the application form and process to LEAs. Applicants are vetted by ETS content staff to ensure minimum qualifications; criteria include degree in the appropriate field and teaching experience in the subject assessed. Those applicants who are qualified based on these criteria are forwarded to CDE, and CDE makes final selections from the pool of qualified applicants.

Role of committees:

Content review committees are convened to validate the content appropriateness of all items, passages, and scenario-based tasks prior to inclusion in the bank. ETS facilitators meet with content review committee (either in person, or in a moderated online review) to discuss each item. Committee members consider the following questions as they review assessment materials:

1. Is the content of the item accurate?
2. Is the item correctly aligned to the standard?
3. Is the item an appropriate measure of student ability?

Based on these questions, the committee may decide to accept, revise, or reject an item, passage, or task from the bank. All items must complete this committee review prior to selection for use.

Bias/Sensitivity review committees are convened to ensure that the content of assessment materials are free of any information or subject matter that may favor one group of students over another (criteria for group differences include gender, race/ethnicity, urban/rural, and socioeconomic status), or that may be disturbing or provoke an emotional response that could affect student performance. In committee recruitment, ETS recommends seeking teacher representatives reflecting the broad diversity of the state's population to ensure that many perspectives are represented in committee deliberations. ETS will provide facilitators with

special training in facilitating bias and sensitivity reviews. Bias/Sensitivity committees are asked to consider the following questions as they review assessment materials:

1. Does the item, passage, or task contain information that may favor one group over another?
2. Does the item, passage, or task contain information that may be disturbing, controversial, or provoke an emotional response among some test takers?

If the answer to either question is yes, the committee will be asked to consider whether the item, passage, or task is an appropriate measure of student ability for the given standard. Based on discussion around this last question, the committee may recommend edits to the item, or may recommend it be rejected.

Finally, the bias/sensitivity committee will evaluate the set of items as a whole to determine whether the items, passages, and tasks are representative of the gender, racial/ethnic, socioeconomic, and urban/rural makeup of the state.

Following the meetings. At the conclusion of each meeting, ETS and CDE representatives will discuss issues or discrepancies in notes or committee recommendations. For performance tasks, see the review criteria recording for each stage of review described above (Accept/Decline followed by revise to Accept for Outline and Alpha Build reviews; Keep/Drop for Certification review stage).ETS will provide summary results from the review meetings, including the total number of items accepted as is, the number of items with revision, and the number of items rejected.

Step 8: Alternate Test Formats

ETS recognizes that some students will require alternate test formats to access test content, even with the focus on universal design and accessible testing platforms. All alternate testing formats will be developed by a specialized unit within ETS's Assessment Development division, called the Alternate Test Formats (ATF) group. The ATF group is devoted to the development of alternate test forms. ETS assessment specialists work closely with the ATF group throughout the entire process to establish content validity in the adaptations. The Alternate Test Format group collaborates with approved braille vendors to produce embossed Braille materials. ETS has experience working with several braille vendors, including but not limited to National Braille Press, Associated Services for the Blind, Region IV, Clovernook, and GH Braille. In addition the ATF group works with assessment specialists to review APIP tagging of items. APIP tagging standardizes the process for embedding accessibility features for test accommodations, including Braille, audio forms, and language accommodations.

6.2.A. Pilot Testing

As part of the annual development plans described in Task 6.1 above for CA NGSS science, CA NGSS alternate science, and primary language, ETS will develop piloting plans with the CDE that best suit the advancement of the CAASPP System. In this process, ETS researchers will share measurement advances with the CDE. A pilot testing plan will be provided for each assessment developed.

In general for planning purposes, ETS assumes that a pilot test plan will describe the following:

- Purpose of the pilot and base criteria for evaluating pilot results
- Process by which relevant test administrator observations and student comments can be collected from post-test administration questionnaires

- Preparation, review, and production process for all materials for pilot testing, whether the materials are computer-based or paper
- Sampling plan and proposed sample size
- Pilot test administration directions
- Proposed schedule of tasks, deliverables, and pilot test activities
- Planned Analysis and pilot test report
- Communication and training plan to LEAs

ETS will collaborate with the CDE to finalize each pilot test plan and to schedule the pilot administrations in order to minimize disruption to instructional activities and to avoid conflicts with accountability assessment administrations.

6.2.B. Field Testing

ETS understands that the CDE expects the administration of a stand-alone field test for each of the following: CA NGSS science, CA NGSS alternate science, and primary language. ETS also understand the expectation of every eligible student to take part in these field tests, which is similar to the successful model that the CDE utilized in 2014 for the Smarter Balanced field test.

As part of the annual development plans described in Task 6.1 above for CA NGSS science, CA NGSS alternate science, and primary language, ETS will develop field testing plans with the CDE that best suit the advancement of the CAASPP System. In this process, ETS researchers will share measurement advances with the CDE. A field test plan will be provided for each assessment developed.

In general for planning purposes, ETS assumes that a field test plan will describe the following:

- Purpose of the field test and base criteria for evaluating field test results
- Process by which relevant test administrator observations and student comments can be collected from post-test administration questionnaires
- Preparation, review, and production process for all materials for field testing, whether the materials are computer-based or paper
- Sampling plan and proposed sample size
- Field test administration directions
- Proposed schedule of tasks, deliverables, and field test activities
- Scoring, including rangefinding, activities
- Planned Analysis and field test report
- Communication and training plan to LEAs

ETS will collaborate with the CDE to finalize each field test plan and to schedule the field test administrations in order to minimize disruption to instructional activities and to avoid conflicts with accountability assessment administrations.

Smarter Balanced

AIR's TDS supports embedded field-testing of newly developed Smarter Balanced items. ETS has assumed that all items will be provided by Smarter Balanced. ETS anticipates including five to eight additional items in the computer-based tests only. ETS has not included costs for the development, scoring, or analyses of these field-test items. UCLA will develop, score, and analyze the Smarter Balanced field test items as part of the UCLA contract CN140236.

6.2.C. Forms Construction

ETS will employ the IBIS platform for test construction activities. ETS will work hand-in-hand with the CDE during the test construction process. Additional details of the forms constructions requirements will be included in the annual development plans. ETS will acquire the CDE's approval before the test specifications and blueprints are finalized and before any item pool or form moves forward in the process.

6.3. Standard Setting (excluding Smarter Balanced assessments)

ETS will meet the needs of the CDE by providing a sound and defensible standard setting process for the alternate assessments in ELA and mathematics in grades three through eight and grade eleven, and for the primary language assessments in grades determined by the SBE (assumed to be for grades three through eleven). ETS will collaborate with the CDE, and as appropriate with the TAG, to provide the necessary plans and materials for approval. ETS understands the needs of the CDE regarding ALDs and standard setting, and will deliver reports in a timely manner to gain input from the CDE and the California public prior to SBE approval.

Development of Achievement-Level Descriptors

ETS will propose and implement a process to develop the ALDs for each assessment on a timeline that will allow review and revision by the CDE and SBE staff as needed, and will produce final approved ALDs for use in final form development and for use at the standard setting workshops.

For both the CAA and primary language assessments, ETS will facilitate ALD workshops, panel meetings of California educators, parents/guardians, and community representatives prior to the standard setting workshops. The panels will identify and discuss the knowledge and skills required of students in each grade and subject area for each level. The majority of participants will be teachers currently teaching the population of students taking the assessment, currently licensed in the subject and grades, and with five or more years of teaching experience. Teachers will have practice working with the California standards. Prior to the ALD workshop, participants will be provided with a pre-workshop assignment on the California standards, which will prepare them for the activities of the workshop. The ALD workshops will occur as soon as the blueprints are approved. Final blueprints and standards are essential elements of the ALD process.

The workshop for the primary language assessments will be a face-to-face meeting at a location approved by the CDE. However, because ETS assumes the NCSC ALDs to be a starting point for the CAA, ETS proposes completing this ALD work through a series of Webinars. Participants in the alternate ALD Webinars will receive overall training first; grade-specific Webinars will focus on the alignment between the new alternate assessments and the existing NCSC ALDs. Each panelist will participate in one orientation Webinar, three two-hour grade- and content-specific Webinars, and one cross-grade content-specific Webinar. ETS staff with content knowledge and distance-based facilitation experience will conduct all training and facilitation.

Prior to the start of the ALD workshops, ETS will conduct a walkthrough with the CDE of the ALD plans for both the primary language and CAA in Sacramento, California.

ETS understands the challenges associated with recruiting from this specialized pool of educators and will include utilizing contact lists of known California educators from this population to establish necessary representation. ETS proposes, for costing purposes, a four-panel workshop for the primary language assessments, which will include two or three grades in each grade-based panel, including four representatives at each grade, and parent/guardian and community representatives. ETS anticipates a three-day workshop. The resulting ALD documents will be edited and a draft provided to the CDE for review prior to preparing a final document for SBE review. ETS will recruit a similar configuration of panelists for the Web-based CAA ALD meetings; however, ETS anticipates that teachers on the CAA panels will have experience teaching both ELA and mathematics, which allows for more flexibility in recruiting and assignment. Representatives will participate in the grade-band and content area for which they have experience. Each panel will work in a small group to review grade- and content-specific NCSC ALDs, alternate assessment blueprints, and additional materials such as exemplar items. All available panelists will join the last Webinar for each content area to finalize the CAA ALDs. ETS will provide this final document to the CDE for review and approval prior to presentation to the SBE for approval. Sample panel configurations for ALD workshops and Webinars are included as Table 4 and Table 5 below.

Table 4. Sample Panel Configuration for Primary Language ALD Workshops

Grades	Number of Panelists
3-4	10
5-6	10
7-8, 11	14
Total	**34**

Table 5. Sample Panel Configuration for CAA ALD Webinars

Grades	Number of Panelists (ELA)	Number of Panelists (math)
3-4	10	10
5-6	10	10
7-8, 11	14	14
Total	**34**	**34**

Standard Setting Methods

ETS proposes to use the bookmark method (Karantonis & Sireci, 2006; Lewis, Mitzel, & Green, 1996; Zieky, Perie, & Livingston, 2008; Tannenbaum & Cho, 2014) for the primary language assessments. ETS used this method to set standards for the STAR CMA and STS assessments, and it is appropriate given the test design and psychometric calibration and scaling method.

For the CAA, ETS believes that a holistic approach, such as the Performance Profile Method, is most appropriate to these performance-based assessment types, in which the rubric score for each task includes descriptive, measurement criteria, and the administration of the assessment occurs one-on-one. ETS's plan for the CAA includes external data collected in the early stages of assessment development. Teachers will consider the ALDs adapted from the NCSC ALDs and aligned to the NCSC Core Content Connectors and rate their own students based on in-class observation and experience. A contrasting groups analysis of the initial teacher-based ratings of students and student scores will inform the standard setting panelists' judgments as part of feedback included in the standard setting workshop. If the CDE determines that an adaptive test design is feasible and desired, ETS will propose an additional standard setting plan that takes this into account. The proposed costs represent standard setting on the linear form of the alternate assessment in year one.

Panel Composition

The standard setting workshop participants will include state-nominated educators as well as parent/guardian and community representatives. The composition of the panels will be primarily teachers with at least five years of experience working with students aligned with the assessments, and who are familiar with the state-approved content standards appropriate to the assessment. The goal in recruiting is to select a group of educators, representative of the demographics in California, within each subject area and grade level. ETS will work with the CDE to select and finalize each standard setting panel. ETS anticipates a three-day face-to-face workshop; and the results from the workshop will include documentation of the panel composition. Sample panel configurations for standard setting workshops are included as Table 6 and Table 7 below.

Table 6. Sample Panel Configuration for Primary Language Standard Setting Workshops

Grades	Number of Panelists
3-4	14
5-6	14
7-8, 11	14
Total	42

Table 7. Sample Panel Configuration for CAA Standard Setting Workshops

Grades	Number of Panelists (ELA)	Number of Panelists (math)
3-4	10	10
5-6	10	10
7-8, 11	10	10
Total	30	30

Bookmark Method

ETS welcomes the opportunity to discuss with the CDE and the TAG the types of standard setting methods most appropriate for each assessment type. Because of the appropriateness of the Bookmark method, and its use in the standard setting procedures for the California STS in recent years, (e.g., ETS 2009; ETS 2010; ETS 2011), ETS proposes the Bookmark method for standard setting of the new CAASPP primary language assessment.

Standard Setting Process

Prior to the panel meeting, panelists will receive a pre-workshop assignment to familiarize them with the CCC Standards and the ALDs for the subject and grade for which they have been recruited. Once assembled at the workshop, panelists undergo a general session overview and training.

After the panelists indicate that they understand the process, they make their first round of independent standard setting judgments. Panelists will complete the bookmark task three times over three rounds. Between rounds, discussions and feedback take place both at the table-level and the room-level, allowing panelists ample time and information for reflection. Panelists also receive their individual judgments. Between the second and third rounds the panelists will also discuss impact data — the percentage of students, based on the current administration of this assessment, who would be classified at each performance level, if the panel's cut-score recommendations were to be accepted at that point. Panelists may, but are not required, to make changes to their individual judgments at each round.

The bookmark study can occur after the tests have been administered and test scores are available, Item Response Theory (IRT) analyses are completed, and materials have been prepared for the panel meetings. ETS anticipates each panel meeting requiring three days, and ETS will run four panels concurrently for each subject area.

ETS will provide the CDE with the formal standard setting plan for review six weeks prior to the workshop, and will include a draft of the materials to be used in standard setting, an annotated agenda of the three-day workshop, and the review of the plan and materials in the overall project schedule, allowing adequate time for review, discussion, and revisions.

Assessment Score Data in Standard Setting

ETS recognizes the need for careful attention to training and evaluation of panelists' understanding of both appropriate use and limitations of data in the judgment process. ETS proposes to discuss with the CDE and the TAG regarding inclusion of external data as part of the feedback to the panel.

Holistic Standard Setting Methods for Alternate Assessment

To develop a standard setting process for the CAA, ETS proposes to discuss with the CDE and the TAG the nature of information available from these tasks and the use of the scores and classification levels over the course of the school year. For this process, ETS will recruit a diverse and representative group of educators, with appropriate experience and expertise in the grade-level and content area of the students taking these assessments. For the CAA, the panel would become familiar with the assessment tasks, scoring rubrics, and the meaning of the performance levels, and discuss the student performance expectations at each of the levels. At the end of the CAA standard setting workshop, ETS will present the resulting recommended cut scores to the CDE.

Technical Report

ETS will provide the CDE and the TAGs with a complete report of the standard setting process, panelists' recommendations, evaluations, and other relevant data. The report will meet the NCLB peer review requirements (USDOE, 2007). In addition, the CDE may require an executive summary report, in order to meet time-sensitive deadlines. ETS will provide a brief report, oriented toward audiences such as the SBE. Because there are multiple score users, with differing backgrounds and needs, clear communication of score meaning must be deliberate. ETS will be happy to collaborate with the CDE to create useful score interpretive materials for multiple stakeholders.

Schedule for Standard Setting

ETS understands the need to hold the standard setting workshops for the CAA as soon as data are available after the operational launch in spring 2015–16; and ETS will similarly hold standard setting workshops for the primary language assessment soon after the field test in spring 2017–18. For both types of standard setting workshops proposed, there are important milestones. ETS acknowledges the need for clear communication and planning in order to be successful in these tasks.

Logistics

ETS will provide the CDE with recommendations for site locations which will accommodate each workshop. Once panel participants and locations have been approved, accommodations will include lodging and meals for panelists and meeting space. ETS will arrange for substitute teacher reimbursement and will cover the costs of lodging and meetings, in accordance with current CDE guidelines.

6.4. Test Administration System Familiarization

ETS offers several opportunities for students and Test Administrators to become familiar with the test delivery system (including TOMS and TDS). ETS also provides multiple training opportunities to support the LEA CAASPP Coordinator, the LEA Technology Coordinator, and other designated staff as they prepare the infrastructure used for the test administration process.

CAASPP Test Administration Portal

ETS will provide access to the test administration components with the broadest range of users in mind. The site itself provides a one-stop shop for access to all things CAASPP including access to the TDS, training videos, test administration manuals, and live Webcasts, among

other things. A user can quickly go to a certain section or test administration tool and ETS designed the links to be interlaced yet intuitive.

Practice and Training Tests

The ETS Team will provide practice and training tests for the operational summative assessments administered in this contract. Practice tests will be available for the Smarter Balanced summative assessments and the Alternate Assessments in ELA and mathematics.

For subsequent school years prior to their release on September 1 and November 1, respectively, the ETS Team will ensure that the practice and training tests are updated to reflect current tools and item types. For the Smarter Balanced assessments, ETS will work with Smarter Balanced to obtain access to the latest practice and training test materials. For the Alternate Assessments, ETS will ensure that assessment development and AIR staff have provided the latest updates to the practice and training tests before they are made available.

The practice and training tests will be accessed via a Web browser using a guest login or through the secure browser. ETS will provide training materials and resources, such as classroom activities and scoring rubrics, on the CAASPP Portal. The practice and training tests will be available for each grade and content area being tested and will include functionality for all approved universal tools, designated supports, and accommodations.

Training for LEA CAASPP Coordinators and LEA Technology Coordinators

ETS's training plan begins in September for each administration when ETS proposes to conduct a training session to introduce the test administration setup process. At this session, ETS will review the required testing windows for each type of assessment and provide guidelines and considerations for scheduling the testing. ETS also will provide detailed information on system requirements, including minimum requirements for hardware, software, and bandwidth.

ETS will conduct ten (10) regularly scheduled Webcasts and in-person workshops and release training videos and manuals throughout the school year and leading up to the start of the summative test administration window.

6.5. Released Test Questions (excluding Smarter Balanced assessments)

ETS will work with the CDE to release and make available to stakeholders a subset of the CDE-owned operational test items each year for the CAA, CA NGSS, CA NGSS alternate, and primary language components of the CAASPP System. Because the assessments for CA NGSS, CA NGSS alternate, and primary language will not be operational during this contract period, ETS includes releasing items for the CAA ELA and mathematics only. Smarter Balanced released items are available through the Smarter Balanced Web site. ETS will include a link to the Smarter Balanced Web Site on the RTQ site to make it easy for users to locate.

Procedure

For each assessment and grade level, ETS assessment specialists will work with CDE content experts to select and release an annual RTQ sample equaling 10 percent of the items appearing on the prior year's test form.

1. ETS assessment specialists will select 10 percent of the core items from each administration for each grade and subject area of the CDE-owned alternate ELA and mathematics items for release annually.

2. ETS assessment specialists will select and review each set of items for release to confirm that each set of RTQs is representative of the broad content, difficulty, and overall blueprint distribution of standards measured by items on the operational tests.

3. After the initial selection of the RTQs, ETS assessment specialists will establish that items undergo careful review following a thorough content and editorial review process.

4. After the content and editorial review process, ETS will submit the selected RTQs to the CDE for review and approval. Ultimately, the CDE will have the final authority to accept or reject any items selected for release. Historically this has been a collaborative process, with ETS assessment specialists working in cooperation with CDE counterparts to review, revise, and finalize RTQ selections.

5. Once the CDE confirms the RTQ selections, ETS assessment specialists will prepare the RTQs and other necessary materials for review and approval by a California content review panel. The CDE will review the input from the content review panel and make the final determination of acceptance.

6. Upon finalization of the RTQs, ETS will update the item status in the item bank to indicate the item as released. This will make the item unavailable for selection in the future.

7. After the CDE makes final determination of acceptance, ETS will export RTQs from the item bank and convert them to an agreed-upon HTML format for posting on the CDE Web site.

Selection Criteria for RTQs

To confirm strong representation of the breadth and depth of the skills and concepts addressed by the items on each assessment, ETS assessment specialists will use the following criteria to select the RTQs:

- variety of item types, which may include selected-response items, constructed-response items, technology-enhanced items, and performance tasks

- statistical reliability of the item based on most recent administration

- range of item difficulty and complexity

- items that exemplify the level of knowledge and skills students are expected to demonstrate to meet expectations at each performance level

- adequate representation of standard and blueprint distribution

- representation of the various components of the standards

- representation of a variety of ways each standard can be assessed

In the event there is a problem securing permission for a passage or stimulus during the RTQ selection process, ETS will work with the CDE to find a solution which may include providing

only the citations, rather than the complete text, for copyrighted material along with the associated items or replacing those RTQs related to materials for which permissions are not granted.

Communication Plan for RTQs

To increase and support parent, student, and teacher understanding of the CAASPP System, ETS will collaborate with the CDE to select a subset set of the RTQs, exemplars, that represent the concepts and skills students performing at the different proficiency levels are expected to demonstrate at each grade level assessed.

6.6. Analysis of Test Results

Following each field test form, ETS will perform classical item, IRT, and test analyses. Classical item analyses involve computing a set of statistics for every item in each form of the test. Each statistic provides key information about the quality of each item from an empirical perspective. This is also a quality control step to verify answer keys. ETS uses this information for item reviews, test construction, test revisions, technical reports, and other psychometric analyses and documentation.

After receiving all of the student response data, implementing scoring rules, checking the data files and applying agreed-upon valid case criteria rules to the data, the next step will include a classical item analysis. This analysis evaluates item difficulty, item discrimination, and student raw score performance of selected response (SR) items and hand-scored constructed-response (CR) items. These analyses help identify any items that might not have performed as expected.

ETS will conduct and provide the following:

- Item difficulty (p-values)
- Item-total correlation (SR and CR items)
- Proportion of students choosing each response option (SR items)
- Percentage of students omitting an item (SR and CR items)
- Score point distribution (CR items)

In addition to the classical analyses described previously, ETS will carefully review each item for differential item functioning. In addition to providing classical item statistics for each field test, ETS will provide IRT parameter estimates for all items. The specific IRT model selected will be based on collaboration between the CDE and ETS. In addition, ETS will work with the CDE in investigating the feasibility of creating a vertical scale for both the primary language assessments and the CAA.

In addition to the item statistics ETS will estimate the reliability of each of the field test versions and use these estimates to advise the CDE concerning the estimated numbers of items that need to be administered to reach various levels of reliability. ETS will also examine additional data collected relevant to computer-based testing with innovative item types. Since California has expressed interest in moving towards an adaptive test, ETS will also evaluate the characteristics of the item pool to determine whether it was large enough in terms of range of difficulties, discriminations, and content covered without introducing exposure issues. In addition ETS shall evaluate other characteristics of items and item performance that need to be

analyzed e.g., how long student spend on the items, the time it takes for the items to render, the time it take the system to present a new item, item utilization rates, accuracy of CAT engine in building aligned assessments for every student.

Following each field test, ETS will deliver a report within eight weeks of the completion of the field testing.

As part of the test development process, ETS proposes to conduct alignment studies that will inform the task selection for final forms of the newly developed assessments. ETS's plan is a modification of the alignment procedures suggested by Webb, and include in the process measures of the alignment of the overall test to the standards, by considering the test specifications and blueprints, as well as task or question-level alignment judgments. ETS suggests the alignment process be completed as part of the field test analyses.

6.7. Item Banks

6.7.A. California Item Bank

ETS currently provides and maintains the electronic item bank for several of the California paper-pencil assessments, including the California High School Exit Examination (CAHSEE), CSTs, CMA, California Alternate Performance Assessment (CAPA), STS, and the California English Language Development Test (CELDT). While the California item bank is not used to produce the CST, CMA, CAPA, and STS forms, the CAHSEE or CELDT program may be using the California item bank for its forms construction process.

The consolidated item bank will house all CST, CMA, CAPA, STS, CAHSEE, and CELDT items and associated statistics by assessment. While ETS will retain ownership of its proprietary software, the CDE will own and copyright both the item bank and the customized version of the item bank. The enhanced item banking software will support the full functionality that is described below.

ETS will provide updated versions of the item bank to the CDE on an ongoing basis. ETS will work with the CDE to determine the optimum process if a change in databases is desired.

6.7.B. ETS Item Banking Information System (IBIS)

The items that will be developed for the new assessments will include a variety of item types such as technology-enhanced items, graphing, and technology-enhanced simulations. The structure of the California Item Bank cannot handle these new item types. In order to provide the CDE with a data warehouse for the new CAASPP assessments, ETS will use its proprietary item banking system, IBIS, during the development and reviews of the new CAASPP assessments. ETS does not include activities to provide customization of IBIS.

Using IBIS, CDE staff and approved California item reviewers shall have direct access to the item bank through a secure Web-based interface. User authentication, controlled by ETS-managed credentials, secures access through the interface. To establish the complete security of all data moving across the Internet, ETS implements a 128-bit secure socket layer (SSL) encryption.

Controlled Access. ETS will grant the CDE staff and California item reviewers with access to IBIS consistent with their roles in the item development process. These reviewers will be able to comment on items during steps in the workflow process customized for CAASPP. ETS will

establish access policies with California and manage the granting of access for appropriate staff and educators.

IBIS will hold searchable, sortable, and printable data (e.g. item cards) and properties, including, but not limited to:

- unique identification number for item components (question, stimulus, graphics, animations, sound files, etc.)
- UIN links between all item components
- titles for stimuli (e.g. passage, scenario, scene)
- all and any alignment attributes (e.g. test family, item type, subject, grade, strand, substrand, standard, benchmark, cognitive level)
- properties (keys, distractor rationales, item type, stimulus type [e.g. passage genre, scenario vs. simulation]), stimulus graphic indicator (yes/no), passage word count, Lexile, rubrics
- source documentation, copyright permissions information, and related documentation (e.g. contract) for science scenarios, reading passages, graphics and items, if applicable
- item images (item as it appeared during administration) including functional animations or simulations
- blind/visual impairment review notes
- item development and administration status
- administration history for the life of the item, scenario or passage for non-Smarter Balanced items
- performance data (p-value, pbis correlation, IRT parameters, tertiles, DIF, etc.)

System flexibility and interoperability. CDE will have the ability to customize features of IBIS for CAASPP development. This activity will involve meetings to determine the most desirable means for configuring the item bank and user interface. The ETS will use the QTI standard as the basis for building the XML formats of items with capability for APIP standard tagging. QTI enables routine exports to most third-party online platforms including the AIR online platform. APIP tagging standardizes the process for embedding accessibility features for test accommodations, including Braille, audio forms, and language accommodations.

Smarter Balanced Assessments. ETS plans to import the metadata and scoring information for Smarter Balanced items into IBIS to accomplish the following activities: (1) access to CR items in the scoring system; (2) scoring of the paper forms; and (3) psychometric analyses. ETS will receive an annual feed of items and metadata from Smarter Balanced in interoperable QTI format.

Item Bank Export. IBIS uses the QTI standard as the basis for building the XML formats for items, data, and metadata. This feature will confirm a smooth transition at the end of the contract period. ETS employs industry standard formats and routinely has handed off data feeds of items, test packets, data, and metadata to numerous partner organizations. As a comprehensive item database, IBIS includes all reading passages, artwork, stems, distractors,

form identifiers, item keys, rationales and scoring rubrics. Copyright permissions records are also housed in IBIS, and using the dynamic reporting functions in IBIS, a report containing copyright permissions, and expiration dates can be generated for the CDE.

6.8. Activities in Support of Future Assessment Development

ETS understands that California law includes provisions for expanding the CAASPP System to include assessments in areas such as history/social sciences, technology, and the arts, as well as new end-of-course tests in science, ELA, and mathematics. ETS further understands that these assessments would be based on State Superintendent of Public Instruction (SSPI) recommendations made no later than March 1, 2016, and will require SBE approval, legislative action, and funding. Therefore, no specific plans or budget for work on any additional assessments has been included in this scope of work.

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TASK 7: Test Administration

ETS offers the CDE a comprehensive computer-based CAASPP Assessment Delivery System that allows LEAs to manage and administer all CAASPP assessments. While fewer California assessments are paper-pencil, ETS will deliver an efficient and secure paper-pencil test for students for whom these assessments are most appropriate. The CAASPP Assessment Delivery System includes both the Test Operations Management System (TOMS) and AIR's test delivery system. These key components integrate together to produce, deliver, and administer both computer-based and paper-pencil assessments. Table 8 provides an overview of the test administration distribution plans.

Table 8. Distribution Plans for the CAASPP Assessments

Assessment	Online	Paper	Paper Accommodations
Smarter Balanced	✓	✓	Braille, Large Print, Spanish-Mathematics
CST, CMA, CAPA Science*		✓ (2015 – 2016 and 2016 – 2017 Only)	Braille and Large Print for CST and CMA Science
STS RLA*		✓ (2015 – 2016 and 2016 – 2017 Only)	Braille and Large Print
California Alternate Assessments for ELA and Mathematics	✓		
CA NGSS Pilot and Field Test	✓ (2016–2017 and 2017–2018 only)		
CA NGSS Alternate Pilot and Field Test	✓ (2016–2017 and 2017–2018 only)		
Primary Language Pilot and Field Test	✓ (2016–2017 and 2017–2018 only)		

* CST: California Standardized Test; CMA: California Modified Assessment; CAPA: California Alternate Performance Assessment; STS RLA: Standards-based Test in Spanish for Reading/Language Arts

For planning purposes, ETS used the information from Table 9 provided by the CDE.

Table 9. Estimated CAASPP Test Takers

Current Assessments in State Law				
Assessment	Subject	Grade	School Year(s)	Estimated Test Takers
Smarter Balanced Summative	ELA and mathematics	3–8, 11	2015–16 2016–17 2017–18	3,200,000 3,200,000 3,200,000
CSTs and CMA	Science	5, 8, 10	2015–16 2016–17	1,380,000 1,380,000
CAPA	Science	5, 8, 10	2015–16 2016–17	15,000 15,000
CAPA	ELA and	mathematics	See Alternate Assessment below	
STS	Reading/ language arts	2–11	2015–16 2016–17	45,000 45,000
Successor Assessments in State Law				
Alternate Assessment	ELA and mathematics	3–8, 11	2015–16 2016–17 2017–18	39,000 39,000 39,000
California NGSS-aligned (including Alternate) ESEA-Required Science	Science	Three grades TBD[2]	Develop: 2015–16 Pilot:2016–17 Field Test: 2017–18	1,395,000
CCSS-aligned Primary Language	Reading/ language arts	3–11[2]	Develop: 2015–16 Pilot:2016–17 Field Test: 2017–18	45,000

7.1. CAASPP Test Administration Requirements

ETS will create manuals, user guides, and other supporting materials so that the LEAs have the information they need to effectively and efficiently administer the CAASPP System.

7.1.A. Manuals

ETS will produce high-quality manuals that will give California the exact information needed in ways that are accurate and efficient. To increase the efficiency of communications between the LEAs and schools during the test administration, and to assure that tests are administered in a consistent manner, ETS will review with the CDE all CAASPP System documentation and update the materials based on the needs of the CDE and LEA CAASPP Coordinators, revised academic standards, and other requirements. In addition, ETS will analyze information collected as part of data-driven improvement activities. ETS will solicit feedback specifically from the LEA Advisory Group to confirm that manuals and other ancillary materials meet the needs of the field.

General Specifications for Developing Manuals. ETS will use the previous administration's manuals as the starting point for the current administration. Prior to the development and

production of a manual, ETS will provide the CDE with a list of recommended revisions including those from the data-driven improvement process. When appropriate, ETS will also make recommendations to re-conceptualize existing manuals for increased usability, create new or additional manuals, or even retire existing manuals.

ETS will schedule sufficient time for the thorough review and approval of the manuals prior to posting or publishing. In addition, ETS will implement a process by which an ETS editor will conduct inter-manual consistency checks so that there is consistent tone, language, and directions between the manuals. The production schedule for each manual will follow the CDE approval requirements.

Posting Manuals to http://www.caaspp.org/. ETS will print all manuals and convert them to PDF and/or HTML files. The PDFs will include the appropriate accessibility tagging that meets or exceeds the CDE Web requirements. ETS will post only non-secure materials or materials edited to remove secure sections.

Based on feedback from the LEA Advisory Group, ETS will propose recommendations to the CDE for ways to make information about the test administration process more accessible.

ETS will post all final approved manuals to http://www.caaspp.org/ by November 1st annually. Given this required posting deadline, ETS anticipates that there may be changes or updates to policy or administration procedures that may impact the manuals. During the initial planning phase of each manual, ETS will propose processes and contingencies. In the event that a policy or administrative change is required after ETS publishes a manual, ETS will work with the CDE to determine which contingencies ETS should consider and what impact the contingencies have to LEA activities and the overall program schedule, if any.

Printing Quality Control Procedures. ETS will provide printed copies of the Test Administration Manual and the Post-Test Guide. Upon approval of the final draft by the CDE, the manuals will go through printing quality control procedures, which require that a printing quality control specialist be on-site through all stages of production to confirm the quality of all products. The general process requires all print vendors perform a quality check on all materials produced at all stages of print manufacturing. These quality checks occur at the prepress, press, bindery, and packaging/shipping stages. ETS will use a required quality control checklist to verify the vendors' adherence to quality procedures.

Test Administration Manual (TAM)

ETS will make sure that California-specific revisions still adhere to the Smarter Balanced test administration procedures and policies.

Separate TAMs will cover other CAASPP content areas and assessments, including science, alternate, and primary language assessments, as well as the existing paper-pencil assessments. These TAMs will be coordinated and consolidated whenever possible to confirm ease-of-use in the field. The manuals' interior font size will be 11 points or larger, printed with black ink.

In addition to posting the final PDF to http://www.caaspp.org/ by November 1 of each year, ETS will produce and deliver each TAM a minimum of 30 days prior to an LEA's testing window. For each TAM, ETS will provide one copy for the LEA CAASPP Coordinator and one copy for each CAASPP Test Site Coordinator. ETS will deliver all printed copies to the LEA CAASPP Coordinators, who will be responsible for distribution to their schools. Additional TAMS are

available for order through CalTAC at no additional cost to the LEA or the CDE. ETS will confirm that the final PDF version of the appropriate TAM is available for training sessions.

LEA CAASPP Test Coordinator Manual (LEA TCM)

As a companion document to the TAMs, but with a focus on the tasks that are the responsibility of the LEA CAASPP Coordinators, ETS will develop an LEA Test Coordinator Manual (LEA TCM). If possible, a single manual will cover all summative CAASPP testing for a particular administration year. In the event that more than one manual is needed to properly cover the information, ETS will revise the schedule and plans to ensure that the manuals are properly reviewed and provided to the field in a timely manner.

Where necessary, text will reflect any applicable grade-level differences. Because paper-pencil testing should be minimal in California, ETS will focus the content of the administrator's guide primarily on the computer-based testing while clearly identifying sections that are for the paper-pencil test administration. Also, ETS will not include proprietary information in the administrators' guide. This way, electronic posting will not require a separate version.

ETS will propose and collaborate with the CDE to determine the content of the administrators' guide, and ETS will provide the initial draft to the CDE in accordance with the program schedule for each administration year and with the goal of posting the final version by November 1 to caaspp.org. ETS will make the manual available for the pre-test training sessions in January and February of each administration year.

CAASPP Test Site Coordinator Manual (SCM)

Similar to the LEA TCM, ETS will develop a manual for coordinating testing at the school-site level: the CAASPP Test Site Coordinator Manual (SCM). This manual will focus on the tasks that are the responsibility of the CAASPP Test Site Coordinators. If possible, a single manual will cover all summative CAASPP testing for a particular administration year.

Test Administrator's Manual (TAM)

To complete the set of role-specific CAASPP coordination and administration manuals, ETS will develop a Test Administrator's Manual (TAM) for Test Administrators. If possible, a single manual will cover all summative CAASPP testing for a particular administration year. In compliance with CDE requirements, this manual will include:

- an overview of the CAASPP System, and the various test management, registration, and delivery systems
- LEA CAASPP Coordinator responsibilities
- LEA responsibility and activity checklist
- CAASPP Test Site Coordinator responsibility and activity checklist
- test administrator responsibility and activity checklist
- appropriate processes for handling accessibility and accommodations for both computer-based and paper-pencil tests
- appropriate measures for protecting test security and confidentiality at the LEA level

- estimated test duration charts for planning purposes, and suggestions for LEA-level test scheduling
- appropriate processes for including special populations of students in testing
- important dates leading up to, during, and after the testing window(s)
- how to handle student absences and other unique testing situations (e.g., testing of homebound students, students moving into and/or out of the LEA during the testing window, etc.)
- how to report irregularities/security breaches
- how to determine whether an appeal is necessary
- toll-free telephone number and e-mail for CalTAC Help Desk support

Technology Services Coordinator's Manual (TSCM)

ETS will develop a manual for use by LEA- and site-level Technology Coordinators, a crucial role now that California administers a majority of tests online.

CAASPP Test Management System Manual (CTMSM)

ETS also produces documentation that shows procedures for using TOMS, the CAASPP Assessment Delivery System component that allows authorized users to configure testing for students, order materials, submit test setting files, and complete other tasks. ETS can develop and release this documentation in task-specific editions, or as a single manual covering all system functionalities.

CAASPP Post-Test Guides

ETS will develop a CAASPP Post-Test Guide each year that will provide a single reference document for all reporting-related information, for all users. The manual will provide an overview of the assessments, a description and guide to both online reporting tools and paper reports, and guidelines for interpreting reports. Also, ETS will include clear standards for interpreting the intended use of the test scores. ETS will develop these standards as part of the psychometric review of the test items and forms. ETS will clearly delimit the addressed population and describe the constructs that the assessments should measure. The goal of this manual will be to guide all CAASPP reporting stakeholders in understanding the scores provided, what they represent, and how they can use them to improve curricular programs in the schools.

ETS will post the Post-Test Guide to caaspp.org by November 1 annually. ETS will deliver one printed copy to each LEA CAASPP Coordinator at least one month prior to the beginning of student summative testing each year. Additional printed copies are available for order from CalTAC at no additional cost to the LEA or the CDE.

7.2. Paper-Pencil Administrations

There are existing CAASPP tests that are available only as paper-pencil assessments. In addition, not all students in California will be able to test on a computer. Therefore, ETS will offer an efficient and secure process for providing a paper-pencil assessment for students who require this mode of testing. ETS will manage and provide the paper-delivered tests from ETS's

Ewing, New Jersey, location, where ETS owns publishing, distribution, and scoring facilities. Currently, ETS is using these capabilities and facilities to deliver the printed materials for the 2015 CAASPP administration, and ETS will use these same capabilities and facilities in future CAASPP administrations.

ETS will produce:

- non-scannable test booklets with separate scannable answer documents for CST/CMA/CAPA for Science Assessments in grades five, eight, and ten, and STS for RLA in grades four through eleven
- scannable test booklets for the STS for RLA booklets for grades two and three
- non-scannable test booklets with a scannable response booklet for the paper-pencil versions of the Smarter Balanced Summative Assessments in grades three through eight and grade eleven
- secure directions for administration (that include assessment items) for alternate assessments in ELA and mathematics in grades three through eight and grade eleven
- non-scannable test booklets for the braille and large print versions of all CAASPP assessments
- non-scannable test booklets for the Spanish version of the Smarter Balanced mathematics assessments in grades three through eight and grade eleven

ETS will provide the CDE with final documents for review and approval following the certification process.

With California's input, ETS will develop a detailed project plan to track the completion of the sequence of tasks and will incorporate the detailed project plan into the master project plan. ETS will put each document through the same rigorous process of review, proofreading, accuracy checking, CDE approval, document tracking and version control, and quality inspection that are used with all secure test materials.

7.2.A.1. Paper Test Booklets and Answer Documents

ETS will develop and print secure non-scannable test booklets and scannable answer documents for the CAASPP paper-pencil tests. In producing these versions, ETS will establish that all content and formatting within the test booklets and answer documents maintains consistency with the CAASPP test materials in the 2015 administration. ETS will discuss any changes in format or content for the non-Smarter Balanced paper-pencil assessments with the CDE for the CDE's approval prior to implementation. For the Smarter Balanced paper-pencil assessments, ETS assumes that Smarter Balanced will provide print-ready PDFs that may be used for the CAASPP administration.

Test booklets will have adequate space for student identification and demographic information, as well as space for the placement of a student barcode label. Barcodes, along with the human-readable number, will appear on the front and back covers of each test booklet, to maintain test security. Estimated print quantities for the paper-pencil test materials is included in Table 10.

Table 10. Estimated Print Quantities* for Paper-Pencil Test Booklets, Answer Documents, Response Booklets, and School and Grade Identification Sheets

Document	Document Type	Estimated 2016 Print Quantity	Estimated 2017 Print Quantity	Estimated 2018 Print Quantity**
CST Science Grade 5 Test Booklet	Non-scannable	536,000	536,000	0
CST Science Grade 8 Test Booklet	Non-scannable	541,000	541,000	0
CST Science Grade 10 Test Booklet	Non-scannable	555,000	555,000	0
CMA Science Grade 5 Test Booklet	Non-scannable	35,000	35,000	0
CMA Science Grade 8 Test Booklet	Non-scannable	31,000	31,000	0
CMA Science Grade 10 Test Booklet	Non-scannable	20,000	20,000	0
CST/CMA Answer Document—Grade 5, 8, & 10	Scannable	1,718,000	1,718,000	0
CAPA For Science Examiner's Manual	Non-scannable	7,500	7,500	0
CAPA For Science Answer Document	Scannable	15,000	15,000	0
STS RLA Grade 2 Test Booklet	Scannable	17,000	17,000	0
STS RLA Grade 3 Test Booklet	Scannable	17,000	17,000	0
STS RLA Grade 4 Test Booklet	Non-scannable	11,000	11,000	0
STS RLA Grade 5 Test Booklet	Non-scannable	7,000	7,000	0
STS RLA Grade 6 Test Booklet	Non-scannable	5,000	5,000	0
STS RLA Grade 7 Test Booklet	Non-scannable	3,000	3,000	0
STS RLA Grade 8 Test Booklet	Non-scannable	3,000	3,000	0
STS RLA Grade 9 Test Booklet	Non-scannable	2,000	2,000	0
STS RLA Grade 10 Test Booklet	Non-scannable	2,000	2,000	0
STS RLA Grade 11 Test Booklet	Non-scannable	2,000	2,000	0
STS RLA Grade Answer Document — Grades 4-11	Scannable	35,000	35,000	0
Smarter Balanced ELA Grade 3 Test Booklet	Non-scannable	45,700	45,700	1,000
Smarter Balanced Math Grade 3 Test Booklet	Non-scannable	45,700	45,700	1,000
Smarter Balanced ELA Grade 3 Response Booklet	Scannable	45,700	45,700	1,000
Smarter Balanced Math Grade 3 Response Booklet	Scannable	45,700	45,700	1,000
Smarter Balanced ELA Grade 4 Test Booklet	Non-scannable	45,700	45,700	1,000
Smarter Balanced Math Grade 4 Test Booklet	Non-scannable	45,700	45,700	1,000
Smarter Balanced ELA Grade 4 Response Booklet	Scannable	45,700	45,700	1,000

Document	Document Type	Estimated 2016 Print Quantity	Estimated 2017 Print Quantity	Estimated 2018 Print Quantity**
Smarter Balanced Math Grade 4 Response Booklet	Scannable	45,700	45,700	1,000
Smarter Balanced ELA Grade 5 Test Booklet	Non-scannable	45,700	45,700	1,000
Smarter Balanced Math Grade 5 Test Booklet	Non-scannable	45,700	45,700	1,000
Smarter Balanced ELA Grade 5 Response Booklet	Scannable	45,700	45,700	1,000
Smarter Balanced Math Grade 5 Response Booklet	Scannable	45,700	45,700	1,000
Smarter Balanced ELA Grade 6 Test Booklet	Non-scannable	45,700	45,700	1,000
Smarter Balanced Math Grade 6 Test Booklet	Non-scannable	45,700	45,700	1,000
Smarter Balanced ELA Grade 6 Response Booklet	Scannable	45,700	45,700	1,000
Smarter Balanced Math Grade 6 Response Booklet	Scannable	45,700	45,700	1,000
Smarter Balanced ELA Grade 7 Test Booklet	Non-scannable	45,700	45,700	1,000
Smarter Balanced Math Grade 7 Test Booklet	Non-scannable	45,700	45,700	1,000
Smarter Balanced ELA Grade 7 Response Booklet	Scannable	45,700	45,700	1,000
Smarter Balanced Math Grade 7 Response Booklet	Scannable	45,700	45,700	1,000
Smarter Balanced ELA Grade 8 Test Booklet	Non-scannable	45,700	45,700	1,000
Smarter Balanced Math Grade 8 Test Booklet	Non-scannable	45,700	45,700	1,000
Smarter Balanced ELA Grade 8 Response Booklet	Scannable	45,700	45,700	1,000
Smarter Balanced Math Grade 8 Response Booklet	Scannable	45,700	45,700	1,000
Smarter Balanced ELA Grade 11 Test Booklet	Non-scannable	45,700	45,700	1,000
Smarter Balanced Math Grade 11 Test Booklet	Non-scannable	45,700	45,700	1,000
Smarter Balanced ELA Grade 11 Response Booklet	Scannable	45,700	45,700	1,000
Smarter Balanced Math Grade 11 Response Booklet	Scannable	45,700	45,700	1,000
Alternate Assessment For ELA and Mathematics Secure Directions for Administration — Grades 3–8 and 11***	Non-scannable	4,000	4,000	4,000
School And Grade ID Sheet (SGID)	Scannable	570,000	570,000	570,000

*The estimated print quantities include the estimated test taker count as indicated in RFS Addendum 1, Table 3.1, plus the estimated overage materials included in the LEA shipments, the materials needed to support the special versions, and the estimated materials for ETS inventory to fulfill supplemental orders requested by LEAs.

**The estimated print quantities for the Smarter Balanced paper-pencil assessments for the 2018 administration are to support the continued administration of the Braille and large print and minimal regular versions.

***The administration of the alternate assessments do not require test booklets and answer documents. Test questions are included in the secure Directions for Administration and test administrators will enter student responses into the TDS.

Test booklets will contain the following information on their covers:

- form identification
- content area
- administration date
- security warning
- copyright information on the inside front cover
- CDE logo and CAASPP logo on the front cover

ETS is prepared to customize the information on the cover annually, and ETS will design answer books to provide:

- space for scannable, pre-printed student barcode labels; or information can be printed if the LEA opted to receive pre-ID'd materials as an ancillary service
- space for students to write and grid-in information specified above, such as name, grade level, and gender
- space for test administrators to indicate special testing conditions or student test settings used during testing

Each test booklet page will contain a unique scannable identifier on each page. This identifier will aid in locating any pages separated from the books. Each California test booklet will also have a six-digit sequential number, known as a litho code, which are used in the distribution and collection process as well as for CDE edit checks. Each page will identify the session number and form designation for ease of viewing during test monitoring.

Each test booklet will contain a barcode, which ETS will scan before sending the test booklets to schools and LEAs. ETS will scan these barcodes again once those schools and LEAs return the test booklets. This will occur immediately upon receipt at the ETS facility following the return of paper test materials. ETS will document scanned data into both the inventory and a closed-loop tracking system. This system will track inventory and determine, by school and LEA, any missing test booklets or secure test materials.

After the last pick-up, ETS will provide an initial missing secure materials report. This report will include a complete accounting of all materials, identifying the school, LEA, content area, form identifier, quantity of test booklets sent, quantity of test booklets returned, and the number of missing materials. ETS will also provide a separate summary for each LEA and confer with the contracted courier service provider to obtain details about the delivery of returned shipments. ETS will update the report and inform California and each LEA of subsequent returns.

7.2.A.2. Special Versions (Braille and Large-Print)

ETS will estimate the print quantities of the CST/CMA for science and the STS RLA Braille and large print test books based on usage from previous administrations and take into account any other factors that could influence volumes. ETS will base the quantities of the Smarter Balanced Braille and large print test books on orders provided by LEAs through TOMS by December 1 annually.

Procedures for Producing Braille Versions of the Tests

ETS production staff will develop and produce Braille versions of each assessment for each test administration window. Materials will include a page for transcriber's notes and a special symbols page, as well as a special Instructions for Use document for administering the Braille tests. ETS will provide detailed instructions and examiner directions to support the test for the Braille versions. They will reflect any special instructions for test administration specific to the Braille version of the assessment.

Procedures for Producing Large-Print Versions of the Tests

ETS will provide the large print booklets — in black ink — and related materials for each test administration. ETS will produce these booklets by submitting the document copy to the printer on electronic media. Before producing the camera copy, ETS will electronically enlarge the type size. It is important to do this, rather than enlarging the copy via a photocopier, to yield documents with sharp and distinct images that are vital to visually impaired students.

ETS will present pages in portrait format and spiral bind the booklets so that the pages will lie flat when fully opened. For the modification of graphics for the large print booklets, ETS will remove any background shading or screens during the composition process. Such shading or screens could hinder a student's ability to interpret and respond to the item. ETS proposes reproducing any graphics that the developer purposely drew to scale at the same size and will only modify items from the original size that are solely represented by color or contrast.

The directions for administration specific to the large print edition will be similar to those used for the regular print, operational version of the test.

Students will respond directly in the special version test booklets or response booklets, and test administrators will transcribe their responses into the test delivery system.

7.2.A.3. Paper-Pencil Test Administration

ETS has detailed plans in place for the printing, packing and packaging, shipping, and retrieval and processing of the 2015 CAASPP test administration materials, and ETS will continue using the same processes, refining elements to improve efficiencies and to address any policy or programmatic changes required for a given administration.

Printing and Packaging

ETS will print and package assessment materials according to the requirements of the RFS. The shrink-wrap, overage, and packaging specifications will support the goal of efficient handling by the CAASPP Test Site Coordinators, also allowing ETS to effectively bundle the necessary quantities of test materials.

ETS proposes the following baseline packaging assumptions:

- ETS will provide test booklets in packages of 10.
- Test books will be spiraled for assessments with multiple test versions with the package to help facilitate equal distribution of forms across the student population.
- ETS will provide accommodated versions of the test booklets in individual packages with accompanying materials.

- ETS will individually package manuals and ancillary materials to meet the CDE's requirements.
- Secure materials will be in shrink-wrapped packages that will have an affixed barcode indicating the items contained within the package.

ETS will ship all paper-pencil test materials — CST/CMA/CAPA Science, STS RLA, Smarter Balanced, and Alternate Assessments — for a test administration window at one time. If the LEA ordered pre-ID labels, then ETS will also package the labels with the test materials. ETS will package all materials for each school and ship those packages to the appropriate LEA. Because many LEAs have multitrack calendars that require testing in more than one test administration window, it will be necessary to make more than one shipment to some LEAs.

ETS will develop and maintain the materials list for each administration, as ETS does for the CAASPP 2015 administration. This list is a requirements document that specifies anticipated page counts, order quantities, distribution quantities, and processing quantities for each item type by year. ETS will provide the list to the CDE upon request.

ETS will use distribution rules to calculate material quantities and overages. ETS's costs assume 10 percent overage for every school testing, as well as a five percent overage for every LEA based on the LEA's total order for each grade.

Shipping

ETS will meet the CDE's timelines and requirements, producing detailed packing lists for each order and tracking sheets for test administrators. For barcode-tracked materials, ETS will produce shipping lists that itemize each piece of the shipment and individual boxes. ETS will provide electronic flat text files of the security barcodes at the time of shipping for the CDE and each LEA.

ETS will package boxes by assessment and grade for each test site and send them to the LEA, and ETS will clearly label the contents of each shipment. ETS ships all test materials, bearing the return address of ETS's test materials processing center, by a secure courier.

Box 1 of each LEA- or county-office shipment will include:

- return freight kits for scorable and non-scorable materials
- directions for inventorying the materials and for notifying CalTAC of any missing materials or shortages
- a set of packing lists for all school shipments within the LEA or county office
- a packing list for the LEA or county overage materials listed in the order in which they are packed
- a pallet detail report for those shipments that include two or more pallets

Box 1 of each school shipment will include:

- return freight kits for scorable and non-scorable materials
- a packing list with materials listed in the order in which they are packed

- pre-ID student labels

ETS will numerically label the boxes to correspond with the packing list (i.e., Box 1 of 20, Box 2 of 20, Box 20 of 20), to make materials for a particular assessment and grade level identifiable upon receipt at the test site.

Box Specifications. ETS will use specifications for box construction so that the boxes used for shipping test materials are extremely sturdy and durable. ETS will use double-walled, reusable boxes to both withstand the rigors of handling by the carriers during distribution to LEAs, and to protect the test materials shipped back to ETS for processing.

LEAs receive many shipments of materials during the school year. Although ETS will label the boxes with program information, it is critical that the LEA CAASPP Coordinator be able to locate Box 1 of each shipment as soon as possible, as Box 1 contains the packing list and other important information needed to facilitate handling. For that reason, ETS will mark Box 1 so that LEAs easily recognize it.

Special Services to LEAs. Where possible, ETS will provide the following fee-based special services to LEAs:

- accommodations for special LEA requested arrangements and space
- pallet jack or other equipment necessary for LEAs without a dock or proper equipment
- alternate carrier arrangements at the request of the LEA ~~so that testing materials reach the more remote areas of the state on time~~

ETS will provide the CDE a proposed price list for review and approval. The price list will include all special services and other fee-based ancillary services (e.g., rescoring of constructed response test questions) available to LEAs.

ETS will use TOMS to capture requests for proper delivery (e.g., no dock, need assistance). If there are any questions about special services in the enrollment order, CalTAC will follow up with the LEA CAASPP Coordinator before ETS ships test materials for that LEA.

Additional Orders. When LEAs need additional materials, ETS will process requests for additional materials as long as there are not delays with shipments to other LEAs. Having the additional orders fulfilled using the main packaging and distribution system will allow ETS to consistently and effectively respond to requests for additional materials to LEAs within two business days of notification.

Packaging and Distribution System. ETS will utilize a state-of-the-art Packaging and Distribution system, which uses barcode-identified packaging components. Barcodes will identify item type, boxes, orders, pallets, and shipments.

ETS will establish a high level of quality through such steps as applying unique shipping labels for each package associated with a school's order. Each package will have a tracking number associated with it. ETS will load this order and shipment tracking information into TOMS, where LEA CAASPP Coordinators placed their orders. Since TOMS contains e-mail addresses tied to each order's school and LEA hierarchy, the system-generated e-mails will go to LEA CAASPP Coordinators upon shipment of their order. Information on their order is available for LEA personnel to view and track in the system.

All materials for the test administration will arrive in schools no earlier than 10 working days and no later than five working days prior to the start of testing. ETS will use closed-loop tracking to make sure that ETS sends the correct materials ordered, and that the school or LEA receives and accounts for those materials.

Collection and Processing

LEAs must return scorable and non-scorable materials within five working days after the last day for each test administration period. ETS project management will closely monitor the return of materials and will notify the Help Desk, CalTAC, of any LEAs that have not returned their materials. CalTAC will contact the LEA CAASPP Coordinators and work with them to facilitate the return of the test materials. ETS will work onsite with LEAs, collaborating with County Offices of Education, to verify the return materials in a timely manner.

In the packaging process, ETS will include freight return kits for scorable and non-scorable materials for use by the LEA CAASPP and scorable materials. The label will also contain bar-coded information identifying the school and LEA. When CAASPP Test Site Coordinators pack their materials for return to the LEA, they are required to apply the appropriate labels and number the cartons (e.g., 1 of 2, 2 of 2). Upon receipt of the materials at the LEA, the LEA CAASPP Coordinator is required to complete the “total shipment from this LEA” information on the label.

The use of the color-coded labels streamlines the return process. LEAs will deliver all scorable and non-scorable materials to ETS’s scanning and scoring facilities in Ewing, New Jersey.

Processing of Returned Materials. Upon receipt of the test materials, ETS will utilize a precise inventory and test processing system in conjunction with quality assurance procedures to maintain an up-to-date accounting of all the testing materials within ETS facilities.

As ETS receives test materials, personnel remove the materials from the shipping cartons and carefully examine each shipment for a number of conditions, including physical damage, shipping errors, and omissions.

As materials are batched for scanning, personnel also conduct a visual inspection to compare the number of students recorded on the school and grade identification (SGID) sheet to the number of answer documents in the stack.

ETS’s image scanning process provides the ability to capture security information electronically and to perform the following tasks:

- compare scorable material quantities reported on header sheets to actual documents scored
- follow up on any missing shipments or quantities appearing to be less than expected with a phone call by ETS’s Program Management Team to the school LEA
    - CalTAC staff will contact the LEA for further resolution.

ETS will check in all secure materials by scanning the barcode label on each of the returned cartons. ETS will then count and return the materials in each box to the original box for storage. ETS will compare the quantity of test booklets that received, including the scanned counts of STS grades 2 and 3 scorable documents, and compare that to the quantity that are assigned and sent to each LEA and school.

Notifying LEAs of Discrepancies in the Quantities of Secure Materials. ETS will send reports detailing secure materials received back from the LEAs or schools to CalTAC, who will follow-up with LEAs. ETS will provide the CDE with an electronic file showing the final resolutions of discrepancies no later than September 20th of each year. The format of the file will be similar to the file format used in the 2014 administration.

Procedures for the Secure Destruction of Secure Materials. After secure materials (including test booklets and examiner's manuals) are processed, ETS will return them to their original boxes for storage and palletize and place them in ETS's secure warehouse facilities. Once all resolution is complete, ETS will request approval from the CDE to securely destroy the materials. For the purposes of this bid, ETS will request approval from the CDE on October 31st annually following the administration to securely destroy test materials.

7.3. Computer Based Assessments

AIR's test delivery system will be used as part of a continued offering for CAASPP. The proposed system has the proven operational capabilities to deliver the full range of assessments.

AIR-Proprietary Test Delivery System

ETS and its subcontractor, AIR, will host and support the AIR-proprietary test delivery system (TDS) for the administration of all online California-specific and Smarter Balanced assessments (summative and interim) for California.

A summary of the system features:

- Provides advanced security protocols and techniques to protect both test content and student data
- Provides educators with a robust set of tools to manage and monitor testing. The system displays each student's progress through the test. Additionally, intuitive, user-friendly icons indicate each student's testing status. Customized student grouping rules can be applied to easily help manage student data.
- Uses current industry-recognized standards (SIF, IMS, etc.).
- Is flexible to accommodate the varying technological capabilities that exist in state school LEAs.
- Accommodates virtual networks and/or thin client environments and supports administration within a secure wireless environment on tablets or other mobile devices.
- Includes a rich set of tools to enhance the student's computerized-testing experience
- Tools are highly customizable and can be configured for each computerized test and test taker as set by the testing procedures and PMP.
- Provides a workflow that makes pre-registration for specific online testing sessions unnecessary.

- Shows online testing metrics, by assessment and state/LEA/school, immediately upon inquiry. Daily completion status reports summarized across state and by LEA are available

The test delivery system is a purely Internet-based system that supports operating systems and browsers longer than their original manufacturers. This covers almost all the computers currently found in schools. While inside schools, there can be technology schools, technology is advancing rapidly outside. ETS will not only ~~to~~ keep up with those advances across all technology proposed for CAASPP, but leverage them to make test content more meaningful and accessible. Therefore, ETS needs to confirm that their system always has forward browser compatibility with the latest operating systems, including iOS®, Androids, and Chromebook™ devices, as well as assistive technology devices.

Table 11a below describes the secure browser support policy for new operating system releases. Table 11b describes the Web browser support policy for new releases.

Table 11a. Secure Browser Support Policy for Operating Systems

Release of 3rd party software	Compatibility	Description
Currently supported operating systems	90 days after release	AIR intends to support a new version of a currently supported operating system within 90 days of official release.
Google ChromeOS	presumptive support	AIR does not block new versions from accessing the site.

Table 12b. Web Browser Support Policy

Release of 3rd party software	Compatibility	Description
Apple Safari and Microsoft Internet Explorer browsers	90 days after release	AIR does block new versions of these browsers from accessing the site until they are tested and all issues are resolved.
Google Chrome	presumptive support	AIR does not block new versions of these browsers from accessing the site.

Table 13 below provides a list of supported operating systems and recommended specifications as of the submission of this SOW. ETS will update this list annually as part of the Smarter Balanced Implementation Readiness Package described in Task 3.ETS will provide the CDE with advance notice when a secure browser update will be released. AIR will continue to work closely with the major operating system vendors to ensure that the secure browsers will work on any new operating system updates.

Table 13. Supported Operating Systems and Minimum Requirements, as of March 30, 2015

Operating System	Supported Devices	Secure Browser	Related Requirements*
Desktop			
Windows XP (Service Pack 3), Vista, 7, 8.0, and 8.1 Server 2003, and 2008	Desktops/Laptops	Windows Secure Browser 7.2	Disable fast user switching. Server 2003 and 2008 are supported when using a thin client.
Mac OS X 10.5 (Power PC)	Desktops/Laptops	Mac Secure Browser 5.6	Disable fast user switching and Launchpad.
Mac OS X 10.5 (Intel)	Desktops/Laptops	Mac Secure Browser 6.5	Disable fast user switching and Launchpad.
Mac OS X 10.6 – 10.10	Desktops/Laptops	Mac Secure Browser 7.2	Disable Spaces (10.7 – 10.10).
Linux Fedora 16 –20 openSUSE 13.1 Red Hat Enterprise 6.5 Ubuntu (LTS) 10.04, 12.04, and 14.04	Desktops/Laptops	Linux Secure Browser 6.5	Install required libraries. Install Festival and SoX. Install Verdana TrueType font.
Mobile			
iOS 6.0 – 8.1	iPad 2 iPad 3 4th Generation (Retina Display) iPad Air	AIRSecureTest Mobile Secure Browser	Enable Guided Access. (Note: Single App Mode is not the same as Guided Access.)
Android 4.0.4 – 4.4	Google Nexus 10 Motorola Xoom Samsung Galaxy Note (10.1) Samsung Galaxy Tab (10.1) LearnPad Quarto	AIRSecureTest Mobile Secure Browser	Enable the secure browser keyboard.
Chrome OS 31 – 40	Chromebooks	AIRSecureTest Kiosk Application	Chromebooks must be in kiosk mode.
Windows 8.0, and 8.1	AIR supports any tablet running Windows 8.0 and 8.1 Pro. However, AIR has done extensive testing only on Surface Pro, Asus Transformer, and Dell Venue.	Windows Secure Browser 7.2	Disable fast user switching.

Note: The CAASPP end-of-support date for operating systems will be consistent with the Smarter Balanced end-of-support plan (www.smarterbalanced.org)

The CAASPP Assessment Delivery System contains a series of integrated modules that appear to users as a single, integrated system. Once logged in, users can navigate the various components of the system securely. The CAASPP Assessment Delivery system has four components: TOMS, the test delivery system, the quality monitor system, and participation reports. Table 14 provides an overview of each component.

Table 14. Summary of Assessment Delivery Components.

System	Description
Test Operations Management System (TOMS)	TOMS is responsible for: • student registration • gathering of demographic data • materials ordering
Test delivery system Test administrator interface	The test delivery system's test administrator interface provides the interface through which test administrators establish and monitor testing sessions and authenticate student users. The student interface is the testing system as it appears to the student, on which students take tests. The test delivery system delivers tests to students, records responses, and forwards data to downstream systems. Available for CAASPP computer-based tests beginning with the 2015-16 administration: Smarter Balanced summative assessments, Smarter Balanced interim assessments, CAA. Planned availability for CAASPP computer-based tests beginning with 2017-18 Field Test administration: CA NGSS, CA NGSS Alternate, and Primary Language.
Quality monitor system	The quality monitor system receives the data, verifies the validity of the test administered and the item-level scores assigned, and gathers statistical data for ongoing quality reports. Data are then provided to ETS for test-level scoring and reporting.
Completion Status	The online reporting system for participation reports provides a secure interface to participation data and associated demographic information. Available for CAASPP computer-based tests beginning with the 2015-16 administration: Smarter Balanced summative assessments, Smarter Balanced interim assessments, CAA. Planned availability for CAASPP computer-based tests beginning with 2017-18 Field Test administration: CA NGSS, CA NGSS Alternate, and Primary Language.

System Description and Capabilities

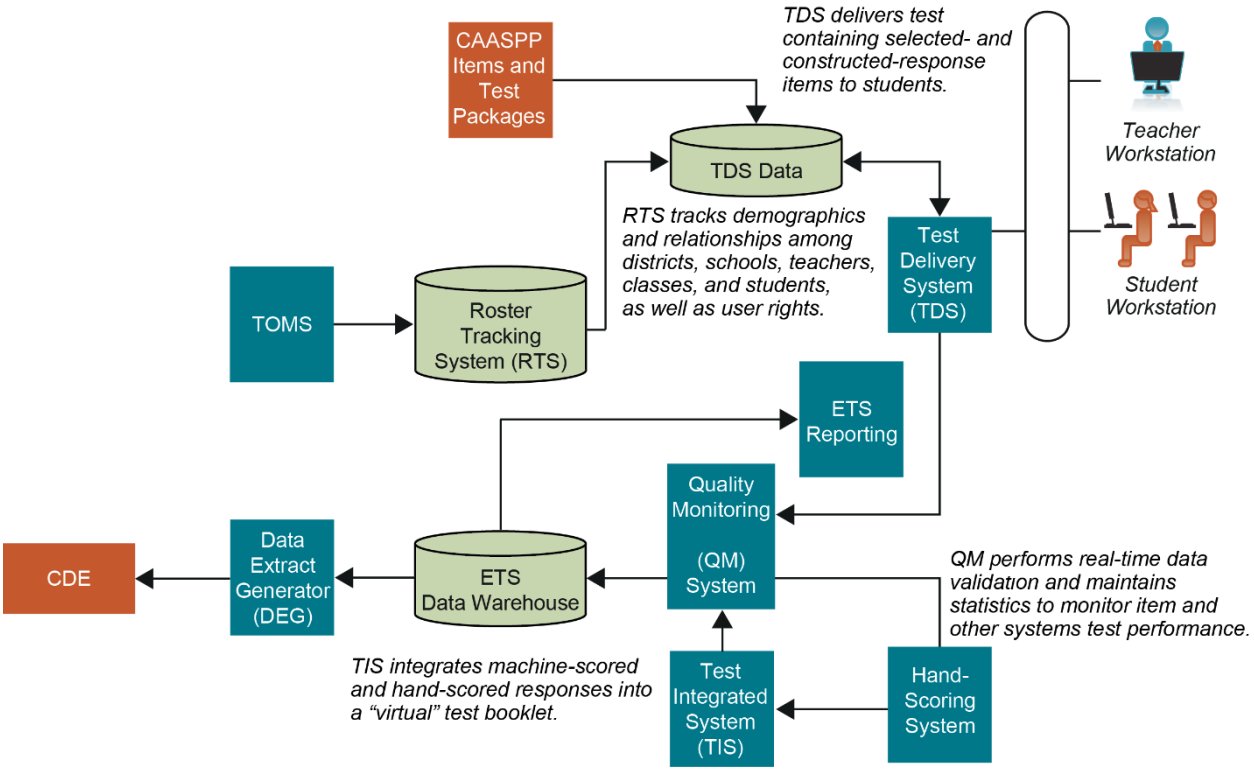
To administer tests, the test delivery system needs information about students and test administrators, including authentication information. TOMS gathers data from districts, schools, or the state, and transfers those data to AIR's roster tracking system, a flexible database system shared by the test delivery system and the AIR reporting systems utilized for completion status. The roster tracking system will house TOMS-provided data provided about the educational networks in California, such as which schools are in which LEAs, which teachers are in which schools, and which students are in which classrooms.

After the test delivery system administers the test to a student, the system passes the resulting data to the quality monitor system. The quality monitor system rescores tests, checks that the tests meet the blueprint, captures statistics on items, and runs a host of extensive quality checks. The quality monitor system also runs a suite of analyses designed to detect cheating, which ETS can make accessible to psychometric personnel at any time. The entire quality checking process occurs in milliseconds. The system then transfers item-level score data to ETS for test-level scoring and population within the electronic reporting systems. In the rare

event that the quality monitor system identifies an anomalous test result, the system promptly notifies members of the project team and ETS holds the results until they can be verified.

The interfaces comply with the application programming interfaces and data interoperability standards established by the Smarter Balanced Consortium. Figure 5 provides a schematic of the overall system.

Figure 5. Overall Schematic of the Test Delivery System



Activities related to system requirements are described in Task 3.

7.3.A.1 Interim Assessments

ETS will build on the implementation of the 2015 Smarter Balanced interim assessments for LEAs to include:

- the capacity to limit the number of testing opportunities
- educator access to all grade levels of interims using a user-friendly presentation of the available interim assessments
- a visual difference from the summative assessments (e.g., different search or filtering process, different graphic screen element)
- streamlined access to the Smarter Balanced interim assessment component for educators, using the same systems and protocols used for the summative assessments

- training and certification of LEA-based trainers in the scoring of student responses to constructed-response and performance-task items, using workshops, webinars, and supportive ancillary documents and materials
- training and materials to guide accurate interpretations of scores and support effective use of interim assessment results to improve instruction
- a method for reporting scores to the Smarter Balanced data warehouse for reporting purposes

As part of this contract, ETS and its subcontractor, AIR, will provide services that will incorporate access to the Interim Assessments via single sign-on functionality through TOMS. Access to the Interim Assessments will be available year round beginning in August 2015. ETS will update the interim assessments by September annually with materials provided by Smarter Balanced. ETS will work with the CDE to develop appropriate roles for administration of summative and interim assessments that limit access as appropriate.

The Interim Assessments will share the same servers as the Summative Assessment. It is estimated that approximately 6.3 million students in kindergarten through grade twelve will have access to the Interim Assessments. This estimate includes the students in grades three through eight and grade eleven who also will have access to the Summative Assessments. ETS and AIR will host a server infrastructure with sufficient bandwidth, hardware, and software to provide the Smarter Balanced assessments and tools to up to approximately 6.3 million students.

Training Educators in the Scoring of Student Responses to CR Items

As part of the plan to improve educators' access to interim assessments — and to train them to effectively use them — ETS will use its expertise and provide opportunities for educators to learn how to accurately and reliably score student responses to constructed response and performance task items. Educators training is described in Task 2.

Reporting Interim Assessment Scores to Smarter Balanced Data Warehouse

Following the administration of an interim assessment, ETS will securely transfer information to the Smarter Balanced Data Warehouse for prompt reporting via the Smarter Balanced Reporting System. ETS will work with Smarter Balanced to allow for single sign on access to the Smarter Balanced Reporting System to make it seamless for educators to use all components.

7.3.A.2. Appeals for Computer Based Assessments

The test delivery system provides an online method by which LEA CAASPP Coordinators may submit an appeal for a computer-based assessment. The system handles all of the current appeals types and conditions required by the CDE and Smarter Balanced. ETS will confirm with the appeals types and conditions for each administration during the Orientation and Annual Planning Meetings.

A team of trained ETS representatives, in conjunction with the CDE, will be responsible for monitoring the appeals queue via the online appeals system. Monitoring and processing of the outstanding appeals will take place throughout the day, Monday through Friday, during the test administration period. The designated team will review each request and approve or deny the appeal based upon the requirements documented for each type of appeal. Based on experiences from the 2014 Smarter Balanced Field Test and preparations for the 2015 CAASPP administration, a recommended decision tree is included in Table 15. The decision tree

indicates who is handling the request and describes each type of request, reasons for the request, and results of an approved request.

Table 15. Online Appeals: Types and Conditions

APPEALS HANDLED BY THE CDE

Type of Appeal	Reasons for Appeal	Results of Approved Appeal
Invalidate a test	• Test security breach • Test administered inconsistently with the TAM • Student deliberately did not attempt to respond appropriately to items	Invalidated tests **WILL be scored**.
Restore a test that has been reset	• A test was inadvertently or inappropriately reset	A test that has been reset in error can be restored to its previous status and **restarted where the student left off.**
Grace Period Extension	• Loss of Internet access	Allows the student to review previously answered questions upon logging back in to the test following expiration of the pause rule period.

APPEALS HANDLED BY ETS

Type of Appeal	Reasons for Appeal	Results of Approved Appeal
Reset a test	• Student started test without the designated supports or accommodations in his or her individualized education program or Section 504 plan • Correct test was not available • Incorrect test originally opened	Resetting a student's test removes that test from the system and enables the student to **start a new test from the beginning.**
Reopen a test	• Student became ill and the test expired • Technological difficulty resulted in expiration of the test • Unanticipated excused absence or school closure	Reopening a test allows a student to access a test that has already been expired or submitted: • *Expired* – **Test opens where student left off** • *Submitted* – **Test opens at the last page of the test;** student can review items in the current segment, but cannot

	resulted in expiration of test(s)	return to previous segments

After ETS enters and reviews an appeal within the system, the LEA will receive a status of the appeal, whether it has been approved or denied. The LEA can review reasons for denying an appeal in the appeals database.

ETS will report weekly on the status of all appeals, whether they be approved, rejected, or outstanding appeals that are still in the queue to be processed. ETS will be prepared to report daily or on demand as needed by the CDE.

ETS will maintain a log of appeals that includes at least the following data elements:

- Date of appeal
- Name of LEA
- Type of Appeal
- Appeal Decision

7.4. Contracting with LEAs for STS for Dual Immersion-Programs

STS is currently available via the process agreed to by CDE and ETS. The STS is optionally available for students enrolled in a dual-language immersion program and who are either non-limited English proficient or re-designated fluent English proficient (the STS for Non-ELs in Dual-immersion Programs). ETS will enter into agreements with LEA's that are interested in this service.

Non-English Learner (EL) students in dual-immersion programs may take the STS for RLA and/or the STS for mathematics for which they meet the grade-level or end-of-course (EOC) eligibility requirements. However, because ETS will not report results for the STS for non-ELs, students do not have to take both content-area tests.

ETS has a process in place to allow these students to take a previous version of the STS at a minimal cost to the LEA. This cost is uniform across the state and is designed to recoup the marginal cost of the assessment.

LEAs will be able to download and/or order printed copies of these tests via a secure Web site. Prior to accessing the Web site, the LEA must sign and return a license and administration agreement that covers all security and privacy requirements.

ETS documents materials regarding test administration and instructions for scoring in detail, and makes these materials available to the LEA for download or in a printed format.

ETS will include the fees for these STS services as part of the CAASPP Ancillary Services Price List for CDE review and approval.

TASK 8: Scoring and Analysis

ETS will work with the CDE to lay out and document the scoring procedures. ETS will follow existing quality assurance processes to confirm and validate the results. Finally, ETS will perform a series of tests, which will include processing sample data through an end-to-end sequence that verifies accuracy.

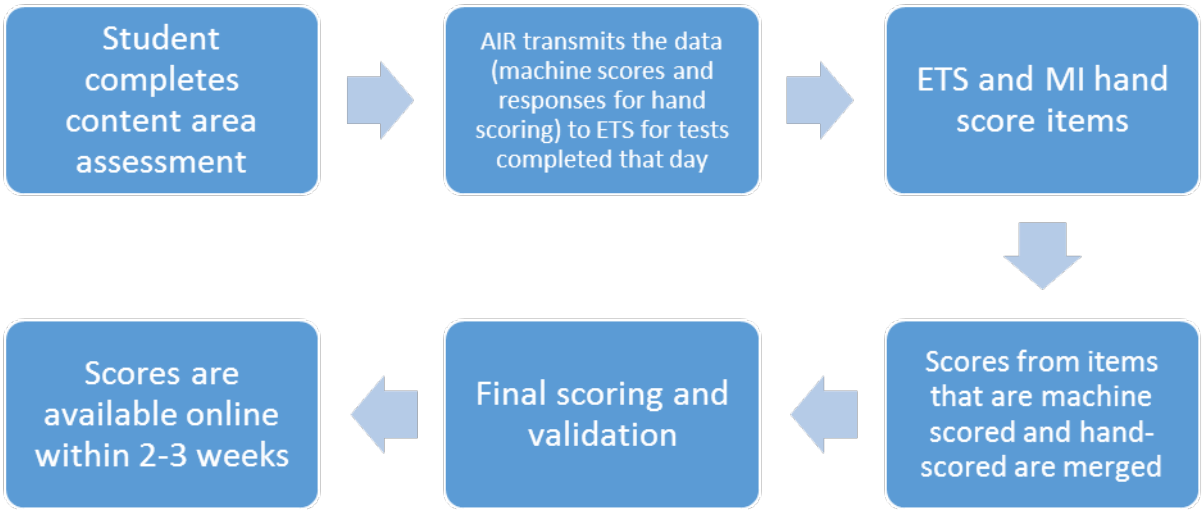
8.1. Scoring

ETS will take an integrated approach to planning and accurately scoring the assessments using Smarter Balanced- and California-required methodologies and procedures. ETS will work with the CDE to lay out and document the scoring procedures and will follow the quality assurance process to confirm and validate the results. Finally, ETS will perform a series of tests, which will include processing sample data through an end-to-end sequence that verifies accuracy.

Scoring Process Flowcharts

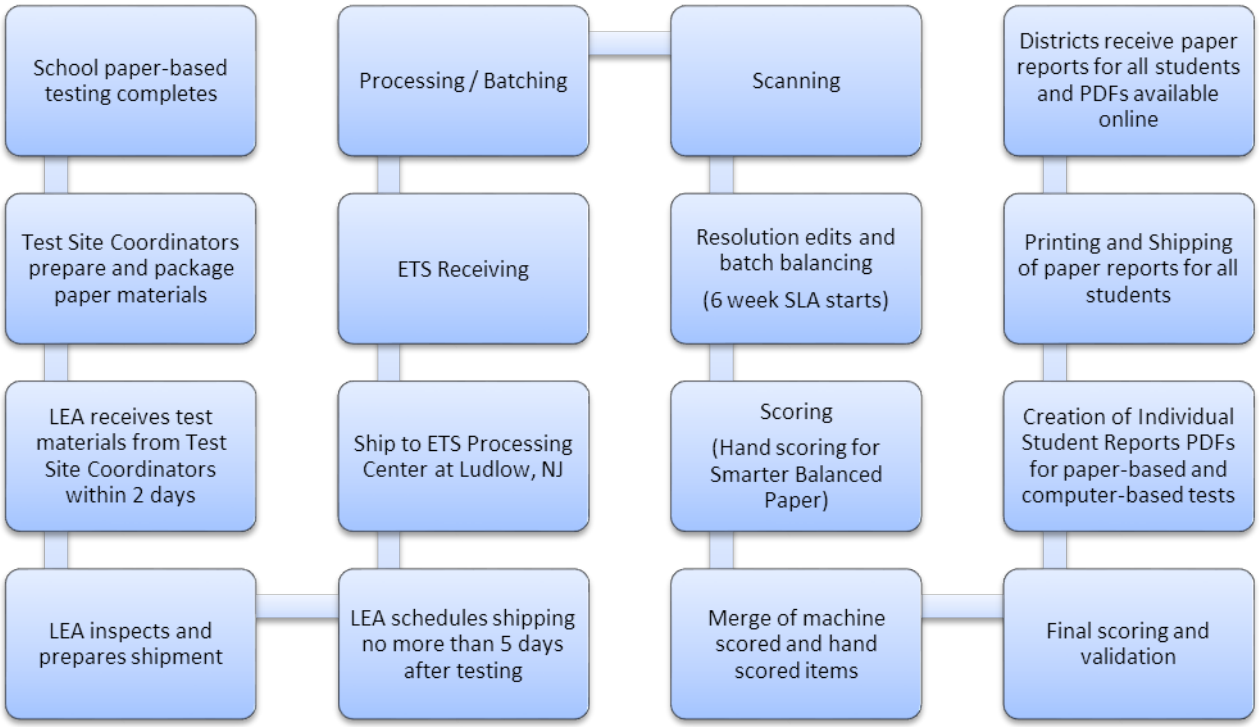
For computer-based assessments, ETS will deliver test results within two-three weeks after a student completes testing in a given content area. Figure 6 below illustrates the process ETS will use for scoring computer-based CAASPP assessments.

Figure 6. Computer-based Test Delivery — Scoring and Reporting Flow



For all paper-pencil tests, ETS will deliver test results within six (6) weeks after receipt of materials to confirm complete and accurate processing. Figure 7 below illustrates the process ETS will use for scoring paper-pencil CAASPP assessments.

Figure 7. Paper-pencil Test Delivery—Scoring and Reporting Flow



Rescore Requests

Request for a rescore will be provided to districts following a CDE-approved procedure for requesting the rescoring of an individual student's responses or a set of classroom-level responses. ETS will provide results of any such rescores to the requesting district within 30 working days of receipt of the request. In the case that the rescore indicates any anomalies, ETS will verify the correct scores and reissue affected score reports. In such an event, there will be no charge to the district. ETS will also conduct CDE rescore requests at no charge to the CDE. If any such CDE-requested rescoring requires updating and/or distribution of new data and score reports, there will be no charge to the CDE or to the CAASPP contract.

8.1.A. Methods of Scoring

ETS will utilize all necessary scoring methods for each of the following item types:

- **Selected-response Item Scoring**. For computer-adaptive testing (CAT), the AIR test delivery system will administer, score, and subsequently pass items through the CAT algorithm to determine which item to administer next. The system scores machine-scored items automatically in real-time. ETS will house student results in the ETS-maintained database of record. This private and secure state-specific database will contain CAASPP student results and assessment registration information.

- **Technology-Enhanced Item Scoring.** Technology-enhanced items (TEIs) offer an advantage over traditional selected-response items. TEIs more closely simulate what students do in the classroom and the real world, as students can actually create their own responses rather than choosing from four preselected responses. Although scoring such items presents new challenges, ETS has significant experience and demonstrated competence in this area.

- **Constructed Response Item Scoring.** Constructed-response items require students to provide written responses, from simple fill-in-the-blank items with comprehensive lists of possible answers to full essay responses. Scoring approaches for these items generally fall into three categories:

    - **Deterministic Scoring**. This includes machine-scored items basic TEIs (such as matching items, hot spots, etc.), or simple fill-in-the-blank items with comprehensive lists of possible answers.
    - **Human-scored Responses**. As the name suggests, these items involve constructs that require human scoring.
    - **Artificial Intelligence (AI) Scoring**. ETS has developed rater engines that make it possible to automatically score more complex constructed-response items—such as items that ETS can score by matching a mathematical function (plot a line, use an equation, etc.), or longer constructed-response items that move beyond simple fill-in-the-blank types — that expand the possibilities for constructed-response items. AI scoring often requires some level of human scoring, in order to train the scoring engine and validate the scores.

8.1.A.1. Deterministic or Machine-Scoring

ETS's system will maintain each unique scoring key used to score the programs. All Smarter Balanced machine-scored items will be rendered into ETS's systems.

ETS will score the multiple-choice, gridded responses, and computer-scored technology-enhanced items using the production keys or scoring rules.

8.1.A.2. Performance Task and Constructed-response Scoring

ETS will score Performance Task and constructed-response student responses (including mathematics responses in Spanish) to maximize validity and reliability while incorporating efficiencies wherever possible. Table 16 represents the division of labor between ETS and MI.

Table 16. Performance Task and Constructed-Response Scoring by Content Area and Grade

	Smarter Balanced ELA	Smarter Balanced Mathematics	California NGSS	Primary Language	CAA and CA NGSS Alternate
Grade 3	ETS	MI	-	ETS	Proctor
Grade 4	ETS	MI	-	ETS	Proctor
Grade 5	ETS	MI	ETS	ETS	Proctor
Grade 6	MI	ETS	-	ETS	Proctor
Grade 7	MI	ETS	-	ETS	Proctor
Grade 8	MI	ETS	ETS	ETS	Proctor
Grade 9	-	-	-	ETS	Proctor
Grade 10	-	-	-	ETS	Proctor
Grade 11	ETS	ETS	ETS	ETS	Proctor

The procedures ETS proposes for California include:

- careful recruiting of raters utilizing ETS best practice hiring process
- extensive training of all levels of scoring leadership, not only on the prompts, rubrics, and related scoring material but on how best to monitor the quality of the scoring
- rigorous training of the raters in appropriately applying the rubric for each prompt type, following the generic sample responses that exemplify the quality required for each score point so that every prompt is scored on the same general criteria
- requiring new raters to demonstrate their accuracy by passing a “certification” test before being assigned to score a specific assessment and then by passing a shorter, more focused “calibration” test before each new prompt type
- using scoring leaders to read behind and monitor raters; scoring leaders have the option of evaluating responses a rater previously scored, with or without the knowledge of the score he or she gave (“informed” versus “blind” back rating)
- using scoring system’s live operational data to identify (and, for scoring leaders, then counsel) raters who are reading at unusually slow (or overly fast) rates
- using content scoring leaders to monitor the scoring leaders and their virtual teams
- including pre-scored validity responses (sometimes called monitor papers) within each rater’s set of assigned responses in order to evaluate ongoing accuracy while scoring
- regularly analyzing inter-rater reliability (IRR) statistics to verify that raters are scoring consistently (scoring system produces real-time IRR and validity response scoring statistics)

Using Hand Scoring of CAASPP Constructed Response Items for Teacher Professional Development

ETS remains committed to maximizing the involvement of California teachers in scoring student responses to CAASPP items and in increasing the professional development opportunities to the greatest extent possible. ETS will follow best practices as recommended by Smarter Balanced for using scoring as a professional development tool for teachers in California.

ETS will involve teachers in five types of large-scale scoring activities: 1) Interim Assessment Scoring Workshops, 2) Summer Scoring Institutes, 3) Range-Finding Meetings, 4) Constructed Response Scoring Modules, and 5) Live Operational Scoring.

Interim Assessment Scoring Workshops will train teachers in the effective and consistent use of scoring rubrics and materials so that they may accurately score their students' interim assessments.

These workshops, detailed in Table 1 in Task 2, will include:

- Training that will increase teacher effectiveness in teaching and evaluating writing.
- Feedback to teachers that will support improvement in student performance.
- Online posting of videotapes of these workshops.
- Support for the recruitment and training of California teachers to score Smarter Balanced summative assessments.
- Pre-scored constructed-response samples in the scoring training sessions
- Preparation of workshop participants for the certification test required for CAASPP Smarter Balanced summative raters.
- Access to the scoring system with the opportunity to take an online certification test.
- Opportunities for teachers not qualified for the summative scoring.

Summer Scoring Institutes will provide training on the scoring of released operational items from both the summative and interim administrations from the previous year.

These workshops will include:

- Live training materials that raters use for operational scoring.
- Student responses from the summative and interim administrations for certified teachers.
- Items and responses from the pool of AI-scored responses that receive additional human back-reads.
- Opportunity for teachers to rate responses using the same systems and processes used for operational scoring.

Range-Finding Meetings for the new assessments in CA NGSS and Primary Language will take place after the pilot and field tests. The grade- and subject-specific committees will contain teachers, district/school curriculum staff, district/school administrators, and higher education staff as specified by the CDE. These range-finding meetings will provide input into

score ranges for each item, scoring rationales, and identify anchor sets with exemplar responses.

Constructed Response Scoring Modules will work with the Beginning Teacher Support and Assessment (BTSA) Induction to engage preliminary credentialed teachers in a job-embedded formative assessment system of support and professional growth. ETS will suggest opportunities to including modules on constructed response scoring in these locally implemented programs with the goal of improving classroom practice. With this professional development, beginning teachers will be able to hand score both interim and summative performance tasks, and engage in the system of assessments to improve teaching and learning. ETS will reach out to interested BTSA providers to gauge their interest.

Live Operational Scoring will provide current California teachers, to the maximum extent possible, the option to engage in operational scoring of CAASPP English Language Arts and Mathematics student responses. To achieve this, ETS will employ the following strategies:

a. **Weekend Scoring Institutes** will be available to California teachers who have applied and have been accepted for the operational pool. ETS will hold scoring institutes on alternating weekends in March, April, and May for the purposes of training and certifying California teachers in a face-to-face setting. Teachers that qualify during these weekend sessions will score for the remainder of the weekend and will be certified to score via a distributed model at the end of the institute session.

b. **Recruitment Tactics to Maximize CA Teacher Involvement.** In order to encourage California teachers to participate in distributed scoring, ETS proposes the following:

- reach out to the Education Coalition, as a collection of educator stakeholders, for assistance
- offer teachers professional development or continuing education credit – ETS will explore the possibility with the appropriate state offices to offer continuing education credits to teachers
- offer California teachers priority processing over other raters and provide them with their own link through the CDE and California teachers associations Websites
    - Priority processing means that, as applications come in to the scoring centers, applications from California teachers will be placed at the very front of the queue, guaranteeing them priority in the training, certification, and hiring process.
- reach out to Teacher Education Programs throughout the State to target pre-service teachers
    - ETS will suggest criteria or possible pilot programs for consideration of the CDE and SBE to expand the pool of potential raters beyond the current requirement of a bachelor's degree.
- Beginning Teacher Support and Assessment (BTSA) Induction—in addition to providing the modules described above, ETS will propose to

BTSA providers that they include information regarding the CR scoring opportunities and perhaps a link to the application site

c. Rates:
   - Hourly:

     At the time of hiring, all reviewers are expected to make a reasonable commitment to participate in summative scoring, as defined annually by CDE and SBE staff.

     - The hourly rate for scoring in the program is $13 an hour.
     - The hourly rate for scoring by certified California educators is $20 per hour, retroactive to the time of hiring. ETS will work with the CDE to operationalize the process and will submit the process for review and approval by the CDE and SBE staff.
   - Weekend institutes:
     - $150 stipend plus travel expenses for attendance at a weekend institute
     - California teachers who qualify to score after the institute will receive $20 an hour for any scoring they provide after the institute.

Scoring Preparation and Execution for California

Rater Recruitment

ETS will recruit and hire the necessary number of qualified raters to meet the scoring timelines. A qualified rater must meet the following eligibility requirements: (1) has, at minimum, an undergraduate degree from an accredited college or university; (2) is preferably a practicing or former teacher; (3) resides in the continental United States, Alaska, or Hawaii; and (4) is eligible to work in the United States. ETS will require verification of rater credentials including college degrees or other qualifications as determined in cooperation with the CDE and SBE staff. ETS will specifically recruit California teachers and educators and plan to hire as many qualified applicants from California as possible. In addition, recruitment outreach will include prior raters who are currently scoring or have successfully scored responses for one or more large-scale constructed-response programs.

ETS will appoint a team of highly experienced human resources professionals to recruit and achieve the CDE's stated program requirements. This dedicated team will be responsible for vetting and hiring the required number of qualified raters and leaders to meet the volumes specified by Smarter Balanced as well as the volumes required to score the pilot and field test items for the proposed new assessments.

Organizational Scoring Structure

The organizational structure for CAASPP will encompass:

- **Content scoring leaders.** These team members have overall responsibility for one or more assessments, working under the supervision of ETS's assessment development content experts. Working across the leadership team for their domain, such as the ELA Upper Level grades, the content scoring leader will escalate non-routine issues (e.g.,

test security cases), review the performance of the group scoring leaders, and oversee the quality and progress of the scoring, working closely with assessment developers, scoring experts, and human resources professionals.

- **Group scoring leaders.** These team members provide key leadership and feedback to scoring leaders, carefully monitoring the overall quality and progress of the scoring. They score complex, non-routine responses and resolve any content-related issues raised by leaders.

- **Scoring leaders.** Scoring leaders' primary duties will include monitoring and reporting on a team of raters. Leaders back-read their teams throughout the scoring process, offering feedback and resolving selected non-routine responses.

- **Raters.** Based on their given availability, ETS schedules these members to calibrate and then score assigned responses.

During rater recruitment, ETS evaluates, trains, and tests raters to determine their ability to read responses and score to the required accuracy level. If an applicant meets all of the specifications, then ETS will certify him or her as a rater.

Scoring Plan

Number of Responses for Human and Artificial Intelligence (AI) Scoring

ETS will use specific assumptions regarding the number of items and the scoring mode for each item. Based on information provided on http://www.smarterapp.org regarding the type of student response elicited, and the potential of that items to provide quality professional development, ETS will base scoring solutions on the following assumptions regarding the number of items that can be AI scored, and ETS will work with the CDE to adjust inclusion of additional items for AI scoring to reflect their potential and appropriately include more human scoring by California teachers. In all cases AI scoring will only be applied to items that meet the most rigorous technical specifications for scoring that equal or exceed standards for human raters.

ETS will only expand AI scoring beyond the 2014-15 levels in accordance with the following criteria and with prior approval of the CDE.

1. ETS will target for AI scoring only those constructed response (CR) items that are designed to elicit a specific correct answer from students. These items require test-takers to enter a single word, phrase, sentence, number, or set of numbers and are technical and repetitive. They typically take students 1-5 minutes and do not require complex scoring rubrics. These are items that are not particularly useful or appropriate for trained educators and professional development.
2. ETS will target for Teacher Scoring and Professional Development Extended Response (ER) items that are designed to elicit more complex and elaborate student responses. These items allow students to demonstrate the use of complex thinking skills that are consistent with evidence based conclusions for interpreting information and developing explanations. These items typically take students 5-20 minutes to complete and require

multi-level scoring rubrics. These item types are much more suitable for scoring by human scorers and for focused professional development.[3]

3. ETS will only expand AI scoring to any identified ER items after engaging input from teacher stakeholder groups to determine the best item types to use for professional development and teacher scoring.

Development of Scoring Training Materials for New Assessments

Following rangefinding, the scoring team will create the various sets needed to train, qualify, and monitor raters for the CA NGSS and CA NGSS Alternate assessments (scored by Test Examiners) and primary language pilot and field tests.

ETS will include a set of decision papers which will be identified during rangefinding that represent the fine lines at the top and bottom of each score descriptor on the rubric. ETS will select these responses based on their scoring "difficulty" (e.g., is the response a high 2 or a low 3?).

Training

The Scoring Trainers will use Smarter Balanced training materials for each grade level and train by item type, to develop a strong foundation to score a variety of items within the type for which they qualify. ETS will leverage the Smarter Balanced-based infrastructure in place to allow for ongoing trainings as ETS brings on raters to handle any fluctuations in scoring demands. ETS will complete scoring on a rolling basis and return the results within the window specified.

ETS will train the raters to evaluate types of items within a specific grade and content area. By focusing on a specific type of response, the rater will develop specialization in understanding and applying the nuances of the rubric criteria for the item type. This internalization of the rubric by type will allow raters to apply the general scoring criteria to multiple items accurately. For mathematics performance tasks (PTs), when scoring criteria for PTs within a family is generalizable across the PT type, raters will train across all PTs in the type as a unit. ETS anticipates that the training and qualifying sets from Smarter Balanced will consist of items and responses most representative of the type that ETS will score. Scoring trainers will use the latest Smarter Balanced training materials to help the raters learn to apply the criteria illustrated in the Scoring Guide, confirm the raters become familiar with the process of scoring student responses, and assess the raters' understanding of the scoring criteria before they can begin live scoring.

ETS will employ flexible and secure online training interfaces for the rater training in the scoring sites and with distributive scoring activities. ETS will use the online training interfaces to allow ETS to lead interactive training sessions that emulate the best characteristics of face-to-face training. Using these same systems, the CDE will be able to actively monitor all of hand-scoring training and scoring activities without travel.

ETS raters will utilize the identification of condition codes, unusual prompt treatment, and Alert situations (e.g., child-in-danger); as well as other particular types of responses that they should forward to the Scoring Leaders during live scoring.

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[3] Perie, M. (2014). University of Kansas. *Report prepared March 27, 2014 for the Smarter Balanced Assessment Consortium.* Unpublished manuscript.

Qualification. Each member of ETS scoring staff will qualify for the scoring of student responses based on established California standards following a rigorous training process. ETS will maintain a consistent level of scoring quality throughout the scoring effort. ETS will submit documentation of all training processes and results to the CDE at the conclusion of scoring.

Scoring Systems

The ETS online distributed scoring platform contains the key features, functionality, and related benefits that California needs for effective, high quality scoring.

To satisfy California's need for rapid scoring turnaround, ETS will use this platform to:

- use selected criteria to prioritize the scoring of responses in queue
- stratify response scoring, based on the alignment of student and rater demographic data, to reduce potential scoring bias
- randomly distribute responses
- reconfigure pre-set scoring rules in a prioritized order, when necessary, to achieve scoring deadlines

Quality Control

ETS will utilize a variety of procedures for controlling rating quality along with the monitoring of the raters.

These procedures include:

- **Rigorous training of the scoring leadership.** Content scoring leaders, group scoring leaders, and scoring leaders will receive training respectively on their assigned grade level(s) and prompt types prior to the annual scoring period. In subsequent years, top leadership will conduct refresher sessions.
- **Extensive training of raters.** Raters will go through a training period where they learn to appropriately apply the rubric for each prompt, following the Smarter Balanced-provided and CDE-developed benchmark sample responses that exemplify the quality required for each score point. ETS online scoring platforms will support rater training with a full-service menu of training options, including orientation materials, program-specific information, training on how to use the platform, and interactive training that includes practice scoring for both potential and qualified raters.

Rater Reliability

ETS will conduct a 10 percent second reads for all hand scored responses without adjudication. The second read will be used as a quality assurance measure to validate the consistency of the scoring and measure the accuracy of the scoring.

ETS's scoring systems will capture and report the quality monitoring data that are available to scoring supervisors. These data include: the number and percent of exact matches for each rater; the number and percent of adjacent scores. ETS will confer with the CDE to outline requirements for rater reliability reports so that ETS can provide this information with the necessary level of detail. MI will transfer the quality data from their system to ETS on a daily basis for consolidation of reporting.

The scoring specifications will include the requirement to maintain an average inter-rater reliability of 70 percent or higher.

ETS considers scores captured within the distributed scoring systems to be raw scores. ETS exports these scores, once acceptable according to the California rules, to the final scoring and reporting system, which will report the scores on appropriate scale for each prompt.

Questionable Content and Confidentiality

ETS will implement a formal process for informing the CDE when student responses reflect a possible dangerous situation for the student. For possible dangerous situations, scoring project management and staff will employ a set of Alert procedures to notify the CDE of responses indicating endangerment, abuse, or psychological and/or emotional difficulties. If a rater identifies a response which may require an Alert, then they flag or note that response as a possible Alert and transfer the image to the scoring manager. Scoring leadership will then decide if they need to forward the response to the CDE for further review and action.

ETS will provide an SFTP site to send the alerted student's response in a unique file with student identification information to the CDE. ETS will attach a detailed description of the unusual situation to the student response. ETS will make any other adjustments to the process based on CDE-specific requirements. ETS will communicate weekly—or more often, if required—with updates on posted alert papers to CDE jurisdiction through e-mail.

Condition Codes

ETS will assign student responses a score or a condition code according to the final set of scoring specifications developed in conjunction with the CDE. Smarter Balanced already has assigned a set of condition codes which ETS proposes to use with approval of the CDE. ETS will assign scores as requested by the CDE and include scores of zero in the computed statistics.

ETS will verify blank responses for either the multiple-choice or constructed-response items as a routine step in the scoring process. Additionally, ETS will visually check returned paper materials for any separate papers that many contain student written responses.

Reporting

ETS's online scoring system provides on-demand reports on scoring activities. The CDE will be able to view both aggregate scoring statistics for the entire pool of raters as well as individual raters in real time.

The scoring system offers many data elements, such as:

- total number of responses for responses read
- hourly rate of responses read
- mean score awarded overall
- percentage of scores awarded at each score point
- number and percentage of exact scores
- number and percentage of adjacent scores

- number and percentage of non-adjacent scores
- number and percentage of responses deferred
- rater performance statistics
- rater productivity metrics

Scoring Student Responses with AI (Artificial Intelligence)

ETS will deliver AI scoring technologies that meet the demand for student reports and scoring data that is not only fast and efficient, but that also meets the rigorous standards of validity and reliability necessary for large-scale state assessments. ETS will follow the same considerations of for teacher scoring and professional development as outlined in the Scoring Plan.

The scope for both the Smarter Balanced and CA NGSS components, includes the following:

- initial AI scoring model building and evaluation for CR items or PTs
- operational deployment of AI scoring models for CR items or PTs
- periodic operational quality control for monitoring AI scoring model performance for CR items or PTs
- development of client reports that document AI model development, deployment, and performance

Timeline for Model Building, Evaluation, and Deployment

For Smarter Balanced items, ETS will utilize AI scoring and incorporate both ETS and MI engines for scoring in a complementary fashion.

For CA NGSS items, ETS will complete the development of an initial item pool in the first year of development. A pilot test will be in the spring of 2017 and a field test for the spring of 2018. Once the data from the field test become available in the summer of 2018, ETS will conduct AI-scoring model building and evaluation during the second half of 2018.

ETS will use a broad range of evaluation criteria during model development, which consider statistical performance criteria as well as construct-representation considerations, to compare the performance of candidate models.

ETS will conduct ongoing quality-control (QC) efforts to monitor the performance of the AI scoring models during deployment. Therefore, if the structure of the student (sub-) populations and their associated performance characteristics change significantly, ETS will be able to detect and recalibrate the scoring models in time for future administrations.

Long-term Partnership Model

ETS will consult with the CDE in the longer-term development and deployment of novel AI models. ETS will utilize existing and emerging capabilities to produce statistically reliable, substantively defensible, and practically useful automated scores for an increasing number of items over the years.

8.1.B. Interim Assessment Scoring

ETS will deliver the interim assessments through the same test delivery system as the summative assessments. ETS will meet all of the mandatory requirements in the same way as is done in the summative assessment.

This system will provide the same features available on the summative assessments, assuming that Smarter Balanced provides the same content supports (such as alternate language glossaries) that they will provide for the operational summative assessment.

The test delivery system has an automated routing feature which sends items that require human scoring to a designated scoring system. Local scoring occurs through the Open Source Teacher Scoring System, which routes student responses to performance items back to the local test administrator for scoring or further routing.

Local Scoring

The test delivery system will make student performance responses available for local scoring of interim assessments. The teacher scoring system allows teachers to score any performance items requiring hand-scoring administered as part of the interim assessments, including extended responses and writing essays. Hand-scoring via the teacher scoring system differs significantly from the hand-scoring procedures described for the high-stakes summative assessments. First, those procedures route student responses randomly to trained professional raters. Second, they typically require additional read behind requirements. Third, those procedures typically route validation papers through the scoring queue to monitor scoring behavior.

Student responses for performance task items on the interim assessments will flow into the teacher scoring system in real time after a student completes and submits an online test. Scoring rubrics, exemplar responses, and anchor papers for each item will be accessible in the teacher scoring system by the teacher. In the event the teacher needs to transfer his or her queue, the teacher or a higher-level authority (such as a principal) is able to assign student responses to other raters.

Once teachers submit performance scores to the teacher scoring system, student test records will be uploaded to AIR's test integration system, where they will be processed in real time. Uploads from the teacher scoring system to the test integration system will be regularly scheduled, within 24 hours after performance scores are submitted. The test integration system merges human scores with machine scores and sends the complete test result through the Quality Monitor (QM) system for final test scoring. Results then transfer to ETS for routing to the Smarter Balanced reporting system. The Database of Record (DoR) maintains the authoritative record of tests administered and completed.

Training Local Raters to Score Interim Assessments

ETS will provide training materials that will guide teachers through the process, including accessing the teacher scoring system, retrieving student responses for scoring, training and refreshing on scoring rubrics and exemplar responses, and entering scores into the system for reporting.

Teachers will be able to train to use the teacher scoring system using a combination of training materials:

- a detailed user guide on the teacher scoring system that includes screenshots and step-by-step instructions on how to use the teacher scoring system, how to complete critical tasks in the teacher scoring system, and how to address common issues encountered in the system
- training and certification of LEA-based trainers in the scoring of student's responses to constructed-response and performance task items

User Guide for Teacher Scoring System

The purpose of the user guide for the teacher scoring system is to train users on the system functionality. ETS will work closely with the CDE to confirm that the user guide clearly explains all relevant functions. The user guide will be available in PDF format for users to retrieve from a designated location on http://www.caaspp.org/.

Scoring Training

In addition to the user guide, ETS will develop a training presentation for teachers and schools to learn how to score students' responses.

Additional Training

ETS will consult with the CDE to design and implement additional training for teacher scoring. Should additional training for teacher scoring be identified beyond what has been agreed to in this SOW, ETS will provide a cost estimate to the CDE.

8.1.C. Cumulative Scores

ETS's enterprise scoring platform will coordinate all scoring. The scoring platform will integrate both objective item scores and constructed-response item ratings to produce final cumulative score data, which can be scaled or converted as needed. Custom quality control processes, will be based on the Statistical Analysis System® (SAS), verify that score data meet ETS data quality requirements.

Student Database of Record

ETS will maintain a student Oracle database that houses all student biographical, demographic, and assessment results. Will be of sufficient size and scope to accommodate the entire California suite of assessment programs. Information associated with each student has a database relationship to the LEA, school, and teacher/class codes as ETS collects the data during the operational chain of events.

Statewide Student Identification Number. ETS assumes that the CDE-issued statewide student identification (SSID) number provided in CALPADS will serve as the unique student identifier. ETS will maintain the SSID for all records produced throughout the life of the contract.

8.2. Analysis of Test Results

ETS will use commercially available software for all statistical analyses. In particular, ETS will use the Statistical Analysis System (SAS) to develop an open-source solution to support item analyses and DIF analyses, scoring, and any statistical and psychometric analysis for technical reports, research studies, and any data analysis based on the CDE's requests. For IRT

calibration, ETS will use a commercially available version of PARSCALE or an equivalent version (e.g. FLEXMIRT); and, if needed, ETS will use STUIRT for equating and scaling.

Final scores. The test delivery system will deliver the Smarter Balanced and newly developed computer-based assessments. The ETS scoring system will create a record for each test taker. For each test response submission, the system will receives all machine scored item scores and holds them in the record along with the number of constructed responses pending hand scoring. When the system receives constructed response scores, it will update the student record. Once both adaptive and performance task test response submissions are received and all expected constructed response scores are received, final scoring is invoked and all required test scores (overall and claims) are calculated. ETS will base all scaled scores produced on the maximum likelihood estimation (MLE) approach. Once all required scores are calculated, ETS send the scored test record to the quality validation system. Once this is complete, ETS's Statistical Analysis Group receives a data extract to verify the scoring. ETS will sign-off on the release of scores into downstream systems.

For the paper-pencil assessments, ETS will use ETS systems for scoring and other psychometric analysis. As with computer-based assessments, once scoring and validation is complete, ETS's Statistical Analysis Group will analyze scores and release for downstream reporting.

Routine procedures. ETS will perform data cleaning, item analyses, DIF for newly developed assessments, IRT calibration for newly developed assessments, and scaling and equating for newly developed assessments prior to producing scoring tables. For each of these steps in the process, two psychometricians and two data analysts will independently review the results using a psychometric procedure checklist. For newly developed forms, which require scaling and equating, ETS will conduct one final executive review after the psychometric and data analysis team has verified the analyses. This final review will involve the psychometric director and senior psychometric advisors, who have extensive operational and theoretical psychometric experience. They will provide an independent evaluation of the psychometric analyses and determine whether all results are technically defensible. After securing final approval in the executive review, ETS will share results with the CDE for final approval before producing the scoring tables. ETS will thoroughly review these scoring tables as a quality step before passing them on to downstream systems for scoring and reporting.

Audit procedures. ETS will use both the ETS internal audit process and detailed documentation of each assessment to evaluate the assessments and assessment system. ETS performs an audit of its testing programs at least once every three years, and ETS will report the audit results of the tests in the CAASPP to the CDE. The ETS Office of Corporate Quality Assurance (OCQA) will be responsible for conducting these audits.

Performance tracking. For each assessment, regardless of whether or not there is new test development, ETS will track performance over time, focusing specifically over the years on scaled score means, scaled score standard deviations, and percentage of students meeting each performance level both for the overall population as well as for each subgroup. In addition, within each year, in the event of an administration of multiple test forms within a grade level, ETS will evaluate whether the scores and psychometric properties (e.g. reliability) were comparable. In instances where unusual performance patterns appear, ETS will communicate these issues with the CDE and provide recommendations for resolving them.

New assessments. For assessments with new test development, ETS will develop psychometric criteria to support new test form construction based on results from field test

studies or information from well-established item pools. Specifically, ETS will establish target test characteristic curves, targeted difficulty, and targeted discrimination levels in order to achieve parallel forms. In terms of the psychometric process, ETS will document all psychometric characteristics of all test forms developed. Particularly, ETS will document test form difficulty (based on IRT), characteristics of the populations when form was created and scaled (e.g. demographics, average test performance, percentage of examinees at each performance level), linking coefficients used to scale new test to base scale, and final conversion tables. ETS will compare the documentation associated with the newly developed test forms against documentation from prior versions of a particular assessment to evaluate the coherence of all forms constructed. If any new form created deviates from historical psychometric characteristics, then ETS will perform additional analyses to identify potential causes. ETS will share the results of such analyses with the CDE.

Technical report. ES will develop a technical report, summarizing the entire end-to-end process, to provide the technical evidence of the quality and overall performance of each assessment. The key components of the assessment include test design, test development and form assembly, test administration, scoring and reporting, calibration, equating and scaling, standard-setting, scoring reliability and validity, quality control procedure, and historical comparisons and special studies.

ETS will readily provide further data analyses in order to confirm the validity of test scores, federal peer review, programmatic review, program evaluation, or any additional inquiries regarding the operation of the CAASPP System.

8.2.A. Item Analysis

Smarter Balanced Assessments

Analysis of the Smarter Balanced Assessment will be performed by the Smarter Balanced Consortium. ETS will fully cooperate with the development of appropriate reports, and ETS psychometricians will document relevant technical information to provide the CDE with additional information and analyses, as necessary, for the maintenance of the Smarter Balanced ELA and mathematics assessments.

Continuing CAASPP Assessments

CAASPP involves the administration of linear forms of current paper-pencil assessments. For each item on these forms, ETS will provide the following information:

- the proportion of examinees selecting the correct response
- the IRT difficulty parameter (b)
- point-biserial and biserial correlation coefficients used to measure item discrimination
- the test characteristic curve
- the IRT item fit classification for each item
- plots of item difficulties (as measured by the b parameter) estimated in prior administrations, and the b parameter estimated in the current population
- raw score to scale score conversion tables with frequencies and the associated conditional standard errors of measurement for each raw score

New Assessments

After ETS receives all of the student response data for the new assessments, implements scoring rules, checks the data files, and applies agreed-upon valid case criteria rules to the data, ETS will conduct item analyses. The item analyses compute important statistics for every item of the test. The statistics provide key information about the quality of each item from an empirical perspective.

ETS will perform this analysis to evaluate item difficulty, item discrimination, and student raw score performance of selected response (SR) items and hand-scored constructed response (CR) items. These analyses help identify any items that might not have performed as expected.

Summary Analyses

ETS will provide the CDE with summary analyses at the end of each test administration. The purpose of the summary analyses is to provide the CDE with a preliminary summary of the statewide test results. Typical summary analyses include percent at proficient or above, mean scale scores, and comparisons to selected LEAs. By May annually, ETS will work with the CDE to agree upon the summary analyses that will be provided.

8.2.B. Summary Analysis

ETS will produce analyses that provide summary evidence of test score accuracy and validity. Both during and after completion of the item analyses, ETS will conduct analyses specific to summarizing the performance of the students taking each assessment and the psychometric qualities of each assessment.

The CAASPP System includes both online and paper-pencil assessments, as well as both linear assessments and computer adaptive assessments. For all assessments, ETS will provide distributions of tests scores by grade and subgroup within grade, descriptive statistics concerning test scores, and where applicable, descriptive statics for performance task scores and subscores where possible. In addition, for each assessment ETS will provide the test characteristic curve, the overall test score reliability, overall and conditional standard errors of measurement, and, where applicable, decision accuracy and decision consistency estimates. At the item level, ETS will summarize item difficulty and item discrimination measures for both CR and SR item types. For online assessments ETS will also provide the distribution of the time to complete the assessment, as well as descriptive statistics summarizing the time to complete the assessment. For tests that may have variable-length assessments ETS will provide the distribution of the number of items administered, as well as descriptive statistics summarizing the number of items administered to each student. For CR items ETS will summarize reader reliability information and provide information concerning the degree of relationship among CR items and, where applicable, the relationship between CR and SR scores.

Continuing CAASPP Paper-Pencil Summative Assessments

As part of the CAASPP System, ETS will administer current paper-pencil assessments for the CAPA for Science, CST for Science, CMA for Science, and STS for Reading/Language Arts. ETS will conduct analyses for the populations of students who take each form at both the item and the test level, and will summarize them in CDE technical reports.

For the population of students who take selected-response tests, ETS will first conduct an item analysis estimating the percentage correct and the biserial and point biserial correlations. For constructed-response test items, ETS will first conduct item analyses estimating the average item scores and the polyserial correlations, and ETS will examine the frequency distribution for

each item. ETS will review items flagged for extreme difficulty or low item discrimination for inclusion in scoring. Because ETS will not develop new items to support the existing tests, there will be no need to perform DIF analyses or item model fit, as the items have already undergone review. At the test level, ETS will determine the overall internal consistency reliability of the test and the overall standard error of measurement, and ETS will provide conditional standard errors of measurement. In addition, ETS will also examine the internal consistency reliability estimates for various subgroups of the student population. ETS will also provide decision classification information for score classifications.

For all intact forms without any edits or replacement of items, ETS will apply the conversion tables from the previous administration to the current administration. If new or edited items are used or removed as the result of an item security breach, then ETS will generate conversion tables using the true-score equating through the Rasch model. The item parameters used for true-score equating are post-equated item parameters from the intact forms for the unchanged items and the post-equated item parameters from the most recent administration for the replacement or edited items.

Summary analyses will include overall distributions of test scores, as well as distributions by grade level and by subgroups. These tables will group students by demographic characteristics such as gender, ethnicity, English-language fluency, need for special education services, and economic status. For each demographic group, the tables will show the numbers of valid cases, scale score means, standard deviations, minimums, maximums, and the percentages of students in each performance level.

Smarter Balanced

ETS assumes that the CDE will rely on the analyses conducted by Smarter Balanced/UCLA for the Smarter Balanced summative assessments and no additional activities will be planned for the analysis of Smarter Balanced data except for the purposes of special studies approved by the CDE.

New Non-Smarter Balanced Online Summative Assessments

If the new online CAASPP assessments are linear forms, ETS will utilize a multi-stage adaptive testing (MST) model (or an item-level adaptive), or begin with a linear assessment and morph to a MST model (or item level adaptive).

Regardless of whether ETS implements a linear test, item-level adaptive, or MST, ETS will provide distributions of tests scores by grade and subgroup within grade and descriptive statistics concerning test scores. These tables will group students by demographic characteristics such as gender, ethnicity, English-language fluency, need for special education services, and economic status. For each demographic group, the tables will show the numbers of valid cases, scale score means, standard deviations, minimums, maximums, and the percentages of students in each performance level.

ETS will provide the test characteristic curve, the overall test score reliability, and overall and conditional standard errors of measurement (CSEM). At the item level, ETS will summarize item difficulty and item discrimination measures for both CR and SR item types. The estimation procedures used for statistics such as CSEM will depend on whether the assessment uses a linear, item-level adaptive or a MST design. ETS will also provide the distribution of the time to complete the assessment, as well as descriptive statistics summarizing the time to complete the assessment. If the assessments follow the MST model and the results have variable-length assessment, ETS will provide the distribution of the number of items administered, as well as

descriptive statistics summarizing the number of items administered to each student. For SR items, ETS will summarize reader reliability information and provide information concerning the degree of relationship among CR items. For an MST, ETS would provide routing rates, ranges of scores for each route, and IRT parameter levels by each route.

ETS will conduct DIF analyses as part of the item development process in which the items are identified as potentially biased in the item bank as not ready for operational use.

If ETS uses an MST, ETS will conduct extensive monitoring and quality control analyses. ETS will concentrate on the characteristics of the MST panels developed to measure whether earlier panels obtained similar measurement outcomes and whether ETS should adjust to the initial assembly configuration implemented to optimize the routing rates.

8.2.C. Replication of Analyses

ETS will work with the CDE and the external evaluator to determine the format and the layout of the student-level data files; and will have psychometricians, data analysts, assessment developers, and IT professionals available to answer questions on the statistical and content properties of the items as well as any technical questions concerning the data structure.

The student data for replication will provide all student demographic information, including level of student support or accommodation. ETS will provide all test level scores, including raw scores, cluster scores claim level scores, and all scaled scores. The student-level data file will also contain all item responses for selected-response items, all scores for performance task items, and all associated item identifications. In addition, ETS will provide the latency between items and the time to answer each item.

ETS will supply the CDE and to the external evaluator with the entire vector of student-level information for each student, including identification of any accommodations the student used. If there is any information that the CDE believes is not necessary in the replication of item statistics and test characteristics, ETS will create and send an abridged file to the CDE and the external evaluator. In addition, should the CDE require additional documentation to assist in replications, then ETS will provide any supplementation information needed.

Interim Assessment Analyses

When final claim and test level scores are available, ETS will receive the interim assessment results for both the Interim Comprehensive Assessments (ICAs) and the Interim Assessment Blocks (IABs). When the last LEA completes summative testing, ETS will produce a complete electronic file containing interim assessment information for all those who took an interim assessment. This file will contain student identifiers, student test scores on the interim (not reported to the CDE) and summative assessments, school information, testing dates, and student demographics. As a result, ETS will be able to provide the CDE with a comprehensive report documenting the usage of the computer-based, interim assessments.

The report will include:

- Overall utilization rates by grade and subject
- Overall utilization rates by subject and grade by LEA and school
- Tables providing interim assessment usage over the course of the school year

These tables will also include summary statistics on how many times students took each assessment.

TASK 9: Reporting

ETS will deliver a full range of reports and reporting formats that the CDE requires for the CAASPP System, which will include merging results from both paper-pencil formats and computer-based tests. ETS will provide reports in both formats and ETS will confirm security, confidentiality, and ease of use for CDE-approved users. This Online Reporting System is the same system that was using for the 2015 CAASPP administration. ETS will continue to improve the reporting system in 2016, based on user feedback in 2015.

9.1. Reporting to Local Educational Agencies

ETS will implement a comprehensive and secure online reporting system for interactive reporting that allows users to create customized reports to display data at the state, county, LEA, school, and student level.

ETS will delivers reports in both PDF and Microsoft Excel (CSV) formats for convenience and flexibility in printing and sharing. ETS will send documents to e-mail addresses as determined by the LEA CAASPP Coordinator or the CDE.

ETS will consult with the CDE on the expansion of these reports to support additional summative, interim, and formative reporting needs. Initially the system will report test results only for the Smarter Balanced and non-Smarter Balanced summative assessments. Reports for the interim assessments will occur through the Smarter Balanced Data Warehouse.

Requirements for Reporting to LEAs

ETS will follow the reporting requirements as outlined in Education Code Section 60643. ETS's system for reporting results to LEAs will include the following features:

- integration of student demographic data from CALPADS with student test results from the assessments
- real-time online completion reports for students taking the computer-based summative assessments, with completion reports available at the school and LEA level
- online student rosters with test results by grade level for each school and LEA, where the LEA may print or download student rosters locally through the reporting system
- online individual student results for all CAASPP assessments that the LEA may print or download locally

Table 17 below describes the test results provided to LEAs by type of report, test, timeframe, and mode of delivery.

Table 17. CAASPP Test Results Provided to LEAs

Type of Report	Tests/Content	When	Who
The individual student results for a content area	Computer-based assessments (both Smarter Balanced and non-Smarter Balanced)	Two to three (2-3) weeks after the student has completed all components of the assessment for that	LEA and Site Coordinators, teachers have access through TOMS

Type of Report	Tests/Content	When	Who
		content area and scores are merged.	
Individual student results	CAASPP paper-pencil tests (e.g., CST/CMA/CAPA Science and STS RLA) and for the new CAASPP assessments that have paper-pencil versions	Within six (6) weeks after our scoring center receives a complete, clean set of answer documents for processing and scoring	LEA and Site Coordinators, teachers have access through TOMS
Individual student results	Smarter Balanced paper-pencil assessments	Within six (6) weeks after our scoring center receives a complete, clean set of answer documents for processing and scoring and after receipt of the Smarter Balanced score keys and conversion tables.	LEA and Site Coordinators, teachers have access through TOMS
Online aggregate reports of test results	All assessments results summaries by subgroups	Aggregate results for a school available when at least 90 percent of the students in the school have completed testing. This will be done by content area. The same will apply to results aggregated for an LEA. Results for some schools in an LEA may available before results for that LEA meets the 90 percent level.	LEA and Site Coordinators, teachers have access through TOMS
LEA created aggregate reports, based on the data available and as CDE allows.	All assessments	Aggregate results for a school available when at least 90 percent of the students in the school have completed testing. This will be done by content area. The same will apply to results aggregated for an LEA. Results for some schools in an LEA may available before results for that LEA meets the 90 percent level.	LEA and Site Coordinators, teachers have access through TOMS
ISR in electronic format online individual student results for all CAASPP assessments that the LEA may print or download locally	Computer-based assessments (both Smarter Balanced and non-Smarter Balanced),	Within four (4) weeks	LEA and Site Coordinators have access through TOMS
Paper ISR	All assessments	Within five (5) weeks after test results for all content areas are available for the given LEA.	LEAs will receive two (2) copies of each ISR

Type of Report	Tests/Content	When	Who
Downloadable Data File	All assessments	Within five (5) weeks after test results for all content areas are available for the given LEA.	LEA and Site Coordinators have access through TOMS
ETS Data Manager	All assessments through a dynamic, interactive data tool that offers the ability to access data through pre-developed report templates and an environment for the creation of custom reports	Starting in 2016	CDE and LEA users, if approved by CDE

Individual Student Reports (ISR) in Paper Format Delivered to LEAs

- The ISR will include test results of all CAASPP assessments that a student took. For example, an 8th grader will have taken the Smarter Balanced summative assessments in ELA and mathematics, as well as the CST or CMA Science assessment.
- The student's ISR will include results from all three assessments on a single ISR. ETS assumes that the ISR is a single-page report with dynamic text options and the student test results printed on one side with CAASPP and EAP information printed on the other side.
- ETS will provide an option for an ISR to be reproduced in Spanish if an LEA marks in TOMS that the student comes from a Spanish-speaking home
- ETS will provide an option for an ISR opt out for an English ISR if an LEA marks in TOMS that the student comes from a Spanish-speaking home
- In addition, to help parents/guardians understand the ISR, ETS will develop and post a printable PDF of the ISR interpretation guide. The interpretation guide will describe the key elements of the ISR. ETS will post it and a Spanish translation to http://www.caaspp.org/ for LEAs to print.

LEAs will log into the reporting system through the TOMS component of the CAASPP Assessment Delivery System, which employs a single sign on solution. In addition, for the Smarter Balanced interim test results, ETS will deliver the data files annually to Smarter Balanced so that the results are included in the Smarter Balanced Data Warehouse and Reporting systems. LEAs will be able to access the Smarter Balanced systems by logging into TOMS via the single sign on access.

ETS will deliver California's Smarter Balanced data to the Smarter Balanced Data Warehouse on a schedule agreed upon by the CDE and ETS. The data will be in the format specified by Smarter Balanced.

Online Reporting System

LEA Access to the Online Reporting System

Similar to the security protocol for TOMS and the test delivery system components, LEAs will access the reporting features based on the level of access in their roles. The hierarchy operates so that a user has access to reports for their role level and all levels below.

- CDE-assigned staff can view the test result reports within the state.
- An LEA user can view test result reports within their LEA drill-downs to school- and student-level reports.
- School administrators can view test result reports within their school.

California users will have access to ETS's report portal 24 hours a day, seven days a week. After completing scoring procedures for summative assessments, ETS's system will promptly provide data for static and dynamic reports.

Report Types

Based on the Smarter Balanced reporting requirements for mathematics and ELA, the summative reports will contain information outlining student knowledge and skills as well as achievement levels aligned to the assessment-specific claims as defined by Smarter Balanced and as adopted and adapted by the California State Board of Education (SBE). These reports define and present test scores for users in multiple ways. The online reports offer drill-down functionality — from the overall claim to the content claim — at the state, county, LEA, school, and student levels. The individual student report outlines student performance on the Smarter Balanced summative assessments in a static version supported by extensive text.

For the non-Smarter Balanced computer-based assessments that will be operational during the initial contract period (i.e., alternate assessments for ELA and mathematics), the summative reports will contain information outlining student knowledge and skills as well as SBE-adopted achievement levels. ETS's reporting system is capable of expanding to include new CAASPP computer-based assessments as they are implemented.

ETS's interactive reporting suite will produce customized reports showing preliminary individual and group-level results for online assessments. These reports are real-time and cumulative, and provide student listings with relevant score measures.

ETS's reporting solution provides static reports, while supporting user-specific needs with a report builder. Static reports include scaled-score distribution, performance-level distribution, standard- and indicator-level performance, claim level, and target information based on user permissions.

By default, the filtering variables will align with CDE-outlined student demographic variables while taking into account the Smarter Balanced requirements. The CDE will have the opportunity to outline access rules and functionality as well as variable availability and labeling.

Additional Information about Report Distribution

Electronic Test Results

The aggregate and results for the Smarter Balanced Summative Assessments, CAA, CST/CMA/CAPA Sciences, and STS RLA will be provided as electronic reports via TOMS.

All Interim reports will be available via the Smarter Balanced Reporting System.

Paper ISRs

Test results provided on the ISR will include scale scores, performance levels, and, where available, performance by claim or reporting cluster.

For ease of handling by the LEAs, the ISR will be printed on a single sheet of 8.5 inch x 11 inch paper. The student address will be on the left side of the report to accommodate the use of left-windowed envelopes by LEAs. A POSTNET barcode will appear above the student address; the barcode will allow LEAs to qualify for postage lower rates and take advantage of faster, more efficient mail processing.

ETS will provide two color copies of each student's ISR to the student's LEA. One copy will be packaged for the LEA and the second copy will be packaged for the school at which the student was tested. Color schemes will be chosen so that the LEA report can be easily photocopied as a black-and-white copy.

Additional information on the test results may be available on the online reporting system. ETS will propose ISR formats and additional online information for the CDE's consideration and approval.

Printing

When ETS prints paper ISRs, ETS will:

- Print each page as original, thus producing easy-to-read reports that do not smudge; and
- Utilize a sophisticated report collation process combined with high-speed laser printing technologies to print all report types in continuous print streams.

Packaging

Each shipment of reports for schools, LEAs, and counties will include a specific letter enclosed with the package describing what they are receiving in their shipment. All reports will be assembled by grade, school, and LEA. School sets of reports will be assembled and shipped to the LEA for distribution to schools.

The following packaging processes will be employed to provide LEAs with clearly organized shipments:

- All reports will be assembled and placed in report folders. One color of folder will be used for LEA reports; another color will be used for school reports. The ISRs will be grouped in accordance with the information provided on the packing list and placed in folders.

- Reports will be boxed and labeled by school, with the boxes for all schools within each LEA shipped to the LEA CAASPP Coordinator for distribution. The LEA reports will be boxed separately.
- Enclosed in each shipment of reports will be a specific letter describing what the LEA is receiving in the shipment.
- A pallet map will be included with each report shipment for LEAs that receive more than one pallet of reports.
- Prior to shipment, quality control specialists will perform a final quality check of reports and check for complete units of work, correct assembly, and the correct use of mailing labels.

Delivery

ETS and its subcontractors will work with the CDE to design reports and reporting systems that provide accurate results to all stakeholders in a timely manner.

ETS will distribute all paper reports so that LEAs receive them according to the approved timeline. For those LEAs that test grade levels in multiple testing windows/ administrations, they will receive ISRs as processing and scoring is completed for each test administration.

Box 1 of each LEA shipment, which contains the letter explaining what is included in the shipment, will be white, so it will be easy for the LEA CAASPP Coordinator to distinguish this box from other boxes in the shipment.

Trained shipping personnel will determine the most reliable and rapid means of delivering each shipment of reports. Each LEA's reports will be entered in the shipping manifest system as they are shipped. ETS's barcode technology, combined with distribution partners' (UPS, for example) tracking systems, will allow ETS to provide instant updates about the location and status of report packages should any problems arise. Upon receipt of reports at the LEA, LEA personnel signatures will be required to provide for secure delivery.

ETS will track where a LEA is at a given point in the reporting process and will provide the following status information to the CDE during the weekly management meetings: Reports printed, Reports shipped, and LEA complete.

Correcting Errors Due to Changes to the Data

Anytime there are changes to the data that require reports to be reprinted, CalTAC staff will contact Publications to print and ship revised reports. All of the reports will be clearly identified as "revised" with the appropriate revision date.

In any such event, ETS staff will take the following steps:

- Initially analyze the situation;
- Inform the CDE immediately;
- Further analyze the impact of the error;
- Discuss solution options with the CDE; and

- Deliver an expedient resolution that best mitigates program risk.

Correcting Demographic and Special Testing Conditions Data

Since CALPADS is the source of record for student demographic data, LEAs will be instructed to make demographic data corrections in CALPADS. The corrected demographic data will be uploaded to the online reporting system through the process established and described in Test Administration.

LEAs will be instructed to use TOMS to make corrections to special testing conditions information and other test-specific data that may be correctable, such as parent exemptions or accommodations used by the student.

All corrections should be submitted by the LEA on or before the end of their test administration window. There will be no cost to LEAs for making either demographic data corrections or changes to other testing condition information that may be correctable. If the LEA makes corrections after the end of its test administration window, the corrections may not be received in time to be reflected in the LEA's aggregate and student reports.

Rescore Requests for Paper-Pencil Tests and for Responses That Were Hand Scored

ETS will establish a process by which an LEA may request that a student's test be rescored as a fee-based ancillary service paid by the LEA. ETS will provide a price list for ancillary services to the CDE for review and approval. Rescore requests will be restricted to the paper-pencil tests that have bearing on Federal or state accountability and to responses to Smarter Balanced Summative Assessments that were hand scored. Rescoring will not be available for the CAPA Science and the CAAs, since the answer documents are completed by the examiner; or for the STS RLA tests, since these tests are not part of accountability.

ETS scoring experts will review each original student response in question along with the original score assigned. For responses that were hand scored by human raters, the original score assigned to the student response will be reviewed in close comparison to the original anchor papers used in training. If ETS's scoring experts determine that the original score assigned was incorrect, a new score will be issued.

ETS will work with the CDE to establish criteria by which LEAs may request rescoring and to determine the fee for rescore requests.

9.2. Reporting to the CDE—Public Reporting Web Site

ETS will design and develop, utilizing responsive Web design, an updated CAASPP results reporting Web site that the CDE can host. Development will follow ETS software development standards, as described in Task 3, while also adhering to the CDE Web Application Development Standards and CDE Web Standards. ETS's design staff will consult with the CDE to document detailed requirements for aggregation of the data per EC Section 60641, as well as display of the data in the Web reporting site. ETS will supply installation documentation and functional requirements to the CDE. Table 18 shows the results that will appear on this Web site.

Table 18. CAASPP Test Results Provided to the Public

Type of Report	Tests	Content	When
Web site hosted by CDE	Smarter Balanced summative and non-Smarter Balanced online summative assessments	Aggregate results at school, grade, LEA, county, and state levels and will allow for selection of further breakdowns based on the required demographic data (e.g. race, English language proficiency, gender, ethnicity) identified by the CDE. The application will also allow for comparison of multiple schools or LEAs and will incorporate a data-visualization design approach.	August annually, to be determined by CDE
Web site hosted by CDE	CAASPP paper-pencil tests (e.g., CST/CMA/CAPA Science and STS RLA) and for the new CAASPP assessments that have paper-pencil versions	Aggregate results at school, grade, LEA, county, and state levels and will allow for selection of further breakdowns based on the required demographic data (e.g. race, English language proficiency, gender, ethnicity) identified by the CDE.	August annually, to be determined by CDE

ETS will deliver the CAASPP reporting data to the CDE in coordination with the calculation for Federal and state accountability programs.

ETS will protect the platform or application itself by user authentication during the “LEA preview period” prior to being publically available.

ETS will put in place quality controls of the application and the data displayed. Also, ETS will test software developed by ETS for quality and performance, and the CDE will also have user acceptance signoff. ETS’s Data Quality group (DQS) and statistical analysis department will review aggregate data files for accuracy. Additionally, ETS will install data files into ETS’s user acceptance testing environment to confirm that ETS completes the data load without error. ETS will turn over data files and application code to the CDE per an agreed-upon schedule.

To protect student privacy, the Web reporting site will implement the CDE-required suppression rules. ETS will use an asterisk or similar mark to suppress data where someone could ascertain a student’s identity. For example, if a grade includes 10 or fewer students, an asterisk or similar will appear in the reporting rows to indicate that the data were suppressed.

To speed delivery of Web pages during times of peak demand or when the site is performing sub-optimally, ETS will support static versions of all the Web pages. Since the Web reporting site will reside on the CDE servers, the CDE will monitor Web site performance. ETS will

provide technical support to the CDE Technology Services Division as needed to optimize the Web reporting site.

Requirements for the Reporting Web Site

ETS will work with the CDE and the SBE on the timeline for the delivery of the Reporting Web site. For planning purposes, ETS will assume that the CDE will publicly release statewide test results in late summer, annually. To accomplish this, only those test materials that are received by the scoring center before July 1, annually, will be included in the state's initial release.

ETS will work with the CDE to comply with the CDE's Web standards. The CDE will continue to host the Reporting Web site.

To speed delivery of Web pages during times of peak demand or when the site is performing sub-optimally, static versions of all the Web pages are also supported. ETS will monitor Web site performance and work with the CDE to assure that the site meets performance specifications.

The design of the Reporting Web site will be data driven so the user can very efficiently select particular parameters to see the desired reporting of results. The design will be a scalable design to accommodate additional servers. The database will use MS-SQL Server technology. While there are many combinations of summary reports that will be accessible, the summary data will be pre-calculated. While this may limit the dynamic nature of the site, it will prevent inappropriate summaries that could lead to inappropriate interpretation of results by users.

The software application behind the Reporting Web site will allow the site administrator to load new iterations of data into the database and to generate new research files based on the refreshed data. As the data are refreshed, notes added by the CDE from the previous iteration will be preserved.

Summaries by counties, LEAs, schools, and the state will be provided. The site will support all CAASPP assessments—Smarter Balanced Summative Assessments, the CSTs, CMA, CAA, and STS.

Student Privacy

ETS will deliver the Reporting Web site in accordance with these requirements:

- Use of an asterisk to suppress data where a student's identity could be ascertained
- Reporting of all performance levels and a combined proficiency level which totals the sum of the proficient and above
- Allowance for the selective inclusion of either all available performance levels or the combined proficiency level on Web pages

Delivery of Aggregate Summary Data Files That Are Synchronous with the Delivery of the Student Data Files

The Web site will provide for aggregate summary data files that are synchronous with the delivery of the student data files. These aggregate summary data files include aggregations by schools, LEAs, counties, and the state. Independent charters are represented as separate LEAs within a county. The summaries will also be compiled by individual assessment and by grade within each assessment. They will include statistical data for the various assessments reflecting

performance levels, quarters, or CAPA levels. These data will include the number of test takers, the average scale score, and derived scores as appropriate.

Requirements for the Aggregate Summary Data

ETS will deliver report pages and research files that include aggregate summary data. The summary data and the Web site will support the reporting by claim or cluster. This claim/cluster reporting will include such information as average percent correct and mean-scale score reported by grade (or by course for non-grade specific courses). ETS will work with the CDE to define this new requirement more precisely in order to optimize value to the CAASPP assessment system constituencies.

Summary Data

ETS will work with the CDE annually to determine the subgroup categories to be supported by the Reporting Web site

ETS will include the ethnicity by economic status data in the CAASPP Summary Data submitted to CDE for Web reporting purposes. For Web reporting purposes, the ethnicity subgroups will include: African American or Black, American Indian or Alaskan Native, Asian, Filipino, Hispanic or Latino, Pacific Islander, and White. Economic Status analysis will include Economically Disadvantaged and Not Economically Disadvantaged. ETS will work with the CDE to incorporate changes to the required subgroup reporting categories.

Research Files

The Web reporting application supports the following research file requirements:

- State-level research file that contains all county, LEA, and school results for all demographic subgroups
- State-level research file that contains all county, LEA, and school results for the “all students” demographic subgroup
- State-level–only research file that contains results for all demographic subgroups
- Limited research files that contain all data for selected counties, LEAs and schools
- Research files containing all assessment data
- A research file containing all reporting claim or reporting cluster results data
- Suppression of results where the reported group totals 10 or fewer students or where the number of student reports in any individual cell may allow identification of an individual student
- Compressed (zipped) research files formatted as fixed-length ASCII and comma-delimited (including column names) files
- An Access 2003 (or a more recent version of Access) database shell that can be used to import comma-delimited research files along with all instructions for use of the database shell

- A load utility that will facilitate the easy importation of comma-delimited research files into the database shell

Administrative Functionality

ETS will incorporate extensive administrative functionality into the Internet design to include:

- **Notes.** Allow for the inclusion of "notes" that may be dynamically added to any selected report page. For example, notes may be added to one or all schools in a LEA and to one or all of the subgroups. Notes must be capable of being retained when report data are updated.

- **Embargo Reports.** Allow for the selected exclusion of Internet report pages. For example, all reporting claim reports may be excluded, or a report page may be embargoed for subgroup reports at the school level while the combined proficiency report (combined total of proficient and above students) is accessible. In addition, all state reports are embargoed until the site is opened to the public.

- **Research File Generation.** Allow for the generation of new research files when new aggregate data are loaded to the site. Which files are generated and the sequence of that generation must be part of the research-file generation function.

CDE Web Delivery Requirements

The key to successful deliveries of the Web reporting application and data files is to plan for preliminary iterations. This strategy allows CDE data management staff to be involved in early review of the site and the data. By delivering early, issues are identified and remedied earlier, before the critical public deadlines.

Annually, ETS will propose a timeline for site development and data deliverables for CDE approval.

9.3. Data Files

ETS will maintain a student database to house all student demographic data and assessment results. This database will accommodate millions of records of the size and scope of the CAASPP System. Information associated with each student has a database relationship to the LEA, school, and grade codes as data are collected during the operational chain of events. Integral to this database is the maintenance of a student identification system, which confirms that each student is uniquely identified within the test delivery system so all assessment information can easily be associated with that student. ETS assumes that the CDE-issued statewide student identification (SSID) number provided in CALPADS will serve as the unique student identifier. ETS will maintain the SSID for all records produced throughout the life of the incumbent contract.

ETS recognizes that CALPADS is the state database of record for managing and maintaining the longitudinal student data. The scoring capabilities and procedures described in Task 8 outline ETS's robust process for both scannable answer documents and assessments delivered online. ETS's scoring process will utilize the SSID number to provide the linkage information that maps directly to the database. Whether a student uses a pre-ID label or a pre-printed answer document, receives a unique login user ID and password, or takes multiple modes of assessments — each of the delivery modes will direct the resulting data for that student to a central repository for scoring and reporting.

ETS will deliver student data files and corresponding aggregate files on the delivery schedule agreed upon with the CDE. ETS recognizes that delivery dates will be dependent on the requirements for the state and federal accountability programs.

ETS will prepare the data in a format that the CDE can access. Due to the large numbers of records produced for CAASPP annually, ETS will deliver fixed record-length data files. ETS will consult with the CDE to determine if data delivery in a different format (e.g., XML file or delimited file), is necessary.

ETS will deliver student data files in three formats:

- compressed layout with demographic information only
- a layout with item response data and demographic information
- a file that contains all student data available

ETS's systems will maintain two types of files for CAASPP: a complete student response file for each CAASPP test administration, and a history file for all students who have participated in CAASPP testing. ETS will maintain a cumulative repository of individual test results for all students who have participated in CAASPP testing. The history file will include student-identification and performance data, as specified by the CDE, as well as other information necessary for merging with files of any other test administration in which the student participated. The CAASPP history will allow the tracking of previous test administrations for individual students. The history file will maintain compatibility with files developed under previous contracts and with files developed by contractors awarded contracts under the terms of this SOW.

9.4. Secure File Transfer System

Due to the confidential nature of test results, ETS uses secure file transfer protocol (SFTP) and encryption for all student data files. SFTP offers an efficient mechanism for transferring large-scale data. In addition, ETS uses .ZIP archive file format technology to reduce the disk space requirements on all files. This method applies to all data file transfers.

ETS supports most secure transfer protocols, including Web-service-based technologies, to exchange data with clients and file-based transfers using Tumbleweed® Communications Corp., a provider of security solutions. This enables ETS to effectively manage and protect business-critical Internet communications. These processes allow simplified data exchanges with secure and easy-to-use architecture, which provides management of files and large documents over the Internet. One standard, easy-to-use mechanism is an SFTP.

As a part of implementation, ETS will establish an SFTP service which will manage SFTP transfers to a directory structure between ETS and the CDE. Gatekeepers, generally one in California and one at ETS, will determine access privileges. The ETS gatekeeper will be responsible for approving all users for access.

ETS will provide all interfaces with the most stringent security considerations in mind, including interfaces for data encryption at rest and in transit for databases that store test items and student data. Encryption at rest primarily applies to any data files that reside on a server that uses the SFTP waiting to be retrieved. ETS integrates best security practices, including system-to-system authentication and authorization, in ETS's solution design. These practices meet the Federal Information Processing Standard Publication 140-2 (FIPS PUB 140-2) issued by the

National Institute of Standards and Technology (NIST). All CAASPP data will remain within the continental United States, as the CDE requires.

9.5. Technical Report

ETS will consult with the CDE and recommend suggestions in organization, style, and specificity that would improve the readability and overall usefulness of technical reports. Furthermore, ETS will partner with the CDE to determine what standard elements of the technical report overlap with the elements supplied by Smarter Balanced and need not be a part of the reports for CAASPP. ETS will confirm that generated reports include what is necessary for the CDE and the corresponding Technical Advisory Committees in producing the final versions of the technical reports.

ETS will produce a technical report for each administered summative assessment, including pilot or field test assessments. Table 19 below lists the planned technical reports for each administration.

Table 19. Planned CAASPP Technical Report by Administration

	2016 Administration	2017 Administration	2018 Administration
Smarter Balanced for ELA and Mathematics	✓	✓	✓
CST for Science	✓	✓	Not Applicable
CMA for Science	✓	✓	Not Applicable
CAPA for Science	✓	✓	Not Applicable
STS RLA	✓	✓	Not Applicable
Alternate Assessments for ELA and Mathematics	✓	✓	✓
CA NGSS (General Assessment)	Not Applicable	✓ for the Pilot Test	✓ for the Field Test
CA NGSS Alternate Assessment	Not Applicable	✓ for the Pilot Test	✓ for the Field Test
Primary Language	Not Applicable	✓ for the Pilot Test	✓ for the Field Test

For the Smarter Balanced technical report, unless critically important to the narrative, ETS will not duplicate requirements already supplied by the Smarter Balanced consortium.

ETS will deliver drafts of the technical manuals by November 1st annually and at the end of the contract. The following bullets outline the proposed organization of the technical reports. ETS will work with the CDE to determine any additional chapters or analyses as needed.

- **Executive Summary**. This summary section can stand alone for public distribution, and ETS will write it for an informed lay audience (e.g., school principals). It will highlight key findings from each chapter of the technical report.

- **Chapter 1. Introduction**. This chapter provides an introduction to the technical manual, gives the purposes of the assessment, and describes the uses of the assessment information.

- **Chapter 2. Overview of the Assessment**. This chapter describes the item formats and item specifications, as well as test assembly, test administration, scoring, and an equating overview.

- **Chapter 3. Item Development.** This chapter describes the procedures followed during item development. For the Smarter Balanced assessments, only a very brief overview of the process will be included, as ETS expects that the Smarter Balanced consortium will include a thorough discussion in their report.

- **Chapter 4. Test Assembly**. This chapter provides a description of the content being measured and detailed descriptions of how the content is being measured (i.e., test blueprints). This chapter provides a rationale for how blueprints were constructed and the construct being measured. For the Smarter Balanced assessments, only a very brief overview of the process will be included.

- **Chapter 5. Test Administration**. This chapter details the processes involved in the actual administration with emphasis on efforts made to confirm standardization of the tests. It also details procedures to confirm test security.

- **Chapter 6. Performance Standards**. This section will overview the cutpoint validation and the standard setting methodologies and describe the process conducted to establish cut scores for the assessments based on their first operational administration. For the Smarter Balanced assessments, this section will link to the report supplied by the Smarter Balanced consortium.

- **Chapter 7. Scoring**. This chapter provides information on the scoring processes and describes the types of scores and score reports produced at the end of each administration. The section will include scale score distribution tables and demographic summaries, as well as summary reports of how the automated scoring systems performed.

- **Chapter 8. Psychometric Analyses**. This chapter provides detailed information on the psychometric analyses of the operational test data. It presents and describes the results of the item and test analyses, differential item functioning results, calibration and scaling process, linking and equating methods, and deriving scale scores. It includes explanations for all statistical procedures implemented during the psychometric analyses; interpretations of the data and the analyses; and IRT analyses, standard errors of measurement, and reliability estimates (including for subgroups). For the Smarter Balanced assessments, ETS will base the statistics only on students from California.

- **Chapter 9. Quality Control Procedures**. This chapter describes quality control procedures of various aspects of the testing process — from control of item development, to scoring procedures and psychometric processes, to score reporting.

- **Chapter 10. Historical Results.** This chapter provides yearly results for each assessment, at both the item and test levels. ETS will maintain longitudinal results in this chapter.

ETS will provide the CDE sufficient time to review each technical report and verify the accuracy of analyses. ETS will provide at least 20 business days for the CDE to review the first drafts and 10 business days for the CDE to review the revised draft. ETS scheduled five business days for the CDE review of the final draft.

ETS will deliver five bound copies of the each final technical report. In addition, ETS will deliver electronic formats of each technical report — in Microsoft Word, PDF, and HTML — that will meet the CDE's Web accessibility requirements, and ETS will deliver the tables included in the technical reports as Microsoft Excel files.

9.6. Other Analyses or Reports

ETS will partner with the CDE and SBE staff/liaisons to identify and expand on research questions and develop instruments for CDE's approval. Together, ETS will make recommendations for all data collection instruments, such as interview protocols, observation protocols, surveys, and cognitive labs. ETS will then deliver the instruments within the test delivery system in order to link responses to student performance and student demographic data from CALPADS.

Studies to be included are:

- Analytic research on the impact of AI scoring at the sub-group level to determine if any group is disadvantaged by the new technology.
- Statistical analysis of the necessary N size and aggregation of sub-claim score for assessments at the LEA level.
- Efficacy or impact of extended response items types as a tool to provide professional development in both summative scoring modality and various interim scoring situations.
- Effect(s) of any universal tools, designated supports, and/or accommodations used by students (particularly students with disabilities and English learners) on the CAA.

Once each year during the term of the contract with the CDE, ETS will propose additional studies and analyses to support the validity of the CAASPP program, evaluate new initiatives, or address relevant policy issues. ETS will recommend additional studies either proactively or upon request. ETS will work with the CDE to support the technical quality of the CAASPP System, which includes validity, reliability, fairness and accessibility, and comparability.

A global view of the process would be that ETS and the CDE and SBE staff and liaisons would meet at least once a year to discuss special studies. Should CDE request any special studies, ETS will meet with researchers who have specific expertise in the study area requested. ETS would present the research study plans, along with a statement of cost, to the CDE. Together, the CDE, SBE staff and liaisons, and ETS staff would discuss the specific plans and make necessary modifications before agreeing on final costs. All special studies and research will adhere to the requirements outlined in Appendix B, Reporting Expectations for Special Studies and Research Projects.

Appendix A—Sample Program Schedule

The program schedule is a living document. The program schedule included in this appendix is a sample for planning purposes only. ETS will present a revised schedule to the CDE prior to the Orientation Meeting. ETS will present a proposed schedule each year prior to the Annual Planning Meeting. At minimum, the agreed upon schedule will be reviewed with the CDE during the Weekly Management Meetings, and more often as determined by the needs of the program.

ID	Task Name	Duration	Start	Finish	Resource Names
1	Contract Begins	0 days	Wed 7/1/15	Wed 7/1/15	
2	Administration Year One (July 2015 - December 2016)	897 days	Wed 7/1/15	Fri 12/28/18	
3	Begin administration year one	0 days	Wed 7/1/15	Wed 7/1/15	
4	Project Management	277 days	Wed 7/1/15	Fri 8/5/16	
5	Project Management Begins	0 days	Wed 7/1/15	Wed 7/1/15	
6	Orientation Meeting	14 days	Wed 7/1/15	Tue 7/21/15	
7	Conduct internal ETS planning meeting	1 day	Wed 7/1/15	Wed 7/1/15	ETS,AIR,MI
8	Schedule and prepare/ship materials for orientation meeting	5 days	Wed 7/1/15	Wed 7/8/15	ETS
9	Conduct orientation meeting	2 days	Mon 7/13/15	Tue 7/14/15	MI,CDE,ETS,AIR
10	Prepare meeting minutes/participant list and deliver to CDE	5 days	Wed 7/15/15	Tue 7/21/15	ETS
11	Program Meetings	252 days	Wed 7/1/15	Thu 6/30/16	
12	Conduct weekly internal status meetings	252 days	Wed 7/1/15	Thu 6/30/16	ETS
13	Conduct weekly CDE management meetings	252 days	Wed 7/1/15	Thu 6/30/16	CDE,AIR,MI,ETS
14	Conduct weekly CDE technical meeting	252 days	Wed 7/1/15	Thu 6/30/16	CDE,AIR,MI,ETS
15	State Board Meetings	252 days	Wed 7/1/15	Thu 6/30/16	
16	Attend State Board meetings	252 days	Wed 7/1/15	Thu 6/30/16	CDE,ETS
17	Technical Advisory Group (TAG) Meetings	252 days	Wed 7/1/15	Thu 6/30/16	
18	Work with the CDE to develop TAG agendas	252 days	Wed 7/1/15	Thu 6/30/16	CDE,ETS
19	Attend TAG meetings	252 days	Wed 7/1/15	Thu 6/30/16	CDE,ETS
20	Monthly Progress Reports	252 days	Wed 7/1/15	Thu 6/30/16	
21	Deliver monthly progress reports to CDE	252 days	Wed 7/1/15	Thu 6/30/16	ETS
22	Project Management Plan (PMP) & Project Definitions Document	80 days	Wed 7/1/15	Thu 10/22/15	
23	Project Management Plan for Overall CAASPP Activities	70 days	Wed 7/1/15	Thu 10/8/15	
24	Establish project SharePoint site	1 day	Thu 7/9/15	Thu 7/9/15	ETS
25	Complete Work Breakdown Structure	10 days	Wed 7/1/15	Wed 7/15/15	ETS
26	Develop draft project management plan for overall CAASPP activities	30 days	Wed 7/1/15	Wed 8/12/15	ETS
27	CDE reviews project management plan for overall CAASPP activities	20 days	Thu 8/13/15	Thu 9/10/15	CDE
28	Finalize project management plan for overall CAASPP activities	20 days	Fri 9/11/15	Thu 10/8/15	ETS
29	Project Definitions Document for the Assessment Delivery System	70 days	Wed 7/1/15	Thu 10/8/15	
30	Develop draft project management plan for the Assessment Delivery System	30 days	Wed 7/1/15	Wed 8/12/15	ETS,AIR

ID	Task Name	Duration	Start	Finish	Resource Names
31	CDE reviews project management plan for the Assessment Delivery System	20 days	Thu 8/13/15	Thu 9/10/15	CDE
32	Finalize project management plan for the Assessment Delivery System	20 days	Fri 9/11/15	Thu 10/8/15	ETS,AIR
33	Integrated Comprehensive Work plan & Project Schedule	10 days	Fri 10/9/15	Thu 10/22/15	
34	CDE reviews comprehensive integrated project schedule	10 days	Fri 10/9/15	Thu 10/22/15	CDE
35	CDE project schedule review complete	0 days	Thu 10/22/15	Thu 10/22/15	CDE
36	Test Security	277 days	Wed 7/1/15	Fri 8/5/16	
37	Update the Test Security Plan for the 2016 administration	7 days	Wed 7/1/15	Fri 7/10/15	ETS
38	Deliver the Test Security Plan to CDE for review	1 day	Mon 7/13/15	Mon 7/13/15	ETS
39	CDE reviews the Test Security Plan	10 days	Tue 7/14/15	Mon 7/27/15	CDE
40	Apply CDE edits to the Test Security Plan	3 days	Tue 7/28/15	Thu 7/30/15	ETS
41	CDE 2nd review of the Test Security Plan	5 days	Fri 7/31/15	Thu 8/6/15	CDE
42	Apply updates and deliver the final Test Security Plan to CDE for approval	3 days	Fri 8/7/15	Tue 8/11/15	ETS
43	Monitor social media sites for test security breaches	252 days	Wed 7/1/15	Thu 6/30/16	ETS
44	Perform on-site security audit visits	125 days	Wed 2/3/16	Fri 7/29/16	ETS
45	Investigate test security breaches as needed	125 days	Wed 2/3/16	Fri 7/29/16	ETS
46	Deliver audit reports to CDE	125 days	Wed 2/10/16	Fri 8/5/16	ETS
47	Data Driven Improvement	237 days	Wed 7/1/15	Thu 6/9/16	
48	Pre-Testing Data Collection	77 days	Fri 10/23/15	Wed 2/17/16	
49	Pre-Test Survey	77 days	Fri 10/23/15	Wed 2/17/16	
50	Develop Pre-Test Survey	20 days	Fri 10/23/15	Thu 11/19/15	ETS
51	CDE reviews Pre-Test Survey	10 days	Fri 11/20/15	Mon 12/7/15	CDE
52	Revise Pre-Test Survey	3 days	Tue 12/8/15	Thu 12/10/15	ETS
53	CDE 2nd review of Pre-Test Survey	5 days	Fri 12/11/15	Thu 12/17/15	CDE
54	Apply updates and deliver final Pre-Test Survey to CDE for approval	3 days	Fri 12/18/15	Tue 12/22/15	ETS
55	Administer Pre-Test Survey	20 days	Mon 1/4/16	Mon 2/1/16	ETS
56	Analyze survey results	10 days	Tue 2/2/16	Tue 2/16/16	ETS
57	Deliver survey results & recommended program improvements to CDE	1 day	Wed 2/17/16	Wed 2/17/16	ETS
58	Post-Testing Data Collection	237 days	Wed 7/1/15	Thu 6/9/16	
59	Post-Test Survey	67 days	Tue 3/8/16	Thu 6/9/16	
60	Develop Post-Test Survey	20 days	Tue 3/8/16	Mon 4/4/16	ETS
61	CDE reviews Post-Test Survey	10 days	Tue 4/5/16	Mon 4/18/16	CDE
62	Revise Post-Test Survey	3 days	Tue 4/19/16	Thu 4/21/16	ETS
63	CDE 2nd review of Post-Test Survey	5 days	Fri 4/22/16	Thu 4/28/16	CDE
64	Apply updates and deliver final Post-Test Survey to CDE for approval	3 days	Fri 4/29/16	Tue 5/3/16	ETS
65	Administer Post-Test Survey	20 days	Wed 5/11/16	Wed 6/8/16	ETS
66	Deliver survey results & recommended program improvements to CDE	1 day	Thu 6/9/16	Thu 6/9/16	ETS
67	Post-Test Focus Groups for Administrators	60 days	Wed 7/1/15	Thu 9/24/15	
68	Prepare materials for Post-Test Focus Groups	9 days	Wed 7/1/15	Tue 7/14/15	ETS
69	Conduct Sacramento focus group	2 days	Wed 7/15/15	Thu 7/16/15	ETS

ID	Task Name	Duration	Start	Finish	Resource Names
70	Conduct Southern CA focus group	2 days	Tue 7/28/15	Wed 7/29/15	ETS
71	Compile results and recommended program improvements to CDE	40 days	Thu 7/30/15	Thu 9/24/15	ETS
72	Test Coordinator Advisory Group	162 days	Tue 8/18/15	Mon 4/11/16	
73	Prepare materials for Test Coordinator Advisory Group 1	20 days	Tue 8/18/15	Tue 9/15/15	ETS
74	Conduct September Advisory Group 1	1 day	Wed 9/16/15	Wed 9/16/15	ETS
75	Compile results and recommended program improvements to CDE	40 days	Thu 9/17/15	Wed 11/11/15	ETS
76	Prepare materials for Test Coordinator Advisory Group 2	20 days	Thu 1/14/16	Thu 2/11/16	ETS
77	Conduct February Advisory Group 2	1 day	Fri 2/12/16	Fri 2/12/16	ETS
78	Compile results and recommended program improvements to CDE	40 days	Tue 2/16/16	Mon 4/11/16	ETS
79	caaspp.org User Focus Group	62 days	Mon 8/24/15	Wed 11/18/15	
80	Prepare materials for caaspp.org Focus Groups	20 days	Mon 8/24/15	Mon 9/21/15	ETS
81	Conduct caaspp.org User Focus group	2 days	Tue 9/22/15	Wed 9/23/15	ETS
82	Compile results and recommended program improvements to CDE	40 days	Thu 9/24/15	Wed 11/18/15	ETS
83	Project Management Complete	0 days	Fri 8/5/16	Fri 8/5/16	
84	Training & LEA Support	252 days	Wed 7/1/15	Thu 6/30/16	
85	Training & LEA Support Begins	0 days	Wed 7/1/15	Wed 7/1/15	
86	CalTAC	252 days	Wed 7/1/15	Thu 6/30/16	
87	Train CalTAC staff on the CAASPP program	10 days	Wed 7/1/15	Wed 7/15/15	ETS
88	Establish help desk technical phone, web chat and e-mail support	10 days	Wed 7/1/15	Wed 7/15/15	ETS
89	Perform technology support site visits as needed	242 days	Thu 7/16/15	Thu 6/30/16	ETS
90	LEA CAASPP Coordinator Designation Forms & Security Agreements	64 days	Wed 7/1/15	Wed 9/30/15	
91	Collect LEA CAASPP coordinator designation forms and security agreements	50 days	Wed 7/1/15	Thu 9/10/15	ETS
92	Input updates into the LEA CAASPP coordinator database	43 days	Thu 7/30/15	Tue 9/29/15	ETS
93	Provide CDE access to the CAASPP coordinator database	1 day	Wed 9/30/15	Wed 9/30/15	ETS
94	LEA Technology Readiness	91 days	Thu 7/30/15	Tue 12/8/15	
95	Develop technology readiness information collection methodologies	30 days	Thu 7/30/15	Thu 9/10/15	ETS
96	Collect technology readiness information from LEAs	40 days	Fri 9/11/15	Thu 11/5/15	ETS
97	Conduct outreach campaign to non-responsive LEAs	20 days	Fri 11/6/15	Mon 12/7/15	ETS
98	Present readiness results to CDE	1 day	Tue 12/8/15	Tue 12/8/15	ETS
99	Summative Assessment Test Administration Training Manuals	216 days	Wed 7/1/15	Tue 5/10/16	
100	Smarter Balanced Test Administration Manual (TAM)	111 days	Wed 7/1/15	Tue 12/8/15	
101	TAM available from Smarter Balanced	0 days	Wed 7/1/15	Wed 7/1/15	Smarter Balanced
102	Adapt Smarter Balanced TAM for California	15 days	Fri 9/11/15	Thu 10/1/15	ETS
103	CDE reviews Smarter Balanced TAM	10 days	Fri 10/2/15	Thu 10/15/15	CDE
104	Apply CDE edits to Smarter Balanced TAM	3 days	Fri 10/16/15	Tue 10/20/15	ETS
105	CDE 2nd review of Smarter Balanced TAM	5 days	Wed 10/21/15	Tue 10/27/15	CDE
106	Apply updates and deliver final Smarter Balanced TAM to CDE for approval	3 days	Wed 10/28/15	Fri 10/30/15	ETS

ID	Task Name	Duration	Start	Finish	Resource Names
107	Post Smarter Balanced TAM to caaspp.org	1 day	Mon 11/2/15	Mon 11/2/15	ETS
108	Print Smarter Balanced TAM	20 days	Mon 11/2/15	Tue 12/1/15	ETS
109	Distribute Smarter Balanced TAM to LEAs	5 days	Wed 12/2/15	Tue 12/8/15	ETS
110	Alternate Assessment Test Administration Manual (TAM)	72 days	Thu 8/13/15	Mon 11/23/15	
111	Develop Alternate Assessment TAM	25 days	Thu 8/13/15	Thu 9/17/15	ETS
112	CDE reviews Alternate Assessment TAM	10 days	Fri 9/18/15	Thu 10/1/15	CDE
113	Apply CDE edits to Alternate Assessment TAM	3 days	Fri 10/2/15	Tue 10/6/15	ETS
114	CDE 2nd review of Alternate Assessment TAM	5 days	Wed 10/7/15	Tue 10/13/15	CDE
115	Apply updates and deliver final Alternate Assessment TAM to CDE for approval	3 days	Wed 10/14/15	Fri 10/16/15	ETS
116	Post Alternate Assessment TAM to caaspp.org	1 day	Mon 10/19/15	Mon 10/19/15	ETS
117	Print Alternate Assessment TAM	20 days	Tue 10/20/15	Mon 11/16/15	ETS
118	Distribute Alternate Assessment TAM to LEAs	5 days	Tue 11/17/15	Mon 11/23/15	ETS
119	CST, CMA, CAPA Science, STS Paper/Pencil TAM	56 days	Thu 8/6/15	Fri 10/23/15	
120	Develop CST, CMA, CAPA Science & STS Paper/Pencil TAM	10 days	Thu 8/6/15	Wed 8/19/15	ETS
121	CDE reviews CST, CMA, CAPA Science & STS Paper/Pencil TAM	10 days	Thu 8/20/15	Wed 9/2/15	CDE
122	Apply CDE edits to CST, CMA, CAPA Science & STS Paper/Pencil TAM	3 days	Thu 9/3/15	Tue 9/8/15	ETS
123	CDE 2nd review of CST, CMA, CAPA Science & STS Paper/Pencil TAM	5 days	Wed 9/9/15	Tue 9/15/15	CDE
124	Apply updates and deliver final CST, CMA, CAPA Science & STS Paper/Pencil TAM to CDE for approval	3 days	Wed 9/16/15	Fri 9/18/15	ETS
125	Post CST, CMA, CAPA Science & STS Paper/Pencil TAM to caaspp.org	1 day	Mon 9/21/15	Mon 9/21/15	ETS
126	Print CST, CMA, CAPA Science & STS Paper/Pencil TAM	20 days	Mon 9/21/15	Fri 10/16/15	ETS
127	Distribute CST, CMA, CAPA Science & STS Paper/Pencil TAM to LEAs	5 days	Mon 10/19/15	Fri 10/23/15	ETS
128	LEA CAASPP Test Coordinators Manual (LEA TCM)	47 days	Wed 10/28/15	Thu 1/7/16	
129	Develop LEA TCM	25 days	Wed 10/28/15	Thu 12/3/15	ETS
130	CDE reviews LEA TCM	10 days	Fri 12/4/15	Thu 12/17/15	CDE
131	Apply CDE edits to LEA TCM	3 days	Fri 12/18/15	Tue 12/22/15	ETS
132	CDE 2nd review of LEA TCM	5 days	Wed 12/23/15	Thu 12/31/15	CDE
133	Apply updates and deliver final LEA TCM to CDE for approval	3 days	Mon 1/4/16	Wed 1/6/16	ETS
134	Post LEA TCM to caaspp.org	1 day	Thu 1/7/16	Thu 1/7/16	ETS
135	Test Site Coordinators Manual (SCM)	47 days	Wed 10/28/15	Thu 1/7/16	
136	Develop SCM	25 days	Wed 10/28/15	Thu 12/3/15	ETS
137	CDE reviews SCM	10 days	Fri 12/4/15	Thu 12/17/15	CDE
138	Apply CDE edits to SCM	3 days	Fri 12/18/15	Tue 12/22/15	ETS
139	CDE 2nd review of SCM	5 days	Wed 12/23/15	Thu 12/31/15	CDE
140	Apply updates and deliver final SCM to CDE for approval	3 days	Mon 1/4/16	Wed 1/6/16	ETS
141	Post SCM to caaspp.org	1 day	Thu 1/7/16	Thu 1/7/16	ETS
142	Test Examiners Manual (TEM)	47 days	Wed 11/4/15	Thu 1/14/16	
143	Develop TEM	25 days	Wed 11/4/15	Thu 12/10/15	ETS

ID	Task Name	Duration	Start	Finish	Resource Names
144	CDE reviews TEM	10 days	Fri 12/11/15	Mon 12/28/15	CDE
145	Apply CDE edits to TEM	3 days	Tue 12/29/15	Thu 12/31/15	ETS
146	CDE 2nd review of TEM	5 days	Mon 1/4/16	Fri 1/8/16	CDE
147	Apply updates and deliver final TEM to CDE for approval	3 days	Mon 1/11/16	Wed 1/13/16	ETS
148	Post TEM to caaspp.org	1 day	Thu 1/14/16	Thu 1/14/16	ETS
149	Technology Services Coordinators Manual (TSCM)	47 days	Wed 11/4/15	Thu 1/14/16	
150	Develop TSCM	25 days	Wed 11/4/15	Thu 12/10/15	ETS
151	CDE reviews TSCM	10 days	Fri 12/11/15	Mon 12/28/15	CDE
152	Apply CDE edits to TSCM	3 days	Tue 12/29/15	Thu 12/31/15	ETS
153	CDE 2nd review of TSCM	5 days	Mon 1/4/16	Fri 1/8/16	CDE
154	Apply updates and deliver final TSCM to CDE for approval	3 days	Mon 1/11/16	Wed 1/13/16	ETS
155	Post TSCM to caaspp.org	1 day	Thu 1/14/16	Thu 1/14/16	ETS
156	CAASPP Test Operations Management System Manual (TOMS)	47 days	Thu 8/13/15	Mon 10/19/15	
157	Develop TOMS manual	25 days	Thu 8/13/15	Thu 9/17/15	ETS
158	CDE reviews TOMS manual	10 days	Fri 9/18/15	Thu 10/1/15	CDE
159	Apply CDE edits to TOMS manual	3 days	Fri 10/2/15	Tue 10/6/15	ETS
160	CDE 2nd review of TOMS manual	5 days	Wed 10/7/15	Tue 10/13/15	CDE
161	Apply updates and deliver final TOMS manual to CDE for approval	3 days	Wed 10/14/15	Fri 10/16/15	ETS
162	Post TOMS manual to caaspp.org	1 day	Mon 10/19/15	Mon 10/19/15	ETS
163	STS for Dual Immersion Students Manual	47 days	Fri 9/11/15	Mon 11/16/15	
164	Develop STS manual	25 days	Fri 9/11/15	Thu 10/15/15	ETS
165	CDE reviews STS manual	10 days	Fri 10/16/15	Thu 10/29/15	CDE
166	Apply CDE edits to STS manual	3 days	Fri 10/30/15	Tue 11/3/15	ETS
167	CDE 2nd review of STS manual	5 days	Wed 11/4/15	Tue 11/10/15	CDE
168	Apply updates and deliver final STS manual to CDE for approval	3 days	Wed 11/11/15	Fri 11/13/15	ETS
169	Post STS manual to caaspp.org	1 day	Mon 11/16/15	Mon 11/16/15	ETS
170	Test Administrator Quick Start Guide	47 days	Fri 9/25/15	Wed 12/2/15	
171	Develop STS manual	25 days	Fri 9/25/15	Thu 10/29/15	ETS
172	CDE reviews STS manual	10 days	Fri 10/30/15	Thu 11/12/15	CDE
173	Apply CDE edits to STS manual	3 days	Fri 11/13/15	Tue 11/17/15	ETS
174	CDE 2nd review of STS manual	5 days	Wed 11/18/15	Tue 11/24/15	CDE
175	Apply updates and deliver final STS manual to CDE for approval	3 days	Wed 11/25/15	Tue 12/1/15	ETS
176	Post STS manual to caaspp.org	1 day	Wed 12/2/15	Wed 12/2/15	ETS
177	Online Reporting Guide	52 days	Tue 12/22/15	Wed 3/9/16	
178	Develop Online Reporting Guide manual	30 days	Tue 12/22/15	Fri 2/5/16	ETS
179	CDE reviews Online Reporting Guide manual	10 days	Mon 2/8/16	Mon 2/22/16	CDE
180	Apply CDE edits to Online Reporting Guide manual	3 days	Tue 2/23/16	Thu 2/25/16	ETS
181	CDE 2nd review of Online Reporting Guide manual	5 days	Fri 2/26/16	Thu 3/3/16	CDE
182	Apply updates and deliver final Online Reporting Guide	3 days	Fri 3/4/16	Tue 3/8/16	ETS

ID	Task Name	Duration	Start	Finish	Resource Names
	manual to CDE for approval				
183	Post Online Reporting Guide to caaspp.org	1 day	Wed 3/9/16	Wed 3/9/16	ETS
184	CAASPP Post-Test Guide	76 days	Mon 1/25/16	Tue 5/10/16	
185	Develop Post-Test Guide	30 days	Mon 1/25/16	Mon 3/7/16	ETS
186	CDE reviews Post-Test Guide	10 days	Tue 3/8/16	Mon 3/21/16	CDE
187	Apply CDE edits to Post-Test Guide	3 days	Tue 3/22/16	Thu 3/24/16	ETS
188	CDE 2nd review of Post-Test Guide	5 days	Fri 3/25/16	Thu 3/31/16	CDE
189	Apply updates and deliver final Post-Test Guide to CDE for approval	3 days	Fri 4/1/16	Tue 4/5/16	ETS
190	Post Post-Test Guide to caaspp.org	1 day	Wed 4/6/16	Wed 4/6/16	ETS
191	Print Post-Test Guide	20 days	Wed 4/6/16	Tue 5/3/16	ETS
192	Distribute Post-Test Guide to LEAs	5 days	Wed 5/4/16	Tue 5/10/16	ETS
193	Training Webcasts and Workshops	193 days	Wed 8/19/15	Wed 5/25/16	
194	Training Webcasts	188 days	Wed 8/19/15	Wed 5/18/16	
195	Present and archive Using the Digital Library webcast	1 day	Wed 8/19/15	Wed 8/19/15	ETS
196	Present and archive Using Interim Assessments webcast	1 day	Wed 9/9/15	Wed 9/9/15	ETS
197	Present and archive Preparing CALPADS Data for Testing webcast	1 day	Wed 9/16/15	Wed 9/16/15	ETS
198	Present and archive Test Operations Management System (TOMS) Training webcast	1 day	Wed 9/23/15	Wed 9/23/15	ETS
199	Present and archive Preparing Technology for Online Testing webcast	1 day	Wed 10/14/15	Wed 10/14/15	ETS
200	Present and archive Accessibility and Accommodations webcast	1 day	Wed 10/21/15	Wed 10/21/15	ETS
201	Present and archive Using the Online Practice Tests and Training Tests webcast	1 day	Wed 11/18/15	Wed 11/18/15	ETS
202	Present and archive Pre-Test webcast	1 day	Tue 1/12/16	Tue 1/12/16	ETS,AIR
203	Present and archive Alternate Assessment training webcast	1 day	Wed 1/13/16	Wed 1/13/16	ETS
204	Present and archive Test Security LEA Training webcast	1 day	Wed 1/20/16	Wed 1/20/16	ETS
205	Present and archive Post-Test webcast	1 day	Wed 5/18/16	Wed 5/18/16	ETS
206	Regional Training Workshops	178 days	Thu 9/10/15	Wed 5/25/16	
207	Present regional Digital Library and Interim workshops	5 days	Thu 9/10/15	Wed 9/16/15	ETS
208	Present regional Pre-Test Workshops	22 days	Wed 1/13/16	Fri 2/12/16	ETS,AIR
209	Present regional Post-Test Workshops	5 days	Thu 5/19/16	Wed 5/25/16	ETS
210	Interim CR Scoring Training	101 days	Tue 10/13/15	Thu 3/10/16	
211	Receive CR scoring methodology and procedures from Smarter Balanced	1 day	Tue 10/13/15	Tue 10/13/15	Smarter Balanced
212	Produce workshop slides and e-mail announcement	20 days	Thu 1/21/16	Thu 2/18/16	ETS
213	Deliver summative and interim CR scoring training workshops	15 days	Fri 2/19/16	Thu 3/10/16	ETS
214	Training & LEA Support Complete	0 days	Thu 6/30/16	Thu 6/30/16	
215	Test Development	392 days	Wed 7/1/15	Fri 1/20/17	
216	Test Development Begins	0 days	Wed 7/1/15	Wed 7/1/15	
217	NGSS and Primary Language Design	121 days	Wed 7/1/15	Tue 12/22/15	
218	Create a draft high level design document & submit to CDE	40 days	Wed 7/1/15	Wed 8/26/15	ETS
219	CDE reviews initial draft of high level design document	10 days	Thu 8/27/15	Thu 9/10/15	CDE

ID	Task Name	Duration	Start	Finish	Resource Names
220	Produce detailed tasks and test specification documents	40 days	Fri 9/11/15	Thu 11/5/15	ETS
221	Conduct review of detailed item and test specifications and ALDs with stakeholders	1 day	Fri 11/20/15	Fri 11/20/15	ETS,CDE
222	Finalize design and specifications documents	20 days	Mon 11/23/15	Tue 12/22/15	ETS
223	Alternate Assessment ELA/Math Design	71 days	Wed 7/1/15	Fri 10/9/15	
224	Create a draft high level design document & submit to CDE	10 days	Wed 7/1/15	Wed 7/15/15	ETS
225	CDE reviews initial draft of high level design document	10 days	Thu 7/16/15	Wed 7/29/15	CDE
226	Produce detailed tasks and test specification documents	30 days	Thu 7/30/15	Thu 9/10/15	CDE
227	Conduct review of detailed item and test specifications and ALDs with stakeholders	1 day	Fri 9/11/15	Fri 9/11/15	ETS,CDE
228	Finalize design and specifications documents	20 days	Mon 9/14/15	Fri 10/9/15	ETS
229	Alternate Assessment ELA/Math	52 days	Mon 10/12/15	Mon 12/28/15	
230	Develop draft blueprints	5 days	Mon 10/12/15	Fri 10/16/15	ETS
231	CDE reviews Alternate Assessment ELA/Math draft blueprints	10 days	Mon 10/19/15	Fri 10/30/15	CDE
232	External committee blueprint review meeting	2 days	Mon 11/2/15	Tue 11/3/15	External Committee,CDE,ETS
233	CDE reviews and approves blueprints	5 days	Wed 11/4/15	Tue 11/10/15	CDE
234	Develop Alternate Assessment ELA/Math Assessment items	13 days	Wed 11/11/15	Tue 12/1/15	ETS
235	CDE reviews new Alternate Assessment ELA/Math items	10 days	Wed 12/2/15	Tue 12/15/15	CDE
236	External committee item review meetings	2 days	Wed 12/16/15	Thu 12/17/15	External Committee,CDE,ETS
237	CDE reviews and approves new items	5 days	Fri 12/18/15	Mon 12/28/15	CDE
238	Primary Language	309 days	Mon 9/28/15	Mon 12/19/16	
239	Review existing passages	40 days	Mon 9/28/15	Fri 11/20/15	ETS
240	Create a development plan	10 days	Mon 11/23/15	Tue 12/8/15	ETS
241	CDE reviews and approves development plan	15 days	Wed 12/9/15	Thu 12/31/15	CDE
242	Conduct Item Writer Training workshop	2 days	Mon 1/4/16	Tue 1/5/16	ETS
243	Develop Primary Language Assessment items	60 days	Wed 1/6/16	Thu 3/31/16	ETS
244	CDE reviews new Primary Language items	10 days	Fri 4/1/16	Thu 4/14/16	CDE
245	ETS revises Primary Language items	40 days	Fri 4/15/16	Fri 6/10/16	ETS
246	External committee item review meetings	2 days	Mon 6/13/16	Tue 6/14/16	External Committee,CDE,ETS
247	CDE reviews and approves new items	5 days	Wed 6/15/16	Tue 6/21/16	CDE
248	Finalize items and develop pilot test forms	40 days	Wed 6/22/16	Wed 8/17/16	ETS
249	Prepare for online test delivery	85 days	Thu 8/18/16	Mon 12/19/16	ETS
250	NGSS Science (Including Alt NGSS)	296 days	Mon 11/16/15	Fri 1/20/17	
251	Conduct additional stakeholder meetings	5 days	Mon 11/16/15	Fri 11/20/15	ETS
252	Finalize development plan	5 days	Mon 11/23/15	Tue 12/1/15	ETS
253	CDE reviews and approves development plan	15 days	Wed 12/2/15	Tue 12/22/15	CDE
254	Task outline agreement review	5 days	Wed 12/23/15	Thu 12/31/15	ETS,CDE

ID	Task Name	Duration	Start	Finish	Resource Names
255	Finalize, review and approve blueprints in collaboration with CDE partners	15 days	Mon 1/4/16	Mon 1/25/16	ETS,CDE
256	External committee blueprint review meeting	2 days	Tue 1/26/16	Wed 1/27/16	External Committee,CDE,ETS
257	CDE approves blueprints	5 days	Thu 1/28/16	Wed 2/3/16	CDE
258	Develop NGSS Science items	65 days	Thu 2/4/16	Thu 5/5/16	ETS
259	CDE reviews new NGSS discreet items and alpha draft task agreement	10 days	Fri 5/6/16	Thu 5/19/16	CDE
260	External committee item review meetings	3 days	Mon 5/23/16	Wed 5/25/16	External Committee,CDE,ETS
261	Task certification review, finalize items, and develop pilot test forms	100 days	Thu 5/26/16	Mon 10/17/16	ETS
262	Prepare for online test delivery	65 days	Tue 10/18/16	Fri 1/20/17	ETS
263	Test Development Complete	0 days	Fri 1/20/17	Fri 1/20/17	
264	Operational Test Administration	769 days	Wed 7/1/15	Tue 7/3/18	
265	Operational Test Administration Begins	0 days	Wed 7/1/15	Wed 7/1/15	
266	CAASPP Assessments	510 days	Wed 7/1/15	Wed 7/5/17	
267	Testing Systems	151 days	Wed 7/1/15	Mon 2/8/16	
268	Minimum System Requirements Document	20 days	Wed 7/1/15	Wed 7/29/15	
269	Develop Minimum System Requirements Document	5 days	Wed 7/1/15	Wed 7/8/15	ETS
270	CDE reviews and approves Minimum System Requirements Document	15 days	Thu 7/9/15	Wed 7/29/15	CDE
271	System Configurations	20 days	Wed 7/1/15	Wed 7/29/15	
272	Develop list of system configurations	5 days	Wed 7/1/15	Wed 7/8/15	ETS
273	CDE reviews and approves system configurations	15 days	Thu 7/9/15	Wed 7/29/15	CDE
274	Item Transfer	40 days	Fri 11/13/15	Thu 1/14/16	
275	Receive Interim items from Smarter Balanced	1 day	Fri 11/13/15	Fri 11/13/15	Smarter Balanced
276	Import Interim field test items from Smarter Balanced	10 days	Mon 11/16/15	Tue 12/1/15	ETS
277	Receive Summative pools from Smarter Balanced	1 day	Wed 12/30/15	Wed 12/30/15	Smarter Balanced
278	Import items from Smarter Balanced and embed new field test items into testing system	10 days	Thu 12/31/15	Thu 1/14/16	ETS
279	Test Operations Management System (TOMS)	76 days	Wed 7/1/15	Fri 10/16/15	
280	CDE confirms CALPADS information and list of designated supports/accommodations	1 day	Wed 7/1/15	Wed 7/1/15	CDE
281	Confirm business requirements for pre-test delivery reporting and application enhancements	1 day	Thu 7/2/15	Thu 7/2/15	ETS
282	Update CALPADS import function	20 days	Thu 7/2/15	Thu 7/30/15	ETS
283	Develop and deliver TOMS implementation plan to CDE	5 days	Mon 7/6/15	Fri 7/10/15	ETS
284	CDE reviews TOMS implementation plan	10 days	Mon 7/13/15	Fri 7/24/15	CDE
285	Incorporate CDE recommendations to TOMS implementation plan	3 days	Mon 7/27/15	Wed 7/29/15	ETS
286	CDE approves TOMS implementation plan	5 days	Thu 7/30/15	Wed 8/5/15	CDE
287	Configure TOMS enhancements for the 2016 CAASPP administration	15 days	Thu 8/6/15	Wed 8/26/15	ETS
288	Begin daily updates of district and school user contact information	1 day	Thu 8/27/15	Thu 8/27/15	ETS
289	Functional testing	10 days	Thu 8/27/15	Thu 9/10/15	ETS
290	Dev-2-Dev Testing	5 days	Fri 9/11/15	Thu 9/17/15	ETS

ID	Task Name	Duration	Start	Finish	Resource Names
291	Integration testing	10 days	Fri 9/18/15	Thu 10/1/15	ETS
292	Load testing	10 days	Fri 9/18/15	Thu 10/1/15	ETS
293	CDE UAT of TOMS enhancements	5 days	Fri 10/2/15	Thu 10/8/15	CDE
294	Apply fixes to TOMS enhancements	5 days	Fri 10/9/15	Thu 10/15/15	ETS
295	Deploy enhancements to TOMS	1 day	Fri 10/16/15	Fri 10/16/15	ETS
296	CA ISAAP Tool	21 days	Thu 8/6/15	Thu 9/3/15	
297	Gather business requirements for CA ISAAP tool enhancements	5 days	Thu 8/6/15	Wed 8/12/15	ETS
298	Configure CA ISAAP tool for the 2016 administration	5 days	Thu 8/13/15	Wed 8/19/15	ETS
299	CDE UAT of CA ISAAP Tool	5 days	Thu 8/20/15	Wed 8/26/15	CDE
300	Apply fixes to CA ISAPP	5 days	Thu 8/27/15	Wed 9/2/15	ETS
301	Deploy CA ISAAP Tool	1 day	Thu 9/3/15	Thu 9/3/15	ETS
302	Test Delivery System (TDS)	150 days	Thu 7/2/15	Mon 2/8/16	
303	Update Secure Browsers	25 days	Fri 9/25/15	Thu 10/29/15	AIR
304	Gather business requirements for application enhancements	10 days	Thu 7/2/15	Thu 7/16/15	ETS,AIR
305	Configure TDS for the 2016 CAASPP administration	40 days	Thu 7/30/15	Thu 9/24/15	AIR
306	TDS Testing for Interim Assessments	62 days	Fri 9/25/15	Wed 12/23/15	
307	Functional testing	10 days	Fri 9/25/15	Thu 10/8/15	AIR,ETS
308	Dev-2-Dev Testing	5 days	Fri 10/9/15	Thu 10/15/15	ETS,AIR
309	Integration testing	5 days	Fri 10/16/15	Thu 10/22/15	ETS,AIR
310	Load testing	5 days	Fri 10/23/15	Thu 10/29/15	ETS,AIR
311	CDE UAT	10 days	Fri 10/16/15	Thu 10/29/15	CDE
312	End-to-End (E2E) Testing	15 days	Wed 12/2/15	Tue 12/22/15	ETS,AIR
313	Deploy TDS for Interim Assessments including Teacher Hand Scoring	1 day	Wed 12/23/15	Wed 12/23/15	AIR
314	TDS Testing for Summative Assessments	41 days	Tue 12/8/15	Mon 2/8/16	
315	Functional testing	10 days	Tue 12/8/15	Mon 12/21/15	AIR,ETS
316	Dev-2-Dev Testing	5 days	Tue 12/22/15	Wed 12/30/15	ETS,AIR
317	Integration testing	5 days	Fri 1/15/16	Fri 1/22/16	ETS,AIR
318	Load testing	5 days	Mon 1/25/16	Fri 1/29/16	ETS,AIR
319	CDE UAT	10 days	Thu 12/31/15	Thu 1/14/16	CDE
320	End-to-End (E2E) Testing	15 days	Fri 1/15/16	Fri 2/5/16	ETS,AIR
321	Deploy TDS for Summative Assessments including Online Reporting System and Participation Reports	1 day	Mon 2/8/16	Mon 2/8/16	AIR
322	Formative Digital Library	116 days	Fri 9/11/15	Tue 3/1/16	
323	Provide access to Digital Library	116 days	Fri 9/11/15	Tue 3/1/16	ETS
324	Interim Assessment Registration, Test Content and Ancillaries	170 days	Wed 7/1/15	Mon 3/7/16	
325	Current Interim Assessments available	0 days	Wed 7/1/15	Wed 7/1/15	Smarter Balanced
326	Update enrollment/test administration information	50 days	Fri 9/25/15	Mon 12/7/15	ETS
327	New enhanced test packages available from Smarter Balanced	0 days	Fri 2/5/16	Fri 2/5/16	Smarter Balanced
328	Process new test packages	20 days	Fri 2/5/16	Fri 3/4/16	AIR

ID	Task Name	Duration	Start	Finish	Resource Names
329	Updated Interim Comprehensive Assessment (summative clone) (ICA) launched	1 day	Mon 3/7/16	Mon 3/7/16	AIR
330	Updated Interim Assessment Blocks (IAB) launched	1 day	Mon 3/7/16	Mon 3/7/16	AIR
331	Configure Smarter Balanced System User Guide for CA	40 days	Wed 7/1/15	Wed 8/26/15	ETS,AIR
332	Configure Smarter Balanced Scoring Guide for CA	40 days	Wed 7/1/15	Wed 8/26/15	ETS,AIR
333	Configure Smarter Balanced System Infrastructure Guide for CA	40 days	Wed 7/1/15	Wed 8/26/15	ETS,AIR
334	Configure Smarter Balanced System Training Workbook for CA	40 days	Wed 7/1/15	Wed 8/26/15	ETS,AIR
335	Interim Assessment Reporting	101 days	Tue 2/9/16	Thu 6/30/16	
336	Deliver Interim Results to Smarter Balanced	101 days	Tue 2/9/16	Thu 6/30/16	ETS,AIR
337	Summative Computer Based Assessments	165 days	Tue 11/17/15	Fri 7/15/16	
338	Summative content packages available for CAT	0 days	Tue 11/17/15	Tue 11/17/15	Smarter Balanced
339	Summative content packages available for PT	0 days	Tue 12/1/15	Tue 12/1/15	Smarter Balanced
340	Summative test packages available for CAT and PT	0 days	Mon 1/11/16	Mon 1/11/16	Smarter Balanced
341	Import and QC test packages	20 days	Mon 1/11/16	Mon 2/8/16	ETS
342	Update enrollment/test administration information	20 days	Tue 1/12/16	Tue 2/9/16	ETS
343	Administer summative assessments (Smarter Balanced ELA/Math, ELA/Math Alternate)	90 days	Thu 3/10/16	Fri 7/15/16	ETS
344	Summative Paper/Pencil Testing	418 days	Tue 11/10/15	Wed 7/5/17	
345	Reprint CST/CMA/CAPA Science & STS paper test	30 days	Tue 11/10/15	Wed 12/23/15	ETS
346	Receive material orders	15 days	Mon 11/16/15	Tue 12/8/15	ETS
347	Receive paper-based tests from Smarter Balanced	1 day	Mon 12/5/16	Mon 12/5/16	Smarter Balanced
348	Add covers	10 days	Tue 12/6/16	Mon 12/19/16	ETS
349	Print all summative operational paper tests	30 days	Tue 12/20/16	Wed 2/1/17	ETS
350	Distribute paper tests as needed	88 days	Thu 2/16/17	Mon 6/19/17	ETS
351	Receive paper tests	75 days	Thu 3/17/16	Thu 6/30/16	ETS
352	Scan paper tests	76 days	Thu 3/17/16	Fri 7/1/16	ETS
353	Conduct resolutions on paper tests	90 days	Thu 3/17/16	Fri 7/22/16	ETS
354	Special Versions	150 days	Tue 12/6/16	Wed 7/5/17	
355	Produce large print & Braille	40 days	Tue 12/6/16	Wed 2/1/17	ETS
356	Deliver large print and Braille as requested	100 days	Thu 2/16/17	Wed 7/5/17	ETS
357	Scoring	90 days	Thu 3/24/16	Fri 7/29/16	
358	Summative Computer Based Assessments	90 days	Thu 3/24/16	Fri 7/29/16	
359	Hand and AI scoring occurs	90 days	Thu 3/24/16	Fri 7/29/16	ETS,MI
360	Perform scoring QC	90 days	Thu 3/24/16	Fri 7/29/16	ETS
361	Final scoring occurs	90 days	Thu 3/24/16	Fri 7/29/16	ETS
362	Psychometric Analysis	18 days	Thu 5/19/16	Tue 6/14/16	
363	Conduct Item Analysis of CAASPP Summative assessments	16 days	Thu 5/19/16	Fri 6/10/16	ETS
364	Item Analysis Files delivered to CDE	1 day	Mon 6/13/16	Mon 6/13/16	ETS
365	Facilitate Alternate Assessment Data Review meeting	1 day	Tue 6/14/16	Tue 6/14/16	ETS
366	Standard Setting for Alternate Assessment ELA/Math	4 days	Tue 7/12/16	Fri 7/15/16	
367	Conduct Standard Setting for Alternate Assessment ELA/Math	4 days	Tue 7/12/16	Fri 7/15/16	ETS,CDE

ID	Task Name	Duration	Start	Finish	Resource Names
368	Reporting	724 days	Thu 9/3/15	Tue 7/3/18	
369	Summative Assessment	724 days	Thu 9/3/15	Tue 7/3/18	
370	Delivery of Data Files to CDE and Smarter Balanced	117 days	Thu 3/24/16	Wed 9/7/16	
371	Prepare student data files	90 days	Thu 3/24/16	Fri 7/29/16	ETS
372	Post initial student data files to SFTP site for CDE and Smarter BalancedSmarter Balanced Data Warehouse	1 day	Mon 8/1/16	Mon 8/1/16	ETS
373	Post final data files to SFTP site for CDE and Smarter BalancedSmarter Balanced Data Warehouse	1 day	Wed 9/7/16	Wed 9/7/16	ETS
374	Online Reporting Systems	724 days	Thu 9/3/15	Tue 7/3/18	
375	Online Reporting Systems Setup	37 days	Thu 9/3/15	Mon 10/26/15	
376	Gather specifications for AIR online reporting systems	5 days	Thu 9/3/15	Thu 9/10/15	ETS
377	CDE reviews online reporting system specifications	10 days	Fri 9/11/15	Thu 9/24/15	CDE
378	Configure online reporting systems	20 days	Fri 9/25/15	Thu 10/22/15	ETS,AIR
379	Demonstrate online reporting systems to CDE	1 day	Fri 10/23/15	Fri 10/23/15	ETS,AIR
380	Deploy online reporting system	1 day	Mon 10/26/15	Mon 10/26/15	ETS,AIR
381	Student Level Reporting	627 days	Wed 1/27/16	Tue 7/3/18	
382	Provide final individual scores within 4 weeks of student online test completion	90 days	Wed 2/28/18	Tue 7/3/18	ETS,AIR
383	Launch ISR availability within online reporting system	1 day	Wed 1/27/16	Wed 1/27/16	ETS,AIR
384	School Level Reporting	1 day	Fri 4/8/16	Fri 4/8/16	
385	Launch school level reporting functionality	1 day	Fri 4/8/16	Fri 4/8/16	ETS,AIR
386	LEA Level Reporting	1 day	Mon 4/25/16	Mon 4/25/16	
387	Launch LEA level reporting functionality	1 day	Mon 4/25/16	Mon 4/25/16	ETS,AIR
388	State Level Reporting	188 days	Fri 10/23/15	Mon 7/25/16	
389	State Aggregate Reporting Website	188 days	Fri 10/23/15	Mon 7/25/16	
390	Develop business requirements	45 days	Fri 10/23/15	Wed 12/30/15	ETS
391	CDE provides text for site	1 day	Tue 3/29/16	Tue 3/29/16	CDE
392	Construct web reporting site	30 days	Wed 3/30/16	Tue 5/10/16	ETS
393	CDE UAT of Web Reporting Site	10 days	Wed 5/11/16	Tue 5/24/16	CDE
394	CDE provides feedback on changes needed	10 days	Wed 5/25/16	Wed 6/8/16	CDE
395	Apply changes	5 days	Thu 6/9/16	Wed 6/15/16	ETS
396	CDE second UAT	5 days	Thu 6/16/16	Wed 6/22/16	CDE
397	Finalize site with CDE updates	5 days	Thu 6/23/16	Wed 6/29/16	ETS
398	Deploy State level reporting website	1 day	Mon 7/25/16	Mon 7/25/16	ETS
399	Individual Student Report	172 days	Fri 11/20/15	Fri 7/29/16	
400	Develop individual student report	40 days	Fri 11/20/15	Fri 1/22/16	ETS
401	CDE reviews individual student report	10 days	Mon 1/25/16	Fri 2/5/16	CDE
402	Update individual student report	3 days	Mon 2/8/16	Wed 2/10/16	ETS
403	CDE 2nd review of individual student report	5 days	Thu 2/11/16	Thu 2/18/16	CDE
404	Apply updates & submit to CDE for approval	3 days	Fri 2/19/16	Tue 2/23/16	ETS
405	Provide electronic student roster reports to LEAs	20 days	Fri 7/1/16	Fri 7/29/16	ETS
406	Print and ship Individual Student Reports (ISR) to	20 days	Fri 7/1/16	Fri 7/29/16	ETS

ID	Task Name	Duration	Start	Finish	Resource Names
	LEAs				
407	Rescore Process	120 days	Thu 3/24/16	Mon 9/12/16	
408	LEAs request rescores	90 days	Thu 3/24/16	Fri 7/29/16	LEAs
409	Provide rescore results	90 days	Thu 5/5/16	Mon 9/12/16	ETS
410	Invoicing for rescores occurs	10 days	Thu 5/12/16	Wed 5/25/16	ETS
411	Interpretive Guides	31 days	Tue 3/22/16	Tue 5/3/16	
412	Produce interpretive guides	30 days	Tue 3/22/16	Mon 5/2/16	ETS
413	Post interpretive guides	1 day	Tue 5/3/16	Tue 5/3/16	ETS
414	Technical Report	61 days	Thu 9/8/16	Mon 12/5/16	
415	Develop Technical Manual	40 days	Thu 9/8/16	Wed 11/2/16	ETS
416	CDE reviews Technical Report and returns edits to ETS	10 days	Thu 11/3/16	Wed 11/16/16	CDE
417	ETS applies edits and delivers final Technical Report to CDE	3 days	Thu 11/17/16	Mon 11/21/16	ETS
418	CDE 2nd review of Technical Report	5 days	Tue 11/22/16	Wed 11/30/16	CDE
419	Apply updates and deliver Technical Manual to CDE for approval	3 days	Thu 12/1/16	Mon 12/5/16	ETS
420	Operational Test Administration Complete	0 days	Tue 7/3/18	Tue 7/3/18	
421	Year one Complete	0 days	Fri 12/28/18	Fri 12/28/18	
422	Administration Year Two (July 2016 - December 2017)	523 days	Thu 6/23/16	Tue 7/3/18	
423	Begin administration year two	0 days	Fri 7/1/16	Fri 7/1/16	
424	Project Management	283 days	Thu 6/23/16	Tue 8/1/17	
425	Project Management Begins	0 days	Fri 7/1/16	Fri 7/1/16	
426	Annual Planning Meetings	35 days	Thu 6/23/16	Thu 8/11/16	
427	Schedule and prepare/ship materials for annual planning meeting	3 days	Thu 6/23/16	Mon 6/27/16	ETS
428	Conduct annual planning meeting	3 days	Tue 7/5/16	Thu 7/7/16	CDE,AIR,MI,ETS
429	Update project documentation and management plan	15 days	Fri 7/8/16	Thu 7/28/16	ETS
430	Prepare meeting minutes/participant list and deliver to CDE	10 days	Fri 7/29/16	Thu 8/11/16	ETS
431	Program Meetings	255 days	Fri 7/1/16	Fri 6/30/17	
432	Conduct weekly internal status meetings	255 days	Fri 7/1/16	Fri 6/30/17	ETS
433	Conduct weekly CDE management meetings	255 days	Fri 7/1/16	Fri 6/30/17	CDE,AIR,MI,ETS
434	Conduct weekly CDE technical meeting	255 days	Fri 7/1/16	Fri 6/30/17	CDE,AIR,MI,ETS
435	State Board Meetings	255 days	Fri 7/1/16	Fri 6/30/17	
436	Attend State Board meetings	255 days	Fri 7/1/16	Fri 6/30/17	CDE,ETS
437	Technical Advisory Group (TAG) Meetings	255 days	Fri 7/1/16	Fri 6/30/17	
438	Work with the CDE to develop TAG agendas	255 days	Fri 7/1/16	Fri 6/30/17	CDE,ETS
439	Attend TAG meetings	255 days	Fri 7/1/16	Fri 6/30/17	CDE,ETS
440	Monthly Progress Reports	255 days	Fri 7/1/16	Fri 6/30/17	
441	Deliver monthly progress reports to CDE	255 days	Fri 7/1/16	Fri 6/30/17	ETS
442	Project Management Plan (PMP) & Project Definitions Document	80 days	Fri 7/1/16	Mon 10/24/16	
443	Project Management Plan for Overall CAASPP Activities	70 days	Fri 7/1/16	Mon 10/10/16	
444	Update Work Breakdown Structure as needed	10 days	Fri 7/8/16	Thu 7/21/16	ETS

ID	Task Name	Duration	Start	Finish	Resource Names
445	Update project management plan for overall CAASPP activities as needed	30 days	Fri 7/1/16	Fri 8/12/16	ETS
446	CDE reviews project management plan for overall CAASPP activities	20 days	Mon 8/15/16	Mon 9/12/16	CDE
447	Finalize updates to the project management plan for overall CAASPP activities	20 days	Tue 9/13/16	Mon 10/10/16	ETS
448	Project Definitions Document for the Assessment Delivery System	70 days	Fri 7/1/16	Mon 10/10/16	
449	Develop draft project management plan for the Assessment Delivery System	30 days	Fri 7/1/16	Fri 8/12/16	ETS,AIR
450	CDE reviews project management plan for the Assessment Delivery System	20 days	Mon 8/15/16	Mon 9/12/16	CDE
451	Finalize project management plan for the Assessment Delivery System	20 days	Tue 9/13/16	Mon 10/10/16	ETS,AIR
452	Integrated Comprehensive Work plan & Project Schedule	10 days	Tue 10/11/16	Mon 10/24/16	
453	CDE reviews comprehensive integrated project schedule	10 days	Tue 10/11/16	Mon 10/24/16	CDE
454	CDE project schedule review complete	0 days	Mon 10/24/16	Mon 10/24/16	CDE
455	Test Security	277 days	Fri 7/1/16	Tue 8/1/17	
456	Update the Test Security Plan for the 2017 administration	3 days	Fri 7/1/16	Wed 7/6/16	ETS
457	Deliver the Test Security Plan to CDE for review	1 day	Thu 7/7/16	Thu 7/7/16	ETS
458	CDE reviews the Test Security Plan	10 days	Fri 7/8/16	Thu 7/21/16	CDE
459	Apply CDE edits to the Test Security Plan	3 days	Fri 7/22/16	Tue 7/26/16	ETS
460	CDE 2nd review of the Test Security Plan	5 days	Wed 7/27/16	Tue 8/2/16	CDE
461	Apply updates and deliver the final Test Security Plan to CDE for approval	3 days	Wed 8/3/16	Fri 8/5/16	ETS
462	Monitor social media sites for test security breaches	255 days	Fri 7/1/16	Fri 6/30/17	ETS
463	Perform on-site security audit visits	125 days	Wed 2/1/17	Tue 7/25/17	ETS
464	Investigate test security breaches as needed	125 days	Wed 2/1/17	Tue 7/25/17	ETS
465	Deliver audit reports to CDE	125 days	Wed 2/8/17	Tue 8/1/17	ETS
466	Data Driven Improvement	237 days	Fri 7/1/16	Tue 6/6/17	
467	Pre-Testing Data Collection	77 days	Tue 10/25/16	Tue 2/14/17	
468	Pre-Test Survey	77 days	Tue 10/25/16	Tue 2/14/17	
469	Develop Pre-Test Survey	20 days	Tue 10/25/16	Mon 11/21/16	ETS
470	CDE reviews Pre-Test Survey	10 days	Tue 11/22/16	Wed 12/7/16	CDE
471	Revise Pre-Test Survey	3 days	Thu 12/8/16	Mon 12/12/16	ETS
472	CDE 2nd review of Pre-Test Survey	5 days	Tue 12/13/16	Mon 12/19/16	CDE
473	Apply updates and deliver final Pre-Test Survey to CDE for approval	3 days	Tue 12/20/16	Thu 12/22/16	ETS
474	Administer Pre-Test Survey	20 days	Tue 1/3/17	Mon 1/30/17	ETS
475	Analyze survey results	10 days	Tue 1/31/17	Mon 2/13/17	ETS
476	Deliver survey results & recommended program improvements to CDE	1 day	Tue 2/14/17	Tue 2/14/17	ETS
477	Post-Testing Data Collection	237 days	Fri 7/1/16	Tue 6/6/17	
478	Post-Test Survey	67 days	Mon 3/6/17	Tue 6/6/17	
479	Develop Post-Test Survey	20 days	Mon 3/6/17	Fri 3/31/17	ETS
480	CDE reviews Post-Test Survey	10 days	Mon 4/3/17	Fri 4/14/17	CDE
481	Revise Post-Test Survey	3 days	Mon 4/17/17	Wed 4/19/17	ETS
482	CDE 2nd review of Post-Test Survey	5 days	Thu 4/20/17	Wed 4/26/17	CDE

ID	Task Name	Duration	Start	Finish	Resource Names
483	Apply updates and deliver final Post-Test Survey to CDE for approval	3 days	Thu 4/27/17	Mon 5/1/17	ETS
484	Administer Post-Test Survey	20 days	Tue 5/9/17	Mon 6/5/17	ETS
485	Deliver survey results & recommended program improvements to CDE	1 day	Tue 6/6/17	Tue 6/6/17	ETS
486	Post-Test Focus Groups for Administrators	60 days	Fri 7/1/16	Mon 9/26/16	
487	Prepare materials for Post-Test Focus Groups	9 days	Fri 7/1/16	Thu 7/14/16	ETS
488	Conduct Sacramento focus group	2 days	Fri 7/15/16	Mon 7/18/16	ETS
489	Conduct Southern CA focus group	2 days	Thu 7/28/16	Fri 7/29/16	ETS
490	Compile results and recommended program improvements to CDE	40 days	Mon 8/1/16	Mon 9/26/16	ETS
491	Test Coordinator Advisory Group	162 days	Thu 8/18/16	Fri 4/7/17	
492	Prepare materials for Test Coordinator Advisory Group 1	20 days	Thu 8/18/16	Thu 9/15/16	ETS
493	Conduct September Advisory Group 1	1 day	Fri 9/16/16	Fri 9/16/16	ETS
494	Compile results and recommended program improvements to CDE	40 days	Mon 9/19/16	Fri 11/11/16	ETS
495	Prepare materials for Test Coordinator Advisory Group 2	20 days	Fri 1/13/17	Thu 2/9/17	ETS
496	Conduct February Advisory Group 2	1 day	Fri 2/10/17	Fri 2/10/17	ETS
497	Compile results and recommended program improvements to CDE	40 days	Mon 2/13/17	Fri 4/7/17	ETS
498	caaspp.org User Focus Group	62 days	Wed 8/24/16	Fri 11/18/16	
499	Prepare materials for caaspp.org Focus Groups	20 days	Wed 8/24/16	Wed 9/21/16	ETS
500	Conduct caaspp.org User Focus group	2 days	Thu 9/22/16	Fri 9/23/16	ETS
501	Compile results and recommended program improvements to CDE	40 days	Mon 9/26/16	Fri 11/18/16	ETS
502	Project Management Complete	0 days	Tue 8/1/17	Tue 8/1/17	
503	Training & LEA Support	252 days	Fri 7/1/16	Tue 6/27/17	
504	Training & LEA Support Begins	0 days	Fri 7/1/16	Fri 7/1/16	
505	CalTAC	252 days	Fri 7/1/16	Tue 6/27/17	
506	Train CalTAC staff on the CAASPP program	10 days	Fri 7/1/16	Fri 7/15/16	ETS
507	Establish help desk technical phone, web chat and e-mail support	10 days	Fri 7/1/16	Fri 7/15/16	ETS
508	Perform technology support site visits as needed	242 days	Mon 7/18/16	Tue 6/27/17	ETS
509	LEA CAASPP Coordinator Designation Forms & Security Agreements	64 days	Fri 7/1/16	Fri 9/30/16	
510	Collect LEA CAASPP coordinator designation forms and security agreements	50 days	Fri 7/1/16	Mon 9/12/16	ETS
511	Input updates into the LEA CAASPP coordinator database	43 days	Mon 8/1/16	Thu 9/29/16	ETS
512	Provide CDE access to the CAASPP coordinator database	1 day	Fri 9/30/16	Fri 9/30/16	ETS
513	LEA Technology Readiness	91 days	Mon 8/1/16	Thu 12/8/16	
514	Develop technology readiness information collection methodologies	30 days	Mon 8/1/16	Mon 9/12/16	ETS
515	Collect technology readiness information from LEAs	40 days	Tue 9/13/16	Mon 11/7/16	ETS
516	Conduct outreach campaign to non-responsive LEAs	20 days	Tue 11/8/16	Wed 12/7/16	ETS
517	Present readiness results to CDE	1 day	Thu 12/8/16	Thu 12/8/16	ETS
518	Summative Assessment Test Administration Training Manuals	216 days	Fri 7/1/16	Mon 5/8/17	
519	Smarter Balanced Test Administration Manual (TAM)	111 days	Fri 7/1/16	Thu 12/8/16	

ID	Task Name	Duration	Start	Finish	Resource Names
520	TAM available from Smarter Balanced	0 days	Fri 7/1/16	Fri 7/1/16	Smarter Balanced
521	Adapt Smarter Balanced TAM for California	15 days	Tue 9/13/16	Mon 10/3/16	ETS
522	CDE reviews Smarter Balanced TAM	10 days	Tue 10/4/16	Mon 10/17/16	CDE
523	Apply CDE edits to Smarter Balanced TAM	3 days	Tue 10/18/16	Thu 10/20/16	ETS
524	CDE 2nd review of Smarter Balanced TAM	5 days	Fri 10/21/16	Thu 10/27/16	CDE
525	Apply updates and deliver final Smarter Balanced TAM to CDE for approval	3 days	Fri 10/28/16	Tue 11/1/16	ETS
526	Post Smarter Balanced TAM to caaspp.org	1 day	Wed 11/2/16	Wed 11/2/16	ETS
527	Print Smarter Balanced TAM	20 days	Wed 11/2/16	Thu 12/1/16	ETS
528	Distribute Smarter Balanced TAM to LEAs	5 days	Fri 12/2/16	Thu 12/8/16	ETS
529	Alternate Assessment Test Administration Manual (TAM)	72 days	Mon 8/15/16	Wed 11/23/16	
530	Develop Alternate Assessment TAM	25 days	Mon 8/15/16	Mon 9/19/16	ETS
531	CDE reviews Alternate Assessment TAM	10 days	Tue 9/20/16	Mon 10/3/16	CDE
532	Apply CDE edits to Alternate Assessment TAM	3 days	Tue 10/4/16	Thu 10/6/16	ETS
533	CDE 2nd review of Alternate Assessment TAM	5 days	Fri 10/7/16	Thu 10/13/16	CDE
534	Apply updates and deliver final Alternate Assessment TAM to CDE for approval	3 days	Fri 10/14/16	Tue 10/18/16	ETS
535	Post Alternate Assessment TAM to caaspp.org	1 day	Wed 10/19/16	Wed 10/19/16	ETS
536	Print Alternate Assessment TAM	20 days	Thu 10/20/16	Wed 11/16/16	ETS
537	Distribute Alternate Assessment TAM to LEAs	5 days	Thu 11/17/16	Wed 11/23/16	ETS
538	CST, CMA, CAPA Science, STS Paper/Pencil TAM	56 days	Mon 8/8/16	Tue 10/25/16	
539	Develop CST, CMA, CAPA Science & STS Paper/Pencil TAM	10 days	Mon 8/8/16	Fri 8/19/16	ETS
540	CDE reviews CST, CMA, CAPA Science & STS Paper/Pencil TAM	10 days	Mon 8/22/16	Fri 9/2/16	CDE
541	Apply CDE edits to CST, CMA, CAPA Science & STS Paper/Pencil TAM	3 days	Tue 9/6/16	Thu 9/8/16	ETS
542	CDE 2nd review of CST, CMA, CAPA Science & STS Paper/Pencil TAM	5 days	Fri 9/9/16	Thu 9/15/16	CDE
543	Apply updates and deliver final CST, CMA, CAPA Science & STS Paper/Pencil TAM to CDE for approval	3 days	Fri 9/16/16	Tue 9/20/16	ETS
544	Post CST, CMA, CAPA Science & STS Paper/Pencil TAM to caaspp.org	1 day	Wed 9/21/16	Wed 9/21/16	ETS
545	Print CST, CMA, CAPA Science & STS Paper/Pencil TAM	20 days	Wed 9/21/16	Tue 10/18/16	ETS
546	Distribute CST, CMA, CAPA Science & STS Paper/Pencil TAM to LEAs	5 days	Wed 10/19/16	Tue 10/25/16	ETS
547	LEA CAASPP Test Coordinators Manual (LEA TCM)	47 days	Fri 10/28/16	Fri 1/6/17	
548	Develop LEA TCM	25 days	Fri 10/28/16	Mon 12/5/16	ETS
549	CDE reviews LEA TCM	10 days	Tue 12/6/16	Mon 12/19/16	CDE
550	Apply CDE edits to LEA TCM	3 days	Tue 12/20/16	Thu 12/22/16	ETS
551	CDE 2nd review of LEA TCM	5 days	Tue 12/27/16	Mon 1/2/17	CDE
552	Apply updates and deliver final LEA TCM to CDE for approval	3 days	Tue 1/3/17	Thu 1/5/17	ETS
553	Post LEA TCM to caaspp.org	1 day	Fri 1/6/17	Fri 1/6/17	ETS
554	Test Site Coordinators Manual (SCM)	47 days	Fri 10/28/16	Fri 1/6/17	
555	Develop SCM	25 days	Fri 10/28/16	Mon 12/5/16	ETS
556	CDE reviews SCM	10 days	Tue 12/6/16	Mon 12/19/16	CDE

ID	Task Name	Duration	Start	Finish	Resource Names
557	Apply CDE edits to SCM	3 days	Tue 12/20/16	Thu 12/22/16	ETS
558	CDE 2nd review of SCM	5 days	Tue 12/27/16	Mon 1/2/17	CDE
559	Apply updates and deliver final SCM to CDE for approval	3 days	Tue 1/3/17	Thu 1/5/17	ETS
560	Post SCM to caaspp.org	1 day	Fri 1/6/17	Fri 1/6/17	ETS
561	Test Examiners Manual (TEM)	47 days	Fri 11/4/16	Fri 1/13/17	
562	Develop TEM	25 days	Fri 11/4/16	Mon 12/12/16	ETS
563	CDE reviews TEM	10 days	Tue 12/13/16	Wed 12/28/16	CDE
564	Apply CDE edits to TEM	3 days	Thu 12/29/16	Mon 1/2/17	ETS
565	CDE 2nd review of TEM	5 days	Tue 1/3/17	Mon 1/9/17	CDE
566	Apply updates and deliver final TEM to CDE for approval	3 days	Tue 1/10/17	Thu 1/12/17	ETS
567	Post TEM to caaspp.org	1 day	Fri 1/13/17	Fri 1/13/17	ETS
568	Technology Services Coordinators Manual (TSCM)	47 days	Fri 11/4/16	Fri 1/13/17	
569	Develop TSCM	25 days	Fri 11/4/16	Mon 12/12/16	ETS
570	CDE reviews TSCM	10 days	Tue 12/13/16	Wed 12/28/16	CDE
571	Apply CDE edits to TSCM	3 days	Thu 12/29/16	Mon 1/2/17	ETS
572	CDE 2nd review of TSCM	5 days	Tue 1/3/17	Mon 1/9/17	CDE
573	Apply updates and deliver final TSCM to CDE for approval	3 days	Tue 1/10/17	Thu 1/12/17	ETS
574	Post TSCM to caaspp.org	1 day	Fri 1/13/17	Fri 1/13/17	ETS
575	CAASPP Test Operations Management System Manual (TOMS)	47 days	Mon 8/15/16	Wed 10/19/16	
576	Develop TOMS manual	25 days	Mon 8/15/16	Mon 9/19/16	ETS
577	CDE reviews TOMS manual	10 days	Tue 9/20/16	Mon 10/3/16	CDE
578	Apply CDE edits to TOMS manual	3 days	Tue 10/4/16	Thu 10/6/16	ETS
579	CDE 2nd review of TOMS manual	5 days	Fri 10/7/16	Thu 10/13/16	CDE
580	Apply updates and deliver final TOMS manual to CDE for approval	3 days	Fri 10/14/16	Tue 10/18/16	ETS
581	Post TOMS manual to caaspp.org	1 day	Wed 10/19/16	Wed 10/19/16	ETS
582	STS for Dual Immersion Students Manual	47 days	Tue 9/13/16	Wed 11/16/16	
583	Develop STS manual	25 days	Tue 9/13/16	Mon 10/17/16	ETS
584	CDE reviews STS manual	10 days	Tue 10/18/16	Mon 10/31/16	CDE
585	Apply CDE edits to STS manual	3 days	Tue 11/1/16	Thu 11/3/16	ETS
586	CDE 2nd review of STS manual	5 days	Fri 11/4/16	Thu 11/10/16	CDE
587	Apply updates and deliver final STS manual to CDE for approval	3 days	Fri 11/11/16	Tue 11/15/16	ETS
588	Post STS manual to caaspp.org	1 day	Wed 11/16/16	Wed 11/16/16	ETS
589	Test Administrator Quick Start Guide	47 days	Tue 9/27/16	Fri 12/2/16	
590	Develop STS manual	25 days	Tue 9/27/16	Mon 10/31/16	ETS
591	CDE reviews STS manual	10 days	Tue 11/1/16	Mon 11/14/16	CDE
592	Apply CDE edits to STS manual	3 days	Tue 11/15/16	Thu 11/17/16	ETS
593	CDE 2nd review of STS manual	5 days	Fri 11/18/16	Mon 11/28/16	CDE
594	Apply updates and deliver final STS manual to CDE for approval	3 days	Tue 11/29/16	Thu 12/1/16	ETS
595	Post STS manual to caaspp.org	1 day	Fri 12/2/16	Fri 12/2/16	ETS

ID	Task Name	Duration	Start	Finish	Resource Names
596	Online Reporting Guide	52 days	Thu 12/22/16	Tue 3/7/17	
597	Develop Online Reporting Guide manual	30 days	Thu 12/22/16	Fri 2/3/17	ETS
598	CDE reviews Online Reporting Guide manual	10 days	Mon 2/6/17	Fri 2/17/17	CDE
599	Apply CDE edits to Online Reporting Guide manual	3 days	Mon 2/20/17	Wed 2/22/17	ETS
600	CDE 2nd review of Online Reporting Guide manual	5 days	Thu 2/23/17	Wed 3/1/17	CDE
601	Apply updates and deliver final Online Reporting Guide manual to CDE for approval	3 days	Thu 3/2/17	Mon 3/6/17	ETS
602	Post Online Reporting Guide to caaspp.org	1 day	Tue 3/7/17	Tue 3/7/17	ETS
603	CAASPP Post-Test Guide	76 days	Mon 1/23/17	Mon 5/8/17	
604	Develop Post-Test Guide	30 days	Mon 1/23/17	Fri 3/3/17	ETS
605	CDE reviews Post-Test Guide	10 days	Mon 3/6/17	Fri 3/17/17	CDE
606	Apply CDE edits to Post-Test Guide	3 days	Mon 3/20/17	Wed 3/22/17	ETS
607	CDE 2nd review of Post-Test Guide	5 days	Thu 3/23/17	Wed 3/29/17	CDE
608	Apply updates and deliver final Post-Test Guide to CDE for approval	3 days	Thu 3/30/17	Mon 4/3/17	ETS
609	Post Post-Test Guide to caaspp.org	1 day	Tue 4/4/17	Tue 4/4/17	ETS
610	Print Post-Test Guide	20 days	Tue 4/4/17	Mon 5/1/17	ETS
611	Distribute Post-Test Guide to LEAs	5 days	Tue 5/2/17	Mon 5/8/17	ETS
612	Training Webcasts and Workshops	193 days	Fri 8/19/16	Tue 5/23/17	
613	Training Webcasts	188 days	Fri 8/19/16	Tue 5/16/17	
614	Present and archive Using the Digital Library webcast	1 day	Fri 8/19/16	Fri 8/19/16	ETS
615	Present and archive Using Interim Assessments webcast	1 day	Fri 9/9/16	Fri 9/9/16	ETS
616	Present and archive Preparing CALPADS Data for Testing webcast	1 day	Fri 9/16/16	Fri 9/16/16	ETS
617	Present and archive Test Operations Management System (TOMS) Training webcast	1 day	Fri 9/23/16	Fri 9/23/16	ETS
618	Present and archive Preparing Technology for Online Testing webcast	1 day	Fri 10/14/16	Fri 10/14/16	ETS
619	Present and archive Accessibility and Accommodations webcast	1 day	Fri 10/21/16	Fri 10/21/16	ETS
620	Present and archive Using the Online Practice Tests and Training Tests webcast	1 day	Fri 11/18/16	Fri 11/18/16	ETS
621	Present and archive Pre-Test webcast	1 day	Wed 1/11/17	Wed 1/11/17	ETS,AIR
622	Present and archive Alternate Assessment training webcast	1 day	Thu 1/12/17	Thu 1/12/17	ETS
623	Present and archive Test Security LEA Training webcast	1 day	Wed 1/18/17	Wed 1/18/17	ETS
624	Present and archive Post-Test webcast	1 day	Tue 5/16/17	Tue 5/16/17	ETS
625	Regional Training Workshops	178 days	Mon 9/12/16	Tue 5/23/17	
626	Present regional Digital Library and Interim workshops	5 days	Mon 9/12/16	Fri 9/16/16	ETS
627	Present regional Pre-Test Workshops	22 days	Mon 1/16/17	Tue 2/14/17	ETS,AIR
628	Present regional Post-Test Workshops	5 days	Wed 5/17/17	Tue 5/23/17	ETS
629	Interim CR Scoring Training	101 days	Thu 10/13/16	Wed 3/8/17	
630	Receive CR scoring methodology and procedures from Smarter Balanced	1 day	Thu 10/13/16	Thu 10/13/16	Smarter Balanced
631	Produce workshop slides and e-mail announcement	20 days	Thu 1/19/17	Wed 2/15/17	ETS
632	Deliver summative and interim CR scoring training workshops	15 days	Thu 2/16/17	Wed 3/8/17	ETS
633	Training & LEA Support Complete	0 days	Tue 6/27/17	Tue 6/27/17	

ID	Task Name	Duration	Start	Finish	Resource Names
634	Test Development	402 days	Fri 7/1/16	Tue 1/23/18	
635	Begin Test Development	0 days	Fri 7/1/16	Fri 7/1/16	
636	Primary Language Pilot Test	93 days	Mon 2/6/17	Wed 6/14/17	
637	Administer Primary Language Pilot Test	30 days	Mon 2/6/17	Fri 3/17/17	ETS
638	Conduct range finding external committee meeting	2 days	Mon 4/17/17	Tue 4/18/17	ETS,CDE,External Committee
639	CDE approves training scoring sets	10 days	Wed 4/19/17	Tue 5/2/17	CDE
640	Perform analysis on pilot test data	20 days	Wed 4/26/17	Tue 5/23/17	ETS
641	CDE reviews pilot test data	10 days	Wed 5/24/17	Tue 6/6/17	CDE
642	Conduct data review external committee meeting	1 day	Wed 6/7/17	Wed 6/7/17	ETS,CDE,External Committee
643	CDE approval of data review results	5 days	Thu 6/8/17	Wed 6/14/17	CDE
644	NGSS Pilot Test (Including Alt NGSS)	73 days	Mon 2/6/17	Wed 5/17/17	
645	Administer NGSS Pilot Test	30 days	Mon 2/6/17	Fri 3/17/17	ETS
646	Conduct range finding external committee meeting	2 days	Mon 4/17/17	Tue 4/18/17	ETS,CDE,External Committee
647	Perform analysis on pilot test data	20 days	Wed 4/19/17	Tue 5/16/17	ETS
648	Conduct data review external committee meeting	1 day	Wed 5/17/17	Wed 5/17/17	ETS,CDE,External Committee
649	Alternate Assessment ELA/Math Embedded Field Test Item Development	43 days	Fri 7/1/16	Wed 8/31/16	
650	Develop Alternate Assessment ELA/Math Assessment items	26 days	Fri 7/1/16	Mon 8/8/16	ETS
651	CDE reviews new items	10 days	Tue 8/9/16	Mon 8/22/16	CDE
652	External committee item review meetings	2 days	Tue 8/23/16	Wed 8/24/16	ETS,CDE,External Committee
653	CDE approves new items	5 days	Thu 8/25/16	Wed 8/31/16	CDE
654	Primary Language Standalone Census Field Test Preparation	284 days	Tue 12/20/16	Tue 1/23/18	
655	Revise Primary Language Assessment items as needed	81 days	Tue 12/20/16	Thu 4/13/17	ETS
656	CDE reviews new Primary Language items	15 days	Fri 4/14/17	Thu 5/4/17	CDE
657	Update items based on CDE review	3 days	Fri 5/5/17	Tue 5/9/17	ETS
658	CDE approves new items	5 days	Wed 5/10/17	Tue 5/16/17	CDE
659	Finalize items and develop field test forms	83 days	Wed 5/17/17	Fri 9/8/17	ETS
660	CDE reviews field test forms	18 days	Mon 9/11/17	Wed 10/4/17	CDE
661	External committee field test forms review meeting	2 days	Thu 10/5/17	Fri 10/6/17	ETS,CDE,External Committee
662	CDE approves field test forms	5 days	Mon 10/9/17	Fri 10/13/17	CDE
663	Prepare for online test delivery	72 days	Mon 10/16/17	Tue 1/23/18	ETS
664	NGSS Science (Including Alt NGSS) Standalone Census Field Test Preparation	320 days	Tue 9/27/16	Fri 12/22/17	
665	Revise NGSS Science items as needed	152 days	Tue 9/27/16	Tue 5/2/17	ETS
666	External committee item review meetings	3 days	Wed 5/3/17	Fri 5/5/17	External Committee,CDE,ETS
667	Develop pilot test forms & CDE review/approval	100 days	Mon 5/8/17	Fri 9/22/17	ETS,CDE
668	Prepare for online test delivery	65 days	Mon 9/25/17	Fri 12/22/17	ETS
669	Test Development Complete	0 days	Tue 1/23/18	Tue 1/23/18	

ID	Task Name	Duration	Start	Finish	Resource Names
670	Operational Test Administration	517 days	Fri 7/1/16	Tue 7/3/18	
671	Operational Test Administration Begins	0 days	Fri 7/1/16	Fri 7/1/16	
672	CAASPP Assessments	270 days	Fri 7/1/16	Fri 7/21/17	
673	Testing Systems	156 days	Fri 7/1/16	Mon 2/13/17	
674	Minimum System Requirements Document	20 days	Fri 7/1/16	Fri 7/29/16	
675	Develop Minimum System Requirements Document	5 days	Fri 7/1/16	Fri 7/8/16	ETS
676	CDE reviews and approves Minimum System Requirements Document	15 days	Mon 7/11/16	Fri 7/29/16	CDE
677	System Configurations	20 days	Fri 7/1/16	Fri 7/29/16	
678	Develop list of system configurations	5 days	Fri 7/1/16	Fri 7/8/16	ETS
679	CDE reviews and approves system configurations	15 days	Mon 7/11/16	Fri 7/29/16	CDE
680	Item Transfer	11 days	Fri 7/1/16	Mon 7/18/16	
681	Receive Interim items from Smarter Balanced	1 day	Fri 7/1/16	Fri 7/1/16	Smarter Balanced
682	Import Interim field test items from Smarter Balanced	10 days	Tue 7/5/16	Mon 7/18/16	ETS
683	Receive Summative pools from Smarter Balanced	1 day	Fri 7/1/16	Fri 7/1/16	Smarter Balanced
684	Import items from Smarter Balanced and embed new field test items into testing system	10 days	Tue 7/5/16	Mon 7/18/16	ETS
685	Test Operations Management System (TOMS)	71 days	Fri 7/1/16	Tue 10/11/16	
686	CDE confirms CALPADS information and list of designated supports/accommodations	1 day	Fri 7/1/16	Fri 7/1/16	CDE
687	Confirm business requirements for pre-test delivery reporting and application enhancements	1 day	Tue 7/5/16	Tue 7/5/16	ETS
688	Update CALPADS import function	20 days	Tue 7/5/16	Mon 8/1/16	ETS
689	Configure TOMS enhancements for the 2017 CAASPP administration	15 days	Mon 8/1/16	Fri 8/19/16	ETS
690	Begin daily updates of district and school user contact information	1 day	Mon 8/22/16	Mon 8/22/16	ETS
691	Functional testing	10 days	Mon 8/22/16	Fri 9/2/16	ETS
692	Dev-2-Dev Testing	5 days	Tue 9/6/16	Mon 9/12/16	ETS
693	Integration testing	10 days	Tue 9/13/16	Mon 9/26/16	ETS
694	Load testing	10 days	Tue 9/13/16	Mon 9/26/16	ETS
695	CDE UAT of TOMS enhancements	5 days	Tue 9/27/16	Mon 10/3/16	CDE
696	Apply fixes to TOMS enhancements	5 days	Tue 10/4/16	Mon 10/10/16	ETS
697	Deploy enhancements to TOMS	1 day	Tue 10/11/16	Tue 10/11/16	ETS
698	CA ISAAP Tool	49 days	Wed 7/6/16	Tue 9/13/16	
699	Gather business requirements for CA ISAAP tool enhancements	20 days	Wed 7/6/16	Tue 8/2/16	ETS
700	Configure CA ISAAP tool for the 2017 administration	5 days	Mon 8/22/16	Fri 8/26/16	ETS
701	CDE UAT of CA ISAAP Tool	5 days	Mon 8/29/16	Fri 9/2/16	CDE
702	Apply fixes to CA ISAPP	5 days	Tue 9/6/16	Mon 9/12/16	ETS
703	Deploy CA ISAAP Tool	1 day	Tue 9/13/16	Tue 9/13/16	ETS
704	Test Delivery System (TDS)	121 days	Mon 8/22/16	Mon 2/13/17	
705	Update Secure Browsers	25 days	Tue 9/27/16	Mon 10/31/16	AIR
706	Gather business requirements for application enhancements	10 days	Mon 8/22/16	Fri 9/2/16	ETS,AIR
707	Configure TDS for the 2017 CAASPP administration	40 days	Tue 9/6/16	Mon 10/31/16	AIR

ID	Task Name	Duration	Start	Finish	Resource Names
708	TDS Testing for Interim Assessments	41 days	Tue 11/1/16	Mon 1/2/17	
709	Functional testing	10 days	Tue 11/1/16	Mon 11/14/16	AIR,ETS
710	Dev-2-Dev Testing	5 days	Tue 11/15/16	Mon 11/21/16	ETS,AIR
711	Integration testing	5 days	Tue 11/22/16	Wed 11/30/16	ETS,AIR
712	Load testing	5 days	Thu 12/1/16	Wed 12/7/16	ETS,AIR
713	CDE UAT	10 days	Tue 11/22/16	Wed 12/7/16	CDE
714	End-to-End (E2E) Testing	15 days	Thu 12/8/16	Fri 12/30/16	ETS,AIR
715	Deploy TDS for Interim Assessments including Teacher Hand Scoring	1 day	Mon 1/2/17	Mon 1/2/17	AIR
716	TDS Testing for Summative Assessments	41 days	Thu 12/15/16	Mon 2/13/17	
717	Functional testing	10 days	Thu 12/15/16	Fri 12/30/16	AIR,ETS
718	Dev-2-Dev Testing	5 days	Mon 1/2/17	Fri 1/6/17	ETS,AIR
719	Integration testing	5 days	Mon 1/9/17	Fri 1/13/17	ETS,AIR
720	Load testing	5 days	Mon 1/16/17	Fri 1/20/17	ETS,AIR
721	CDE UAT	10 days	Mon 1/9/17	Fri 1/20/17	CDE
722	End-to-End (E2E) Testing	15 days	Mon 1/23/17	Fri 2/10/17	ETS,AIR
723	Deploy TDS for Summative Assessments including Online Reporting System and Participation Reports	1 day	Mon 2/13/17	Mon 2/13/17	AIR
724	Formative Digital Library	116 days	Tue 9/13/16	Mon 2/27/17	
725	Provide access to Digital Library	116 days	Tue 9/13/16	Mon 2/27/17	ETS
726	Interim Assessment Registration, Test Content and Ancillaries	171 days	Fri 7/1/16	Mon 3/6/17	
727	Current Interim Assessments available	0 days	Fri 7/1/16	Fri 7/1/16	Smarter Balanced
728	Update enrollment/test administration information	50 days	Tue 9/27/16	Wed 12/7/16	ETS
729	New enhanced test packages available from Smarter Balanced	0 days	Mon 2/6/17	Mon 2/6/17	Smarter Balanced
730	Process new test packages	20 days	Mon 2/6/17	Fri 3/3/17	AIR
731	Updated Interim Comprehensive Assessment (summative clone) (ICA) launched	1 day	Mon 3/6/17	Mon 3/6/17	AIR
732	Updated Interim Assessment Blocks (IAB) launched	1 day	Mon 3/6/17	Mon 3/6/17	AIR
733	Configure Smarter Balanced System User Guide for CA	40 days	Fri 7/1/16	Fri 8/26/16	ETS,AIR
734	Configure Smarter Balanced Scoring Guide for CA	40 days	Fri 7/1/16	Fri 8/26/16	ETS,AIR
735	Configure Smarter Balanced System Infrastructure Guide for CA	40 days	Fri 7/1/16	Fri 8/26/16	ETS,AIR
736	Configure Smarter Balanced System Training Workbook for CA	40 days	Fri 7/1/16	Fri 8/26/16	ETS,AIR
737	Interim Assessment Reporting	101 days	Tue 2/14/17	Tue 7/4/17	
738	Deliver Interim Results to Smarter Balanced	101 days	Tue 2/14/17	Tue 7/4/17	ETS,AIR
739	Summative Computer Based Assessments	171 days	Mon 11/14/16	Fri 7/14/17	
740	Summative content packages available for CAT	0 days	Mon 11/14/16	Mon 11/14/16	Smarter Balanced
741	Summative content packages available for PT	0 days	Thu 12/1/16	Thu 12/1/16	Smarter Balanced
742	Summative test packages available for CAT and PT	0 days	Mon 1/9/17	Mon 1/9/17	Smarter Balanced
743	Import and QC test packages	20 days	Mon 1/9/17	Fri 2/3/17	ETS
744	Update enrollment/test administration information	20 days	Mon 1/16/17	Fri 2/10/17	ETS
745	Administer summative assessments (Smarter Balanced ELA/Math, ELA/Math Alternate)	90 days	Mon 3/13/17	Fri 7/14/17	ETS

ID	Task Name	Duration	Start	Finish	Resource Names
746	Summative Paper/Pencil Testing	199 days	Wed 10/12/16	Fri 7/21/17	
747	Reprint CST/CMA/CAPA Science & STS paper test	30 days	Tue 11/15/16	Fri 12/30/16	ETS
748	Receive material orders	35 days	Wed 10/12/16	Thu 12/1/16	ETS
749	Receive paper-based tests from Smarter Balanced	1 day	Mon 12/5/16	Mon 12/5/16	Smarter Balanced
750	Add covers	10 days	Tue 12/6/16	Mon 12/19/16	ETS
751	Print all summative operational paper tests	30 days	Tue 12/20/16	Wed 2/1/17	ETS
752	Distribute paper tests as needed	88 days	Thu 2/16/17	Mon 6/19/17	ETS
753	Receive paper tests	75 days	Mon 3/20/17	Fri 6/30/17	ETS
754	Scan paper tests	76 days	Mon 3/20/17	Mon 7/3/17	ETS
755	Conduct resolutions on paper tests	90 days	Mon 3/20/17	Fri 7/21/17	ETS
756	Special Versions	150 days	Tue 12/6/16	Wed 7/5/17	
757	Produce large print & Braille	40 days	Tue 12/6/16	Wed 2/1/17	ETS
758	Deliver large print and Braille as requested	100 days	Thu 2/16/17	Wed 7/5/17	ETS
759	Scoring	90 days	Mon 3/27/17	Fri 7/28/17	
760	Summative Computer Based Assessments	90 days	Mon 3/27/17	Fri 7/28/17	
761	Hand and AI scoring occurs	90 days	Mon 3/27/17	Fri 7/28/17	ETS,MI
762	Perform scoring QC	90 days	Mon 3/27/17	Fri 7/28/17	ETS
763	Final scoring occurs	90 days	Mon 3/27/17	Fri 7/28/17	ETS
764	Psychometric Analysis	38 days	Mon 5/22/17	Wed 7/12/17	
765	Conduct Item Analysis of CAASPP Summative assessments	16 days	Mon 5/22/17	Mon 6/12/17	ETS
766	Item Analysis Files delivered to CDE	1 day	Tue 6/13/17	Tue 6/13/17	ETS
767	Facilitate Alternate Assessment Data Review meeting	1 day	Wed 7/12/17	Wed 7/12/17	ETS
768	Reporting	472 days	Tue 9/6/16	Tue 7/3/18	
769	Summative Assessment	472 days	Tue 9/6/16	Tue 7/3/18	
770	Delivery of Data Files to CDE and Smarter Balanced	117 days	Mon 3/27/17	Tue 9/5/17	
771	Prepare student data files	90 days	Mon 3/27/17	Fri 7/28/17	ETS
772	Post initial student data files to SFTP site for CDE and Smarter BalancedSmarter Balanced Data Warehouse	1 day	Mon 7/31/17	Mon 7/31/17	ETS
773	Post final data files to SFTP site for CDE and Smarter BalancedSmarter Balanced Data Warehouse	1 day	Tue 9/5/17	Tue 9/5/17	ETS
774	Online Reporting Systems	472 days	Tue 9/6/16	Tue 7/3/18	
775	Online Reporting Systems Setup	37 days	Tue 9/6/16	Wed 10/26/16	
776	Gather specifications for AIR online reporting systems	5 days	Tue 9/6/16	Mon 9/12/16	ETS,AIR
777	CDE reviews online reporting system specifications	10 days	Tue 9/13/16	Mon 9/26/16	CDE
778	Configure online reporting systems	20 days	Tue 9/27/16	Mon 10/24/16	ETS,AIR
779	Demonstrate online reporting systems to CDE	1 day	Tue 10/25/16	Tue 10/25/16	ETS,AIR
780	Deploy online reporting system	1 day	Wed 10/26/16	Wed 10/26/16	ETS,AIR
781	Student Level Reporting	375 days	Wed 1/25/17	Tue 7/3/18	
782	Provide final individual scores within 4 weeks of student online test completion	90 days	Wed 2/28/18	Tue 7/3/18	ETS,AIR
783	Launch ISR availability within online reporting system	1 day	Wed 1/25/17	Wed 1/25/17	ETS,AIR

ID	Task Name	Duration	Start	Finish	Resource Names
784	School Level Reporting	1 day	Thu 4/13/17	Thu 4/13/17	
785	Launch school level reporting functionality	1 day	Thu 4/13/17	Thu 4/13/17	ETS,AIR
786	LEA Level Reporting	1 day	Fri 4/28/17	Fri 4/28/17	
787	Launch LEA level reporting functionality	1 day	Fri 4/28/17	Fri 4/28/17	ETS,AIR
788	State Level Reporting	188 days	Tue 10/25/16	Wed 7/19/17	
789	State Aggregate Reporting Website	188 days	Tue 10/25/16	Wed 7/19/17	
790	Develop business requirements	45 days	Tue 10/25/16	Fri 12/30/16	ETS
791	CDE provides text for site	1 day	Mon 3/27/17	Mon 3/27/17	CDE
792	Construct web reporting site	30 days	Tue 3/28/17	Mon 5/8/17	ETS
793	CDE UAT of Web Reporting Site	10 days	Tue 5/9/17	Mon 5/22/17	CDE
794	CDE provides feedback on changes needed	10 days	Tue 5/23/17	Mon 6/5/17	CDE
795	Apply changes	5 days	Tue 6/6/17	Mon 6/12/17	ETS
796	CDE second UAT	5 days	Tue 6/13/17	Mon 6/19/17	CDE
797	Finalize site with CDE updates	5 days	Tue 6/20/17	Mon 6/26/17	ETS
798	Deploy State level reporting website	1 day	Wed 7/19/17	Wed 7/19/17	ETS
799	Individual Student Report	195 days	Tue 10/25/16	Fri 7/28/17	
800	Develop individual student report	40 days	Tue 10/25/16	Wed 12/21/16	ETS
801	CDE reviews individual student report	10 days	Thu 12/22/16	Fri 1/6/17	CDE
802	Update individual student report	3 days	Mon 1/9/17	Wed 1/11/17	ETS
803	CDE 2nd review of individual student report	5 days	Thu 1/12/17	Wed 1/18/17	CDE
804	Apply updates & submit to CDE for approval	3 days	Thu 1/19/17	Mon 1/23/17	ETS
805	Provide electronic student roster reports to LEAs	20 days	Mon 7/3/17	Fri 7/28/17	ETS
806	Print and ship Individual Student Reports (ISR) to LEAs	20 days	Mon 7/3/17	Fri 7/28/17	ETS
807	Rescore Process	120 days	Mon 3/27/17	Fri 9/8/17	
808	LEAs request rescores	90 days	Mon 3/27/17	Fri 7/28/17	LEAs
809	Provide rescore results	90 days	Mon 5/8/17	Fri 9/8/17	ETS
810	Invoicing for rescores occurs	10 days	Mon 5/15/17	Fri 5/26/17	ETS
811	Interpretive Guides	31 days	Mon 3/20/17	Mon 5/1/17	
812	Produce interpretive guides	30 days	Mon 3/20/17	Fri 4/28/17	ETS
813	Post interpretive guides	1 day	Mon 5/1/17	Mon 5/1/17	ETS
814	Technical Report	61 days	Wed 9/6/17	Wed 11/29/17	
815	Develop Technical Manual	40 days	Wed 9/6/17	Tue 10/31/17	ETS
816	CDE reviews Technical Report and returns edits to ETS	10 days	Wed 11/1/17	Tue 11/14/17	CDE
817	ETS applies edits and delivers final Technical Report to CDE	3 days	Wed 11/15/17	Fri 11/17/17	ETS
818	CDE 2nd review of Technical Report	5 days	Mon 11/20/17	Fri 11/24/17	CDE
819	Apply updates and deliver Technical Manual to CDE for approval	3 days	Mon 11/27/17	Wed 11/29/17	ETS
820	Operational Test Administration Complete	0 days	Tue 7/3/18	Tue 7/3/18	
821	Year two complete	0 days	Tue 1/23/18	Tue 1/23/18	
822	Administration Year Three (July 2017 - December 2018)	397 days	Thu 6/22/17	Fri 12/28/18	

ID	Task Name	Duration	Start	Finish	Resource Names
823	Begin administration year three	0 days	Mon 7/3/17	Mon 7/3/17	
824	Project Management	397 days	Thu 6/22/17	Fri 12/28/18	
825	Project Management Begins	0 days	Mon 7/3/17	Mon 7/3/17	
826	Annual Planning Meetings	35 days	Thu 6/22/17	Wed 8/9/17	
827	Schedule and prepare/ship materials for annual planning meeting	3 days	Thu 6/22/17	Mon 6/26/17	ETS
828	Conduct annual planning meeting	3 days	Mon 7/3/17	Wed 7/5/17	CDE,AIR,MI,ETS
829	Update project documentation and management plan	15 days	Thu 7/6/17	Wed 7/26/17	ETS
830	Prepare meeting minutes/participant list and deliver to CDE	10 days	Thu 7/27/17	Wed 8/9/17	ETS
831	Program Meetings	390 days	Mon 7/3/17	Fri 12/28/18	
832	Conduct weekly internal status meetings	390 days	Mon 7/3/17	Fri 12/28/18	ETS
833	Conduct weekly CDE management meetings	390 days	Mon 7/3/17	Fri 12/28/18	CDE,AIR,MI,ETS
834	Conduct weekly CDE technical meeting	390 days	Mon 7/3/17	Fri 12/28/18	CDE,AIR,MI,ETS
835	State Board Meetings	390 days	Mon 7/3/17	Fri 12/28/18	
836	Attend State Board meetings	390 days	Mon 7/3/17	Fri 12/28/18	CDE,ETS
837	Technical Advisory Group (TAG) Meetings	390 days	Mon 7/3/17	Fri 12/28/18	
838	Work with the CDE to develop TAG agendas	390 days	Mon 7/3/17	Fri 12/28/18	CDE,ETS
839	Attend TAG meetings	390 days	Mon 7/3/17	Fri 12/28/18	CDE,ETS
840	Monthly Progress Reports	390 days	Mon 7/3/17	Fri 12/28/18	
841	Deliver monthly progress reports to CDE	390 days	Mon 7/3/17	Fri 12/28/18	ETS
842	Project Management Plan (PMP) & Project Definitions Document	80 days	Mon 7/3/17	Fri 10/20/17	
843	Project Management Plan for Overall CAASPP Activities	70 days	Mon 7/3/17	Fri 10/6/17	
844	Update Work Breakdown Structure as needed	10 days	Thu 7/6/17	Wed 7/19/17	ETS
845	Update project management plan for overall CAASPP activities as needed	30 days	Mon 7/3/17	Fri 8/11/17	ETS
846	CDE reviews updates to the project management plan for overall CAASPP activities	20 days	Mon 8/14/17	Fri 9/8/17	CDE
847	Finalize updates to the project management plan for overall CAASPP activities	20 days	Mon 9/11/17	Fri 10/6/17	ETS
848	Project Definitions Document for the Assessment Delivery System	70 days	Mon 7/3/17	Fri 10/6/17	
849	Develop draft project management plan for the Assessment Delivery System	30 days	Mon 7/3/17	Fri 8/11/17	ETS,AIR
850	CDE reviews project management plan for the Assessment Delivery System	20 days	Mon 8/14/17	Fri 9/8/17	CDE
851	Finalize project management plan for the Assessment Delivery System	20 days	Mon 9/11/17	Fri 10/6/17	ETS,AIR
852	Integrated Comprehensive Work plan & Project Schedule	10 days	Mon 10/9/17	Fri 10/20/17	
853	CDE reviews comprehensive integrated project schedule	10 days	Mon 10/9/17	Fri 10/20/17	CDE
854	CDE project schedule review complete	0 days	Fri 10/20/17	Fri 10/20/17	CDE
855	Test Security	390 days	Mon 7/3/17	Fri 12/28/18	
856	Update the Test Security Plan for the 2018 administration	2 days	Mon 7/3/17	Tue 7/4/17	ETS
857	Deliver the Test Security Plan to CDE for review	1 day	Wed 7/5/17	Wed 7/5/17	ETS
858	CDE reviews the Test Security Plan	10 days	Thu 7/6/17	Wed 7/19/17	CDE
859	Apply CDE edits to the Test Security Plan	3 days	Thu 7/20/17	Mon 7/24/17	ETS
860	CDE 2nd review of the Test Security Plan	5 days	Tue 7/25/17	Mon 7/31/17	CDE

ID	Task Name	Duration	Start	Finish	Resource Names
861	Apply updates and deliver the final Test Security Plan to CDE for approval	3 days	Tue 8/1/17	Thu 8/3/17	ETS
862	Monitor social media sites for test security breaches	390 days	Mon 7/3/17	Fri 12/28/18	ETS
863	Perform on-site security audit visits	125 days	Wed 1/24/18	Tue 7/17/18	ETS
864	Investigate test security breaches as needed	125 days	Wed 1/24/18	Tue 7/17/18	ETS
865	Deliver audit reports to CDE	125 days	Wed 1/31/18	Tue 7/24/18	ETS
866	Data Driven Improvement	237 days	Mon 7/3/17	Tue 5/29/18	
867	Pre-Testing Data Collection	77 days	Mon 10/23/17	Tue 2/6/18	
868	Pre-Test Survey	77 days	Mon 10/23/17	Tue 2/6/18	
869	Develop Pre-Test Survey	20 days	Mon 10/23/17	Fri 11/17/17	ETS
870	CDE reviews Pre-Test Survey	10 days	Mon 11/20/17	Fri 12/1/17	CDE
871	Revise Pre-Test Survey	3 days	Mon 12/4/17	Wed 12/6/17	ETS
872	CDE 2nd review of Pre-Test Survey	5 days	Thu 12/7/17	Wed 12/13/17	CDE
873	Apply updates and deliver final Pre-Test Survey to CDE for approval	3 days	Thu 12/14/17	Mon 12/18/17	ETS
874	Administer Pre-Test Survey	20 days	Tue 12/26/17	Mon 1/22/18	ETS
875	Analyze survey results	10 days	Tue 1/23/18	Mon 2/5/18	ETS
876	Deliver survey results & recommended program improvements to CDE	1 day	Tue 2/6/18	Tue 2/6/18	ETS
877	Post-Testing Data Collection	237 days	Mon 7/3/17	Tue 5/29/18	
878	Post-Test Survey	67 days	Mon 2/26/18	Tue 5/29/18	
879	Develop Post-Test Survey	20 days	Mon 2/26/18	Fri 3/23/18	ETS
880	CDE reviews Post-Test Survey	10 days	Mon 3/26/18	Fri 4/6/18	CDE
881	Revise Post-Test Survey	3 days	Mon 4/9/18	Wed 4/11/18	ETS
882	CDE 2nd review of Post-Test Survey	5 days	Thu 4/12/18	Wed 4/18/18	CDE
883	Apply updates and deliver final Post-Test Survey to CDE for approval	3 days	Thu 4/19/18	Mon 4/23/18	ETS
884	Administer Post-Test Survey	20 days	Tue 5/1/18	Mon 5/28/18	ETS
885	Deliver survey results & recommended program improvements to CDE	1 day	Tue 5/29/18	Tue 5/29/18	ETS
886	Post-Test Focus Groups for Administrators	60 days	Mon 7/3/17	Fri 9/22/17	
887	Prepare materials for Post-Test Focus Groups	9 days	Mon 7/3/17	Thu 7/13/17	ETS
888	Conduct Sacramento focus group	2 days	Fri 7/14/17	Mon 7/17/17	ETS
889	Conduct Southern CA focus group	2 days	Thu 7/27/17	Fri 7/28/17	ETS
890	Compile results and recommended program improvements to CDE	40 days	Mon 7/31/17	Fri 9/22/17	ETS
891	Test Coordinator Advisory Group	162 days	Thu 8/17/17	Fri 3/30/18	
892	Prepare materials for Test Coordinator Advisory Group 1	20 days	Thu 8/17/17	Wed 9/13/17	ETS
893	Conduct September Advisory Group 1	1 day	Thu 9/14/17	Thu 9/14/17	ETS
894	Compile results and recommended program improvements to CDE	40 days	Fri 9/15/17	Thu 11/9/17	ETS
895	Prepare materials for Test Coordinator Advisory Group 2	20 days	Fri 1/5/18	Thu 2/1/18	ETS
896	Conduct February Advisory Group 2	1 day	Fri 2/2/18	Fri 2/2/18	ETS
897	Compile results and recommended program improvements to CDE	40 days	Mon 2/5/18	Fri 3/30/18	ETS

ID	Task Name	Duration	Start	Finish	Resource Names
898	caaspp.org User Focus Group	62 days	Wed 8/23/17	Thu 11/16/17	
899	Prepare materials for caaspp.org Focus Groups	20 days	Wed 8/23/17	Tue 9/19/17	ETS
900	Conduct caaspp.org User Focus group	2 days	Wed 9/20/17	Thu 9/21/17	ETS
901	Compile results and recommended program improvements to CDE	40 days	Fri 9/22/17	Thu 11/16/17	ETS
902	Project Management Complete	0 days	Fri 12/28/18	Fri 12/28/18	
903	Training & LEA Support	252 days	Mon 7/3/17	Tue 6/19/18	
904	Training & LEA Support Begins	0 days	Mon 7/3/17	Mon 7/3/17	
905	CalTAC	252 days	Mon 7/3/17	Tue 6/19/18	
906	Train CalTAC staff on the CAASPP program	10 days	Mon 7/3/17	Fri 7/14/17	ETS
907	Establish help desk technical phone, web chat and e-mail support	10 days	Mon 7/3/17	Fri 7/14/17	ETS
908	Perform technology support site visits as needed	242 days	Mon 7/17/17	Tue 6/19/18	ETS
909	LEA CAASPP Coordinator Designation Forms & Security Agreements	64 days	Mon 7/3/17	Thu 9/28/17	
910	Collect LEA CAASPP coordinator designation forms and security agreements	50 days	Mon 7/3/17	Fri 9/8/17	ETS
911	Input updates into the LEA CAASPP coordinator database	43 days	Mon 7/31/17	Wed 9/27/17	ETS
912	Provide CDE access to the CAASPP coordinator database	1 day	Thu 9/28/17	Thu 9/28/17	ETS
913	LEA Technology Readiness	91 days	Mon 7/31/17	Mon 12/4/17	
914	Develop technology readiness information collection methodologies	30 days	Mon 7/31/17	Fri 9/8/17	ETS
915	Collect technology readiness information from LEAs	40 days	Mon 9/11/17	Fri 11/3/17	ETS
916	Conduct outreach campaign to non-responsive LEAs	20 days	Mon 11/6/17	Fri 12/1/17	ETS
917	Present readiness results to CDE	1 day	Mon 12/4/17	Mon 12/4/17	ETS
918	Summative Assessment Test Administration Training Manuals	216 days	Mon 7/3/17	Mon 4/30/18	
919	Smarter Balanced Test Administration Manual (TAM)	111 days	Mon 7/3/17	Mon 12/4/17	
920	TAM available from Smarter Balanced	0 days	Mon 7/3/17	Mon 7/3/17	Smarter Balanced
921	Adapt Smarter Balanced TAM for California	15 days	Mon 9/11/17	Fri 9/29/17	ETS
922	CDE reviews Smarter Balanced TAM	10 days	Mon 10/2/17	Fri 10/13/17	CDE
923	Apply CDE edits to Smarter Balanced TAM	3 days	Mon 10/16/17	Wed 10/18/17	ETS
924	CDE 2nd review of Smarter Balanced TAM	5 days	Thu 10/19/17	Wed 10/25/17	CDE
925	Apply updates and deliver final Smarter Balanced TAM to CDE for approval	3 days	Thu 10/26/17	Mon 10/30/17	ETS
926	Post Smarter Balanced TAM to caaspp.org	1 day	Tue 10/31/17	Tue 10/31/17	ETS
927	Print Smarter Balanced TAM	20 days	Tue 10/31/17	Mon 11/27/17	ETS
928	Distribute Smarter Balanced TAM to LEAs	5 days	Tue 11/28/17	Mon 12/4/17	ETS
929	Alternate Assessment Test Administration Manual (TAM)	72 days	Mon 8/14/17	Tue 11/21/17	
930	Develop Alternate Assessment TAM	25 days	Mon 8/14/17	Fri 9/15/17	ETS
931	CDE reviews Alternate Assessment TAM	10 days	Mon 9/18/17	Fri 9/29/17	CDE
932	Apply CDE edits to Alternate Assessment TAM	3 days	Mon 10/2/17	Wed 10/4/17	ETS
933	CDE 2nd review of Alternate Assessment TAM	5 days	Thu 10/5/17	Wed 10/11/17	CDE
934	Apply updates and deliver final Alternate Assessment TAM to CDE for approval	3 days	Thu 10/12/17	Mon 10/16/17	ETS
935	Post Alternate Assessment TAM to caaspp.org	1 day	Tue 10/17/17	Tue 10/17/17	ETS

ID	Task Name	Duration	Start	Finish	Resource Names
936	Print Alternate Assessment TAM	20 days	Wed 10/18/17	Tue 11/14/17	ETS
937	Distribute Alternate Assessment TAM to LEAs	5 days	Wed 11/15/17	Tue 11/21/17	ETS
938	LEA CAASPP Test Coordinators Manual (LEA TCM)	47 days	Thu 10/26/17	Fri 12/29/17	
939	Develop LEA TCM	25 days	Thu 10/26/17	Wed 11/29/17	ETS
940	CDE reviews LEA TCM	10 days	Thu 11/30/17	Wed 12/13/17	CDE
941	Apply CDE edits to LEA TCM	3 days	Thu 12/14/17	Mon 12/18/17	ETS
942	CDE 2nd review of LEA TCM	5 days	Tue 12/19/17	Mon 12/25/17	CDE
943	Apply updates and deliver final LEA TCM to CDE for approval	3 days	Tue 12/26/17	Thu 12/28/17	ETS
944	Post LEA TCM to caaspp.org	1 day	Fri 12/29/17	Fri 12/29/17	ETS
945	Test Site Coordinators Manual (SCM)	47 days	Thu 10/26/17	Fri 12/29/17	
946	Develop SCM	25 days	Thu 10/26/17	Wed 11/29/17	ETS
947	CDE reviews SCM	10 days	Thu 11/30/17	Wed 12/13/17	CDE
948	Apply CDE edits to SCM	3 days	Thu 12/14/17	Mon 12/18/17	ETS
949	CDE 2nd review of SCM	5 days	Tue 12/19/17	Mon 12/25/17	CDE
950	Apply updates and deliver final SCM to CDE for approval	3 days	Tue 12/26/17	Thu 12/28/17	ETS
951	Post SCM to caaspp.org	1 day	Fri 12/29/17	Fri 12/29/17	ETS
952	Test Examiners Manual (TEM)	47 days	Thu 11/2/17	Fri 1/5/18	
953	Develop TEM	25 days	Thu 11/2/17	Wed 12/6/17	ETS
954	CDE reviews TEM	10 days	Thu 12/7/17	Wed 12/20/17	CDE
955	Apply CDE edits to TEM	3 days	Thu 12/21/17	Mon 12/25/17	ETS
956	CDE 2nd review of TEM	5 days	Tue 12/26/17	Mon 1/1/18	CDE
957	Apply updates and deliver final TEM to CDE for approval	3 days	Tue 1/2/18	Thu 1/4/18	ETS
958	Post TEM to caaspp.org	1 day	Fri 1/5/18	Fri 1/5/18	ETS
959	Technology Services Coordinators Manual (TSCM)	47 days	Thu 11/2/17	Fri 1/5/18	
960	Develop TSCM	25 days	Thu 11/2/17	Wed 12/6/17	ETS
961	CDE reviews TSCM	10 days	Thu 12/7/17	Wed 12/20/17	CDE
962	Apply CDE edits to TSCM	3 days	Thu 12/21/17	Mon 12/25/17	ETS
963	CDE 2nd review of TSCM	5 days	Tue 12/26/17	Mon 1/1/18	CDE
964	Apply updates and deliver final TSCM to CDE for approval	3 days	Tue 1/2/18	Thu 1/4/18	ETS
965	Post TSCM to caaspp.org	1 day	Fri 1/5/18	Fri 1/5/18	ETS
966	CAASPP Test Operations Management System Manual (TOMS)	47 days	Mon 8/14/17	Tue 10/17/17	
967	Develop TOMS manual	25 days	Mon 8/14/17	Fri 9/15/17	ETS
968	CDE reviews TOMS manual	10 days	Mon 9/18/17	Fri 9/29/17	CDE
969	Apply CDE edits to TOMS manual	3 days	Mon 10/2/17	Wed 10/4/17	ETS
970	CDE 2nd review of TOMS manual	5 days	Thu 10/5/17	Wed 10/11/17	CDE
971	Apply updates and deliver final TOMS manual to CDE for approval	3 days	Thu 10/12/17	Mon 10/16/17	ETS
972	Post TOMS manual to caaspp.org	1 day	Tue 10/17/17	Tue 10/17/17	ETS
973	STS for Dual Immersion Students Manual	47 days	Mon 9/11/17	Tue 11/14/17	
974	Develop STS manual	25 days	Mon 9/11/17	Fri 10/13/17	ETS

ID	Task Name	Duration	Start	Finish	Resource Names
975	CDE reviews STS manual	10 days	Mon 10/16/17	Fri 10/27/17	CDE
976	Apply CDE edits to STS manual	3 days	Mon 10/30/17	Wed 11/1/17	ETS
977	CDE 2nd review of STS manual	5 days	Thu 11/2/17	Wed 11/8/17	CDE
978	Apply updates and deliver final STS manual to CDE for approval	3 days	Thu 11/9/17	Mon 11/13/17	ETS
979	Post STS manual to caaspp.org	1 day	Tue 11/14/17	Tue 11/14/17	ETS
980	Test Administrator Quick Start Guide	47 days	Mon 9/25/17	Tue 11/28/17	
981	Develop STS manual	25 days	Mon 9/25/17	Fri 10/27/17	ETS
982	CDE reviews STS manual	10 days	Mon 10/30/17	Fri 11/10/17	CDE
983	Apply CDE edits to STS manual	3 days	Mon 11/13/17	Wed 11/15/17	ETS
984	CDE 2nd review of STS manual	5 days	Thu 11/16/17	Wed 11/22/17	CDE
985	Apply updates and deliver final STS manual to CDE for approval	3 days	Thu 11/23/17	Mon 11/27/17	ETS
986	Post STS manual to caaspp.org	1 day	Tue 11/28/17	Tue 11/28/17	ETS
987	Online Reporting Guide	52 days	Mon 12/18/17	Tue 2/27/18	
988	Develop Online Reporting Guide manual	30 days	Mon 12/18/17	Fri 1/26/18	ETS
989	CDE reviews Online Reporting Guide manual	10 days	Mon 1/29/18	Fri 2/9/18	CDE
990	Apply CDE edits to Online Reporting Guide manual	3 days	Mon 2/12/18	Wed 2/14/18	ETS
991	CDE 2nd review of Online Reporting Guide manual	5 days	Thu 2/15/18	Wed 2/21/18	CDE
992	Apply updates and deliver final Online Reporting Guide manual to CDE for approval	3 days	Thu 2/22/18	Mon 2/26/18	ETS
993	Post Online Reporting Guide to caaspp.org	1 day	Tue 2/27/18	Tue 2/27/18	ETS
994	CAASPP Post-Test Guide	76 days	Mon 1/15/18	Mon 4/30/18	
995	Develop Post-Test Guide	30 days	Mon 1/15/18	Fri 2/23/18	ETS
996	CDE reviews Post-Test Guide	10 days	Mon 2/26/18	Fri 3/9/18	CDE
997	Apply CDE edits to Post-Test Guide	3 days	Mon 3/12/18	Wed 3/14/18	ETS
998	CDE 2nd review of Post-Test Guide	5 days	Thu 3/15/18	Wed 3/21/18	CDE
999	Apply updates and deliver final Post-Test Guide to CDE for approval	3 days	Thu 3/22/18	Mon 3/26/18	ETS
1000	Post Post-Test Guide to caaspp.org	1 day	Tue 3/27/18	Tue 3/27/18	ETS
1001	Print Post-Test Guide	20 days	Tue 3/27/18	Mon 4/23/18	ETS
1002	Distribute Post-Test Guide to LEAs	5 days	Tue 4/24/18	Mon 4/30/18	ETS
1003	Training Webcasts and Workshops	197 days	Fri 8/18/17	Mon 5/21/18	
1004	Training Webcasts	192 days	Fri 8/18/17	Mon 5/14/18	
1005	Present and archive Using the Digital Library webcast	1 day	Fri 8/18/17	Fri 8/18/17	ETS
1006	Present and archive Using Interim Assessments webcast	1 day	Thu 9/7/17	Thu 9/7/17	ETS
1007	Present and archive Preparing CALPADS Data for Testing webcast	1 day	Thu 9/14/17	Thu 9/14/17	ETS
1008	Present and archive Test Operations Management System (TOMS) Training webcast	1 day	Thu 9/21/17	Thu 9/21/17	ETS
1009	Present and archive Preparing Technology for Online Testing webcast	1 day	Thu 10/12/17	Thu 10/12/17	ETS
1010	Present and archive Accessibility and Accommodations webcast	1 day	Thu 10/19/17	Thu 10/19/17	ETS
1011	Present and archive Using the Online Practice Tests and Training Tests webcast	1 day	Thu 11/16/17	Thu 11/16/17	ETS
1012	Present and archive Pre-Test webcast	1 day	Tue 1/9/18	Tue 1/9/18	ETS,AIR

ID	Task Name	Duration	Start	Finish	Resource Names
1013	Present and archive Alternate Assessment training webcast	1 day	Wed 1/10/18	Wed 1/10/18	ETS
1014	Present and archive Test Security LEA Training webcast	1 day	Tue 1/16/18	Tue 1/16/18	ETS
1015	Present and archive Post-Test webcast	1 day	Mon 5/14/18	Mon 5/14/18	ETS
1016	Regional Training Workshops	181 days	Mon 9/11/17	Mon 5/21/18	
1017	Present regional Digital Library and Interim workshops	5 days	Mon 9/11/17	Fri 9/15/17	ETS
1018	Present regional Pre-Test Workshops	22 days	Mon 1/15/18	Tue 2/13/18	ETS,AIR
1019	Present regional Post-Test Workshops	5 days	Tue 5/15/18	Mon 5/21/18	ETS
1020	Interim CR Scoring Training	101 days	Wed 10/11/17	Wed 2/28/18	
1021	Receive CR scoring methodology and procedures from Smarter Balanced	1 day	Wed 10/11/17	Wed 10/11/17	Smarter Balanced
1022	Produce workshop slides and e-mail announcement	20 days	Thu 1/11/18	Wed 2/7/18	ETS
1023	Deliver summative and interim CR scoring training workshops	15 days	Thu 2/8/18	Wed 2/28/18	ETS
1024	Training & LEA Support Complete	0 days	Tue 6/19/18	Tue 6/19/18	
1025	Test Development	392 days	Thu 6/29/17	Fri 12/28/18	
1026	Begin Test Development	0 days	Mon 7/3/17	Mon 7/3/17	
1027	Primary Language Field Test	138 days	Wed 1/24/18	Fri 8/3/18	
1028	Administer Primary Language Census Field Test	100 days	Wed 1/24/18	Tue 6/12/18	ETS
1029	Conduct range finding external committee meeting	2 days	Wed 6/27/18	Thu 6/28/18	ETS,External Committee,CDE
1030	CDE approves training scoring sets	10 days	Fri 6/29/18	Thu 7/12/18	CDE
1031	Perform analysis on field test data	20 days	Fri 6/29/18	Thu 7/26/18	ETS
1032	Conduct data review external committee meeting	1 day	Fri 7/27/18	Fri 7/27/18	External Committee,CDE,ETS
1033	CDE approval of data review results	5 days	Mon 7/30/18	Fri 8/3/18	CDE
1034	NGSS Field Test (Including Alt NGSS)	121 days	Mon 3/12/18	Mon 8/27/18	
1035	Administer NGSS Census Field Test	80 days	Mon 3/12/18	Fri 6/29/18	ETS
1036	Conduct range finding external committee meeting	2 days	Thu 7/26/18	Fri 7/27/18	External Committee,CDE,ETS
1037	Perform analysis on field test data	20 days	Mon 7/30/18	Fri 8/24/18	ETS
1038	Conduct data review external committee meeting	1 day	Mon 8/27/18	Mon 8/27/18	External Committee,CDE,ETS
1039	Alternate Assessment ELA/Math Embedded Field Test Item Development	40 days	Thu 6/29/17	Wed 8/23/17	
1040	Develop Alternate Assessment ELA/Math Assessment items	23 days	Thu 6/29/17	Mon 7/31/17	ETS
1041	CDE reviews new items	10 days	Tue 8/1/17	Mon 8/14/17	CDE
1042	External committee item review meetings	2 days	Tue 8/15/17	Wed 8/16/17	External Committee,CDE,ETS
1043	CDE approves new items	5 days	Thu 8/17/17	Wed 8/23/17	CDE
1044	Primary Language Embedded Field Test Item Development	117 days	Wed 1/24/18	Thu 7/5/18	
1045	Develop Primary Language Assessment items	80 days	Wed 1/24/18	Tue 5/15/18	ETS
1046	CDE reviews new Primary Language items	10 days	Wed 5/16/18	Tue 5/29/18	CDE

ID	Task Name	Duration	Start	Finish	Resource Names
1047	External committee item review meetings	2 days	Wed 5/30/18	Thu 5/31/18	External Committee,CDE,ETS
1048	CDE approves new items	5 days	Fri 6/1/18	Thu 6/7/18	CDE
1049	Finalize items	20 days	Fri 6/8/18	Thu 7/5/18	ETS
1050	Primary Language Operational Forms for the 2018 administration	47 days	Fri 6/8/18	Mon 8/13/18	
1051	Develop operational forms	30 days	Fri 6/8/18	Thu 7/19/18	ETS
1052	CDE reviews operational forms	10 days	Fri 7/20/18	Thu 8/2/18	CDE
1053	External committee forms review meeting	2 days	Fri 8/3/18	Mon 8/6/18	External Committee,CDE,ETS
1054	CDE approves operational forms	5 days	Tue 8/7/18	Mon 8/13/18	CDE
1055	NGSS Science (Including Alt NGSS) Embedded Field Test Item Development	320 days	Mon 10/9/17	Fri 12/28/18	
1056	Develop NGSS Science items	152 days	Mon 10/9/17	Tue 5/8/18	ETS
1057	External committee item review meetings	3 days	Wed 5/9/18	Fri 5/11/18	External Committee,CDE,ETS
1058	Develop pilot test forms	100 days	Mon 5/14/18	Fri 9/28/18	ETS
1059	Prepare for online test delivery	65 days	Mon 10/1/18	Fri 12/28/18	ETS
1060	Test Development Complete	0 days	Fri 12/28/18	Fri 12/28/18	
1061	Operational Test Administration	369 days	Mon 7/3/17	Thu 11/29/18	
1062	Operational Test Administration Begins	0 days	Mon 7/3/17	Mon 7/3/17	
1063	CAASPP Assessments	276 days	Mon 7/3/17	Mon 7/23/18	
1064	Testing Systems	156 days	Mon 7/3/17	Mon 2/5/18	
1065	Minimum System Requirements Document	20 days	Mon 7/3/17	Fri 7/28/17	
1066	Develop Minimum System Requirements Document	5 days	Mon 7/3/17	Fri 7/7/17	ETS
1067	CDE reviews and approves Minimum System Requirements Document	15 days	Mon 7/10/17	Fri 7/28/17	CDE
1068	System Configurations	20 days	Mon 7/3/17	Fri 7/28/17	
1069	Develop list of system configurations	5 days	Mon 7/3/17	Fri 7/7/17	ETS
1070	CDE reviews and approves system configurations	15 days	Mon 7/10/17	Fri 7/28/17	CDE
1071	Item Transfer	45 days	Mon 11/13/17	Fri 1/12/18	
1072	Receive Interim items from Smarter Balanced	1 day	Mon 11/13/17	Mon 11/13/17	Smarter Balanced
1073	Import Interim field test items from Smarter Balanced	10 days	Tue 11/14/17	Mon 11/27/17	ETS
1074	Receive Summative pools from Smarter Balanced	1 day	Fri 12/29/17	Fri 12/29/17	Smarter Balanced
1075	Import items from Smarter Balanced and embed new field test items into testing system	10 days	Mon 1/1/18	Fri 1/12/18	ETS
1076	Test Operations Management System (TOMS)	71 days	Mon 7/3/17	Mon 10/9/17	
1077	CDE confirms CALPADS information and list of designated supports/accommodations	1 day	Mon 7/3/17	Mon 7/3/17	CDE
1078	Confirm business requirements for pre-test delivery reporting and application enhancements	1 day	Tue 7/4/17	Tue 7/4/17	ETS
1079	Update CALPADS import function	20 days	Tue 7/4/17	Mon 7/31/17	ETS
1080	Configure TOMS enhancements for the 2018 CAASPP administration	15 days	Mon 7/31/17	Fri 8/18/17	ETS
1081	Begin daily updates of district and school user contact information	1 day	Mon 8/21/17	Mon 8/21/17	ETS

ID	Task Name	Duration	Start	Finish	Resource Names
1082	Functional testing	10 days	Mon 8/21/17	Fri 9/1/17	ETS
1083	Dev-2-Dev Testing	5 days	Mon 9/4/17	Fri 9/8/17	ETS
1084	Integration testing	10 days	Mon 9/11/17	Fri 9/22/17	ETS
1085	Load testing	10 days	Mon 9/11/17	Fri 9/22/17	ETS
1086	CDE UAT of TOMS enhancements	5 days	Mon 9/25/17	Fri 9/29/17	CDE
1087	Apply fixes to TOMS enhancements	5 days	Mon 10/2/17	Fri 10/6/17	ETS
1088	Deploy enhancements to TOMS	1 day	Mon 10/9/17	Mon 10/9/17	ETS
1089	CA ISAAP Tool	49 days	Wed 7/5/17	Mon 9/11/17	
1090	Gather business requirements for CA ISAAP tool enhancements	20 days	Wed 7/5/17	Tue 8/1/17	ETS
1091	Configure CA ISAAP tool for the 2018 administration	5 days	Mon 8/21/17	Fri 8/25/17	ETS
1092	CDE UAT of CA ISAAP Tool	5 days	Mon 8/28/17	Fri 9/1/17	CDE
1093	Apply fixes to CA ISAPP	5 days	Mon 9/4/17	Fri 9/8/17	ETS
1094	Deploy CA ISAAP Tool	1 day	Mon 9/11/17	Mon 9/11/17	ETS
1095	Test Delivery System (TDS)	121 days	Mon 8/21/17	Mon 2/5/18	
1096	Update Secure Browsers	25 days	Mon 9/25/17	Fri 10/27/17	AIR
1097	Gather business requirements for application enhancements	10 days	Mon 8/21/17	Fri 9/1/17	ETS,AIR
1098	Configure TDS for the 2018 CAASPP administration	40 days	Mon 9/4/17	Fri 10/27/17	AIR
1099	TDS Testing for Interim Assessments	41 days	Mon 10/30/17	Mon 12/25/17	
1100	Functional testing	10 days	Mon 10/30/17	Fri 11/10/17	AIR,ETS
1101	Dev-2-Dev Testing	5 days	Mon 11/13/17	Fri 11/17/17	ETS,AIR
1102	Integration testing	5 days	Mon 11/20/17	Fri 11/24/17	ETS,AIR
1103	Load testing	5 days	Mon 11/27/17	Fri 12/1/17	ETS,AIR
1104	CDE UAT	10 days	Mon 11/20/17	Fri 12/1/17	CDE
1105	End-to-End (E2E) Testing	15 days	Mon 12/4/17	Fri 12/22/17	ETS,AIR
1106	Deploy TDS for Interim Assessments including Teacher Hand Scoring	1 day	Mon 12/25/17	Mon 12/25/17	AIR
1107	TDS Testing for Summative Assessments	41 days	Mon 12/11/17	Mon 2/5/18	
1108	Functional testing	10 days	Mon 12/11/17	Fri 12/22/17	AIR,ETS
1109	Dev-2-Dev Testing	5 days	Mon 12/25/17	Fri 12/29/17	ETS,AIR
1110	Integration testing	5 days	Mon 1/15/18	Fri 1/19/18	ETS,AIR
1111	Load testing	5 days	Mon 1/22/18	Fri 1/26/18	ETS,AIR
1112	CDE UAT	10 days	Mon 1/1/18	Fri 1/12/18	CDE
1113	End-to-End (E2E) Testing	15 days	Mon 1/15/18	Fri 2/2/18	ETS,AIR
1114	Deploy TDS for Summative Assessments including Online Reporting System and Participation Reports	1 day	Mon 2/5/18	Mon 2/5/18	AIR
1115	Formative Digital Library	116 days	Mon 9/11/17	Mon 2/19/18	
1116	Provide access to Digital Library	116 days	Mon 9/11/17	Mon 2/19/18	ETS
1117	Interim Assessment Registration, Test Content and Ancillaries	176 days	Mon 7/3/17	Mon 3/5/18	
1118	Current Interim Assessments available	0 days	Mon 7/3/17	Mon 7/3/17	Smarter Balanced
1119	Update enrollment/test administration information	50 days	Mon 9/25/17	Fri 12/1/17	ETS

ID	Task Name	Duration	Start	Finish	Resource Names
1120	New enhanced test packages available from Smarter Balanced	0 days	Mon 2/5/18	Mon 2/5/18	Smarter Balanced
1121	Process new test packages	20 days	Mon 2/5/18	Fri 3/2/18	AIR
1122	Updated Interim Comprehensive Assessment (summative clone) (ICA) launched	1 day	Mon 3/5/18	Mon 3/5/18	AIR
1123	Updated Interim Assessment Blocks (IAB) launched	1 day	Mon 3/5/18	Mon 3/5/18	AIR
1124	Configure Smarter Balanced System User Guide for CA	40 days	Mon 7/3/17	Fri 8/25/17	ETS,AIR
1125	Configure Smarter Balanced Scoring Guide for CA	40 days	Mon 7/3/17	Fri 8/25/17	ETS,AIR
1126	Configure Smarter Balanced System Infrastructure Guide for CA	40 days	Mon 7/3/17	Fri 8/25/17	ETS,AIR
1127	Configure Smarter Balanced System Training Workbook for CA	40 days	Mon 7/3/17	Fri 8/25/17	ETS,AIR
1128	Interim Assessment Reporting	101 days	Tue 2/6/18	Tue 6/26/18	
1129	Deliver Interim Results to Smarter Balanced	101 days	Tue 2/6/18	Tue 6/26/18	ETS,AIR
1130	Summative Computer Based Assessments	176 days	Mon 11/13/17	Mon 7/16/18	
1131	Summative content packages available for CAT	0 days	Mon 11/13/17	Mon 11/13/17	Smarter Balanced
1132	Summative content packages available for PT	0 days	Fri 12/1/17	Fri 12/1/17	Smarter Balanced
1133	Summative test packages available for CAT and PT	0 days	Fri 1/5/18	Fri 1/5/18	Smarter Balanced
1134	Import and QC test packages	20 days	Fri 1/5/18	Thu 2/1/18	ETS
1135	Update enrollment/test administration information	20 days	Tue 1/16/18	Mon 2/12/18	ETS
1136	Administer summative assessments (Smarter Balanced ELA/Math, ELA/Math Alternate)	90 days	Tue 3/13/18	Mon 7/16/18	ETS
1137	Summative Braille and Large Print Paper/Pencil Testing	205 days	Tue 10/10/17	Mon 7/23/18	
1138	Reprint CST/CMA/CAPA Science & STS paper test	30 days	Tue 11/21/17	Mon 1/1/18	ETS
1139	Receive material orders	39 days	Tue 10/10/17	Fri 12/1/17	ETS
1140	Receive paper-based tests from Smarter Balanced	1 day	Tue 12/5/17	Tue 12/5/17	Smarter Balanced
1141	Add covers	10 days	Wed 12/6/17	Tue 12/19/17	ETS
1142	Produce Braille and large print summative operational paper tests	30 days	Wed 12/20/17	Tue 1/30/18	ETS
1143	Distribute Braille and large print paper tests as needed	88 days	Wed 2/14/18	Fri 6/15/18	ETS
1144	Receive Braille and large print paper tests	75 days	Tue 3/20/18	Mon 7/2/18	ETS
1145	Scan Braille and large print paper tests	76 days	Tue 3/20/18	Tue 7/3/18	ETS
1146	Conduct resolutions on paper tests	90 days	Tue 3/20/18	Mon 7/23/18	ETS
1147	Scoring	121 days	Tue 3/27/18	Tue 9/11/18	
1148	Summative Computer Based Assessments	90 days	Tue 3/27/18	Mon 7/30/18	
1149	Hand and AI scoring occurs	90 days	Tue 3/27/18	Mon 7/30/18	ETS,MI
1150	Perform scoring QC	90 days	Tue 3/27/18	Mon 7/30/18	ETS
1151	Final scoring occurs	90 days	Tue 3/27/18	Mon 7/30/18	ETS
1152	Psychometric Analysis	38 days	Tue 5/22/18	Thu 7/12/18	
1153	Conduct Item Analysis of CAASPP Summative assessments	16 days	Tue 5/22/18	Tue 6/12/18	ETS
1154	Item Analysis Files delivered to CDE	1 day	Wed 6/13/18	Wed 6/13/18	ETS
1155	Facilitate Alternate Assessment Data Review meeting	1 day	Thu 7/12/18	Thu 7/12/18	ETS
1156	Standard Setting for Primary Language	5 days	Wed 9/5/18	Tue 9/11/18	
1157	Conduct Primary Language Standard Setting	5 days	Wed 9/5/18	Tue 9/11/18	ETS,CDE

ID	Task Name	Duration	Start	Finish	Resource Names
1158	Reporting	324 days	Mon 9/4/17	Thu 11/29/18	
1159	Summative Assessment	266 days	Mon 9/4/17	Mon 9/10/18	
1160	Delivery of Data Files to CDE and Smarter Balanced	117 days	Tue 3/27/18	Wed 9/5/18	
1161	Prepare student data files	90 days	Tue 3/27/18	Mon 7/30/18	ETS
1162	Post initial student data files to SFTP site for CDE and Smarter BalancedSmarter Balanced Data Warehouse	1 day	Tue 7/31/18	Tue 7/31/18	ETS
1163	Post final data files to SFTP site for CDE and Smarter BalancedSmarter Balanced Data Warehouse	1 day	Wed 9/5/18	Wed 9/5/18	ETS
1164	Online Reporting Systems	226 days	Mon 9/4/17	Mon 7/16/18	
1165	Online Reporting Systems Setup	37 days	Mon 9/4/17	Tue 10/24/17	
1166	Gather specifications for AIR online reporting systems	5 days	Mon 9/4/17	Fri 9/8/17	ETS,AIR
1167	CDE reviews online reporting system specifications	10 days	Mon 9/11/17	Fri 9/22/17	CDE
1168	Configure online reporting systems	20 days	Mon 9/25/17	Fri 10/20/17	ETS,AIR
1169	Demonstrate online reporting systems to CDE	1 day	Mon 10/23/17	Mon 10/23/17	ETS,AIR
1170	Deploy online reporting system	1 day	Tue 10/24/17	Tue 10/24/17	ETS,AIR
1171	Student Level Reporting	129 days	Wed 1/17/18	Mon 7/16/18	
1172	Provide final individual scores within 4 weeks of student online test completion	90 days	Tue 3/13/18	Mon 7/16/18	ETS,AIR
1173	Launch ISR availability within online reporting system	1 day	Wed 1/17/18	Wed 1/17/18	ETS,AIR
1174	School Level Reporting	1 day	Thu 4/12/18	Thu 4/12/18	
1175	Launch school level reporting functionality	1 day	Thu 4/12/18	Thu 4/12/18	ETS,AIR
1176	LEA Level Reporting	1 day	Fri 4/27/18	Fri 4/27/18	
1177	Launch LEA level reporting functionality	1 day	Fri 4/27/18	Fri 4/27/18	ETS,AIR
1178	State Level Reporting	188 days	Mon 10/23/17	Wed 7/11/18	
1179	State Aggregate Reporting Website	188 days	Mon 10/23/17	Wed 7/11/18	
1180	Develop business requirements	45 days	Mon 10/23/17	Fri 12/22/17	ETS
1181	CDE provides text for site	1 day	Mon 3/19/18	Mon 3/19/18	CDE
1182	Construct web reporting site	30 days	Tue 3/20/18	Mon 4/30/18	ETS
1183	CDE UAT of Web Reporting Site	10 days	Tue 5/1/18	Mon 5/14/18	CDE
1184	CDE provides feedback on changes needed	10 days	Tue 5/15/18	Mon 5/28/18	CDE
1185	Apply changes	5 days	Tue 5/29/18	Mon 6/4/18	ETS
1186	CDE second UAT	5 days	Tue 6/5/18	Mon 6/11/18	CDE
1187	Finalize site with CDE updates	5 days	Tue 6/12/18	Mon 6/18/18	ETS
1188	Deploy State level reporting website	1 day	Wed 7/11/18	Wed 7/11/18	ETS
1189	Individual Student Report	201 days	Mon 10/23/17	Mon 7/30/18	
1190	Develop individual student report	40 days	Mon 10/23/17	Fri 12/15/17	ETS
1191	CDE reviews individual student report	10 days	Mon 12/18/17	Fri 12/29/17	CDE
1192	Update individual student report	3 days	Mon 1/1/18	Wed 1/3/18	ETS
1193	CDE 2nd review of individual student report	5 days	Thu 1/4/18	Wed 1/10/18	CDE
1194	Apply updates & submit to CDE for approval	3 days	Thu 1/11/18	Mon 1/15/18	ETS
1195	Provide electronic student roster reports to LEAs	20 days	Tue 7/3/18	Mon 7/30/18	ETS

ID	Task Name	Duration	Start	Finish	Resource Names
1196	Print and ship Individual Student Reports (ISR) to LEAs	20 days	Tue 7/3/18	Mon 7/30/18	ETS
1197	Rescore Process	120 days	Tue 3/27/18	Mon 9/10/18	
1198	LEAs request rescores	90 days	Tue 3/27/18	Mon 7/30/18	LEAs
1199	Provide rescore results	90 days	Tue 5/8/18	Mon 9/10/18	ETS
1200	Invoicing for rescores occurs	10 days	Tue 5/15/18	Mon 5/28/18	ETS
1201	Interpretive Guides	31 days	Mon 3/12/18	Mon 4/23/18	
1202	Produce interpretive guides	30 days	Mon 3/12/18	Fri 4/20/18	ETS
1203	Post interpretive guides	1 day	Mon 4/23/18	Mon 4/23/18	ETS
1204	Technical Report	61 days	Thu 9/6/18	Thu 11/29/18	
1205	Develop Technical Manual	40 days	Thu 9/6/18	Wed 10/31/18	ETS
1206	CDE reviews Technical Report and returns edits to ETS	10 days	Thu 11/1/18	Wed 11/14/18	CDE
1207	ETS applies edits and delivers final Technical Report to CDE	3 days	Thu 11/15/18	Mon 11/19/18	ETS
1208	CDE 2nd review of Technical Report	5 days	Tue 11/20/18	Mon 11/26/18	CDE
1209	Apply updates and deliver Technical Manual to CDE for approval	3 days	Tue 11/27/18	Thu 11/29/18	ETS
1210	Operational Test Administration Complete	0 days	Thu 11/29/18	Thu 11/29/18	
1211	Transition contract to new testing vendor	20 days	Mon 12/3/18	Fri 12/28/18	ETS
1212	Contract Complete	0 days	Mon 12/31/18	Mon 12/31/18	

Appendix B—Reporting Expectations for Special Studies and Research Projects

Special studies and research conducted by ETS must adhere to the American Educational Research Association (AERA) Guidelines for Reporting on Empirical Social Science Research (2006). The following requirements are adapted from the guidelines and represent the basic expectations of the department for reporting results of special studies and research projects contracted for by the CDE.

Overall, reports on special studies and research projects must be:

1. *Warranted;* that is, adequate evidence should be provided to justify the results and conclusions.

2. *Transparent;* that is, reporting should make explicit the logic of inquiry and activities that led from the development of the initial interest, topic, problem, or research question; through the definition, collection, and analysis of data or empirical evidence; to the articulated outcomes of the study.

All reports on empirical research submitted to the CDE should include:

A. A problem formulation that provides a clear statement of the purpose and scope of the study. It should describe the question, problem, or issue the study addresses, situate it in context, and describe the approach taken to addressing it.

B. A review of the relevant scholarship that bears directly on the topic of the report. It should include a clear statement of the criteria used to identify and select the relevant scholarship in which the study is grounded. The rationale for the conceptual, methodological, or theoretical orientation of the study should be described and explained with relevant citations to what others have written.

C. A specific and unambiguous description of the design—the way the sources of evidence for data collection or data identification activities selected for and organized in the investigation. Significant developments or alterations in the research questions or design should be described and a rationale for the changes presented.

D. A complete description of the data or empirical materials that were collected, the methods used to collect the data, and the source(s) of the data or materials collected. The means of selection of the sites, groups, participants, events, or other units of study should be described.

E. A complete description of measurement instruments used or classification systems developed to analyze the data. The description must include evidence of the meaningfulness and appropriateness of the measure or classification system for capturing important characteristics of the groups or individuals being studied. With qualitative methods in particular, classification is integral to the data analysis process.

F. The procedures used for analysis should be precisely and transparently described from the beginning of the study through presentation of the outcomes. Descriptive and

inferential statistics should be provided for each of the statistical analyses essential to the interpretation of the results. Any considerations that arose in data collection or identified during data analysis and processing that might compromise the validity of the statistical analysis or inferences should be reported.

1. For qualitative studies the procedures used for analysis should be precisely and transparently described from the beginning of the study through presentation of the outcomes. Analytic techniques should be described in sufficient detail to permit understanding of how the data were analyzed and the processes and assumptions underlying specific techniques. Analysis and interpretation should include information about any intended or unintended circumstances that may have significant implications for interpretation of the outcomes, limit their applicability, or compromise their validity. If coding processes are used, the description should include, as relevant, information on the backgrounds and training of the coders; inter-coder reliability or outcomes of reviews by other analysts; and, where relevant, indications of the extent to which those studied (participants) agree with the classifications.

2. For quantitative studies reporting should clearly state what statistical analyses were conducted and the appropriateness of the statistical tests, linking them to the logic of design and any claims or interpretations based on them. For each of the statistical results that is critical to the logic of the design and analysis, there should be included an indication of the uncertainty of the results such as a standard error or a confidence interval. When hypothesis testing is used, the test statistic and its associated significance level should be presented along with a qualitative interpretation of the meaningfulness of the results in terms of the questions the study was intended to answer.

G. A presentation of conclusions and recommendations that provide a statement of how claims and interpretations address the research problem, question, or issue underlying the research; (b) show how the conclusions connect to support, elaborate, or challenge conclusions in earlier scholarship; and (c) emphasize the theoretical, practical, or methodological implications of the study.

Appendix C—Minimum System Requirements

The following table is included in this appendix for reference. ETS will work with the CDE, the IV&V consultant, the IPOC, and other stakeholders to determine the final minimum system requirements for each administration.

Table19: Minimum System Requirements

#	Type	Requirement
ARC-01.01	Architecture	The contractor must provide a data dictionary that utilizes the CDE preferred variation for each data element collected or stored.
ARC-01.02	Architecture	The contractor must provide dataflow diagrams.
ARC-01.03	Architecture	The contractor must provide an Entity Relationship Diagram (ERD) in the format determined by the CDE.
ARC-01.04	Architecture	The contractor must provide a complete list of system configurations (that differ from the open-source system default settings) annually.
ARC-01.05	Architecture	The Assessment Delivery System must be scalable to accommodate new and modified consortium and California specific assessments
INT-02.00	Interface	The Assessment Delivery System must accept test packages (both Smarter and non-Smarter) in the Smarter Balanced test package format (see http://www.smarterapp.org) and accurately deliver tests and applicable tools, supports, and accommodations to students with authenticity (inclusive of the adaptive algorithm), collect responses, score responses, and deliver scores to the Data Warehouse.
INT-02.01	Interface	The Assessment Delivery System must successfully and completely process a daily electronic student registration information file, containing up to 6.5 million records, by 6 a.m. PT of the same day of the file availability. The CDE will make the student registration information file available by 2 a.m. PT, Monday through Friday. All current student registration information must be available within the Assessment Delivery System immediately after processing of the student registration information file.
INT-02.02	Interface	The Assessment Delivery System must successfully identify and process all student information changes (new, modified, deleted, etc.) contained in CALPADS electronic student registration information file.
INT-02.03	Interface	The Assessment Delivery System must be able to complete the processing of electronic data student registration information files received from CALPADS without impacting any other nightly batch processing or maintenance windows.
INT-02.04	Interface	The Assessment Delivery System must generate and deliver to the CDE a daily electronic student data files (final specifications will be determined during joint requirement sessions), for CALPADS in a location designated by the CDE.
INT-02.05	Interface	The Assessment Delivery System must accept and process daily (Monday through Friday) Student Access Data Files from LEAs that specify accessibility tools, supports, and accommodations that the student must be provided during summative and/or interim testing, the specifications of which are to be derived during the joint requirement sessions.
INT-02.06	Interface	The Assessment Delivery System must provide students with access to the accessibility tools, supports, and accommodations specified in the Student Access Data File within 24 hours of the contractor receiving the data file from the LEA.

#	Type	Requirement
INT-02.07	Interface	The Assessment Delivery System must be able to accommodate annual changes to the Student Access Data File to coincide with the use of new tools, supports, and accommodations as they become available.
INT-02.08	Interface	The contractor must provide a document describing the solution's application programming interfaces and Web-services.
INT-02.09	Interface	The Assessment Delivery System must be able to deliver assessments using the minimum technology standards (e.g., network connections, student devices, operating systems) established (and annually updated) by the Smarter Balanced Consortium in the *Technology Strategy Framework and Testing Device Requirements.*
INT-02.10	Interface	The Assessment Delivery System must not require the use of any additional software beyond the Secure Browser (e.g., use HTML5 and Javascript as the means to render items and submit responses).
INT-02.11	Interface	The Assessment Delivery System must support the use of all Smarter Balanced embedded accessibility supports (see *Smarter Balanced Assessment Consortium: Usability, Accessibility, and Accommodations Guidelines* for description of the Smarter Balanced supports).
INT-02.12	Interface	The Assessment Delivery System must use either the Smarter Balanced Assessment Item Packaging Format as described in the *Smarter Balanced Assessment Item Format Specification* or, if available, another format consistent with the Smarter Balanced Assessment Item Packaging Format.
INT-02.13	Interface	The Assessment Delivery System must support the scoring of selected response and constructed-response items using machine scoring, hand scoring, and artificial intelligence (artificial intelligence applicable only if the contractor is using artificial intelligence scoring).
INT-02.14	Interface	The contractor must download the electronic data student registration information file, extracted from CALPADS by the CDE, once a day Monday through Friday, from a CDE designated location."
INT-02.15	Interface	The Assessment Delivery System must successfully and completely process a daily electronic school and associated district information file by 6 a.m. Pacific Standard Time (PST) of the same day of the file availability. The school and associated district information file will be extracted from CALPADS and made available by 2 a.m. PST the same day.
SEC-3.00	Security	The contractor must provide security policy and governance, including: • Information security program policies • Information security governance • Use of human-resource policy and practice security controls related to employees and contractors with potential access to sensitive information • Physical security of facilities hosting sensitive information resources • Organization's security audit policy and practice including internal audits, independent audits, the audit scope, the audit frequency, and the exposure/reporting of audit results • Contractor's system administrator roles and access levels and related controls

#	Type	Requirement
SEC-03.01	Security	The Assessment Delivery System must provide hosted and delivered system access control features consistent with RFS Tables 3.3.2 and 3.3.3 that describe required user roles and permissions, including: • System-level access controls • Feature/function access controls • Information/data access controls • System's incorporation of role based, group-based, and specific user based access controls
SEC-03.02	Security	The Assessment Delivery System must provide authentication of users using industry-standard user authentication methods.
SEC-03.03	Security	The Assessment Delivery System must provide the ability to set and enforce password strength and reset policies.
SEC-03.04	Security	The Assessment Delivery System must use encryption (in transit and at rest) using a FIPS 140-2 validated solution (128-bit AES encryption or better) to protect confidential information handled by the system, including student registration information, student identifiable results information, test items, and other information as identified by the CDE Information Security Officer (ISO).
SEC-03.05	Security	The Assessment Delivery System must purge, dispose, and/or archive sensitive information securely.
SEC-03.06	Security	The Assessment Delivery System must employ integrity, controls such as source authentication, checksums, and message authentication methods to ensure that the secure information, such as student information, test content, answers, and scores, are unaltered and reliable.
SEC-03.07	Security	The Assessment Delivery System must provide availability controls, such as protections against denial of service attacks.
SEC-03.08	Security	The Assessment Delivery System must provide logging and audit controls available in the system to identify all user and system access of all data and functions and make the information available to the CDE Information Security Officer (ISO) on demand.
SEC-03.09	Security	The contractor must provide a security plan that follows the National Institute of Standards and Technology (NIST) Special Publication 800-15 rev 1 at http://csrc.nist.gov/publications/nistpubs/800-18-Rev1/sp800-18-Rev1-final.pdf.
SEC-03.10	Security	The contractor shall provide storage administration that includes the strict control and accessibility of all storage media.
SEC-03.11	Security	The contractor must ensure that all storage media is inventoried on an annual basis, or sooner as dictated by CDE, regulatory or other contractual agreements.
SEC-03.12	Security	The contractor must ensure all portable storage devices, including backup tapes, are encrypted using a FIPS 140-2 validated solution. (SAM 5350.1)
SEC-03.13	Security	The contractor must ensure all data files and databases containing personally identifiable information (PII) are encrypted using a FIPS 140-2 validated solution at least 128 bit AES encryption or better before being electronically transferred across an internal network. All data files and databases containing PII data are to be encrypted using a FIPS 140-2 validated solution at least 128 bit AES encryption or better before being electronically transferred across a public network.

#	Type	Requirement
SEC-03.14	Security	The contractor must ensure all data files and databases that contain PII are backed up to physical media for transfer to secondary storage are encrypted using a FIPS 140-2 validated solution backed up using at least 128 bit AES encryption or better using the backup utility's encryption capability. No unencrypted intermediate backup files are to be created.
SEC-03.15	Security	The contractor must ensure physical media containing PII is maintained in a secure environment prior to its transfer offsite.
SEC-03.16	Security	The contractor must ensure physical media containing PII is monitored during the internal shipping process and must never be left unattended before handoff to the shipper.
SEC-03.17	Security	The contractor must ensure that physical media containing PII is shipped in locked containers with no special markings or other indications of the sensitive nature of the contents.
SEC-03.18	Security	The contractor must ensure shipping procedures should include a positive acknowledgement of receipt of encrypted backup files at the destination.
SEC-03.19	Security	If a Cloud Service Provider is used as part of the Assessment Delivery System, the cloud system must be listed as a FedRAMP Compliant Cloud System (see http://cloud.cio.gov/fedramp/cloud-systems).
SEC-03.20	Security	The contractor must ensure data remains within the continental United States.
SEC-03.21	Security	If a Cloud Service Provider is used as part of the Assessment Delivery System, the data maintained by the Cloud Service Provider shall be encrypted with a FIPS 140-2 validated solution and the Contractor shall ensure that CDE maintains possession of the encryption key.
SEC-03.22	Security	The contractor must ensure that data will not be converted into a proprietary format which will render the data non-portable.
SEC-03.23	Security	The contractor must deploy a secure browser (that supports Operating Systems as dictated by the Smarter Balanced) annually in order to create a secure interface for students to access only the CAASPP summative tests without any other online-enabled utility (i.e., students may only access the exam). (Refer to the Secure Browser Requirements and Specifications at http://www.smarterapp.org/specs/SecureBrowserSpecification.html.)
SDP-04.00	System Development Process	The Assessment Delivery System must provide real time progress reporting to LEA CAASPP coordinators, site coordinators, and the CDE pertaining to aggregate test administration information by district, school, course/grade or content area consistent with the roles and permissions established during joint requirement sessions. The specifications of the progress reporting are to be finalized during joint requirement sessions but may include such information as number of tests scheduled (by date or session and test type), number of tests being administered, number of tests completed, and the number of scoreable tests completed.

#	Type	Requirement
SDP-04.01	System Development Process	The contractor must develop System/Functional, Integration, and User Acceptance Test Plans that describe, at a minimum: • Roles and responsibilities • Scope • System test phases and schedule • System test approach, methodology, and tools • System test entry and exit criteria • System test pass/fail criteria • System test data and metrics • System test reporting • System test scenarios, cases and scripts • System test defect management processes and procedures
SDP-04.02	System Development Process	The contractor must provide automated test environment(s) for each system test phase, including System/Functional, Integration, and User acceptance.
SDP-04.03	System Development Process	The contractor must provide functional testing, including test environment(s), test data, and test to requirements/feature coverage.
SDP-04.04	System Development Process	The Assessment Delivery System must have the ability to limit interim assessment usage (i.e., restrict interim usage) within 1 hour of receiving the direction from the CDE to do so.
SDP-04.05	System Development Process	The Assessment Delivery System must create unique test session IDs that ensure secure test administration.
SDP-04.06	System Development Process	The Assessment Delivery System must allow for functionality to process approved appeals (i.e., test reset, invalidation, reopen, and restore).
SDP-04.07	System Development Process	The Assessment Delivery System must allow all students to review their answers for certain sections or sets of questions before moving on to the next section or completing the exam.
SDP-04.08	System Development Process	The Assessment Delivery System must have controls to prevent a student from prematurely exiting an assessment or from being inadvertently exited from an assessment.
SDP-04.09	System Development Process	The Assessment Delivery System must default to human voice when both human and machine voice options are available as a feature of accessibility supports, tools or accommodations.
SDP-04.10	System Development Process	The Assessment Delivery System must save student responses to selected response items (both linked to common stimuli and not) upon selection by the student.
SDP-04.11	System Development Process	The Assessment Delivery System must save student responses to constructed response items and technology-enhanced (e.g., drag/drop, graphing) items.

#	Type	Requirement
SDP-04.12	System Development Process	The Assessment Delivery System must allow test administrators to start, stop, pause, and resume a test session.
SDP-04.13	System Development Process	For the Smarter Balanced interim assessments only, the Assessment Delivery System must allow test administrators to specify a limited set (number) of questions for testing.
SDP-04.14	System Development Process	The Assessment Delivery System must allow test administrators to monitor student progress during testing, which includes but is not limited to having the ability to determine which item a student is currently working on without showing the item or student response.
SDP-04.15	System Development Process	The Assessment Delivery System must provide a user interface (accessible to user roles consistent those established during joint requirement sessions) to activate and deactivate accessibility tools, supports and accommodations. The activations/deactivations made via the user interface must be made prior to a student taking a test and must be immediately available to the student once they begin testing.
SDP-04.16	System Development Process	The Assessment Delivery System must retain previously saved student responses when a test is paused or restarted.
SDP-04.17	System Development Process	The Assessment Delivery System must save student responses and end a test session when there is no activity on the test for a specified period established during joint requirement sessions.
SDP-04.18	System Development Process	For the Smarter Balanced interim assessment only, the Assessment Delivery System must allow for out-of-level testing (i.e., administration of tests that are not consistent with the student's enrolled grade).
SDP-04.19	System Development Process	For the Smarter Balanced interim assessment only, the Assessment Delivery System must allow an unlimited number of interim tests to be administered to any one student.
SIM-05.00	System Implementation	The contractor must develop a System Implementation Plan that describes how the Assessment Technology Platform will be deployed, installed and transitioned into an operational system. The plan shall include, at a minimum: • An overview of the hosting system • System implementation readiness assessment methodology and schedule • Implementation schedule, including field tests and pilots • Description of the major tasks involved in the implementation • Overall resources needed to support the implementation effort, including hardware, software, facilities, materials and personnel • Security features associated with the system when it is implemented, including security during implementation • Description of performance monitoring tools and techniques • Any site-specific implementation requirements • Description of process for validating the implementation was successful • Description of system acceptance and sign-off process

#	Type	Requirement
UEP-06.00	User Experience	The Assessment Delivery System must conform to a consistent look and feel for each class of user for all components of the system, including Smarter Balanced and non-Smarter Balanced components.
UEP-06.01	User Experience	The Assessment Delivery System must display (on the workstation screen) the name of the student who is testing.
UEP-06.02	User Experience	The Assessment Technology Platform must be presented as a cohesive, single system with a single sign-on and seamless navigation. The single sign-on may be achieved by using the Smarter Balanced single sign-on or, if available, the use of a California single sign-on that can integrate with the Smarter Balanced single sign-on (inclusive of the Digital Library).
UEP-06.03	User Experience	The Assessment Delivery System must adhere to industry best practice user interface standards and use industry best practice user interface controls in accordance with the supported end-user devices (e.g., W3C, Microsoft).
UEP-06.04	User Experience	The Assessment Delivery System must comply with all applicable accessibility standards set forth in California Government Code Section 11135 as well as policy set forth in the CDE Web Accessibility standards located at http://www.cde.ca.gov/re/di/ws/webaccessstds.asp.
UEP-06.05	User Experience	The Assessment Delivery System must provide online, context-sensitive help for each class of user. The specific features requiring online help shall be identified during joint requirement sessions.
UEP-06.06	User Experience	The user interfaces (both administrators and students) of the Assessment Delivery System must be identical except for required deviations due to differences between Smarter Balanced and non-Smarter Balanced tests (e.g., skip item functionality would only be available on non-Smarter Balanced tests).
TAC-07.00	Technical Assistance Center	The contractor must provide Tier 1, 2 and 3 supports for technical issues as referenced in RFS Section 3.2.3.
TAC-07.01	Technical Assistance Center	The contractor must provide an escalation to Tier 2 and 3 support for unresolved Tier 1 issues consistent with RFS Section 3.2.3.
TAC-07.02	Technical Assistance Center	The contractor must provide a process for working with user-sponsored technical support organizations (i.e., LEA and CDE information technology groups).
TAC-07.03	Technical Assistance Center	The contractor must provide system support ticket tracking, resolution, and reporting.

#	Type	Requirement
SRM-08.00	System Delivery Release Management	The contractor must provide a System Delivery Release Management Plan that includes, at a minimum: • Scope • Roles and responsibilities • Release Management approach and methodology • Processes and procedures for solution maintenance and upgrade as it relates to participation in, and implementation of, subsequent versions of the open-source Smarter Balanced code base, as well as proprietary modifications and independently developed components (only applicable if the Assessment Delivery System uses the Smarter Balanced open-source code) • Process and procedures for communications and coordination with internal and external partners • Description of release artifacts, including release notes and reports • Inputs to Release Management • Description of release types, including maintenance and emergency releases • Processes and procedures for performing scheduled and unscheduled releases • System outage management • Processes and procedures for performing scheduled and unscheduled releases • Release testing procedures, including regression and integration testing with CALPADS and other external partners • Production readiness procedures • Production deployment procedures • Production validation procedures • Processes and procedures for system delivery acceptance • Release rollback/back-out procedures
SRM-08.01	System Delivery Release Management	The contractor must provide a process for scheduled and unscheduled releases.
SRM-08.02	System Delivery Release Management	The contractor must comply with the system delivery acceptance process as defined by the CDE for the initial, and each subsequent, system delivery release.
PER-09.00	Performance	The Assessment Delivery System must support the concurrent use by up to 500,000 users inclusive of student test takers and test administrators between the hours of 6 a.m. and 8 p.m. PT Monday through Friday.
PER-09.01	Performance	The Assessment Delivery System must provide an adequate number of concurrent Web sessions to support the number of concurrent users at any given time.
PER-09.02	Performance	The Assessment Delivery System must deliver 100% of the test questions with no more than five seconds of latency while serving a simulated peak concurrent user load as tested from a series of test devices connected to a test lab at the CDE headquarters site.

#	Type	Requirement
PER-09.03	Performance	The contractor must conduct performance/load/stress testing that address, at a minimum, the following objectives: • To verify the reliability of the application under stress. • To determine application's behavior under extreme load conditions. • To discover application bugs that occurs only under high load conditions. These can include such things as synchronization issues, race conditions and memory leaks. • To determine the application's robustness in terms of extreme load and help application administrators to determine if the application will perform sufficiently if the current load goes well above the expected maximum.
PER-09.04	Performance	The Assessment Delivery System must demonstrate performance and stress requirements compliance through rigorous performance testing.
PER-09.05	Performance	The contractor must provide a performance, load, and stress testing environment that mirrors the production environment and is capable of simulating peak transaction and user loads as well as and data creation/storage/transfer capacities.
PER-09.06	Performance	The contractor must work with the CDE during joint requirement development sessions to define performance thresholds that include, but are not limited to, network utilization, and component latency/processing time, screen refresh rates, test item delivery latency, and test answer submission latency.
PER-09.07	Performance	The contractor must conduct performance/load/stress testing that identify, at a minimum: • The hardware and/or the system's configurations/communication bottlenecks and their causes. • Application's response times. • Application's throughput. • Maximum concurrent users that application can bear in a system. • Resource (e.g., CPU, RAM, network I/O, and disk I/O) utilizations that application consumes during the test. • Behavior of the system under various workload types including normal load and peak load. • At what parameter levels beyond the minimum the system performance degrades below acceptable performance thresholds. • Symptoms and causes of application failure under stress conditions. • Weak points in the application (e.g., an increase in the number of users, amount of data, or application activity might cause an increase in stress).
PER-09.08	Performance	The contractor must instrument and monitor the production hosted and delivered system to ensure the production implementation remains compliant with performance requirements and service level agreements.

#	Type	Requirement
PER-09.09	Performance	The contractor must develop a Performance/Load/Stress Test Plan that includes, at a minimum: • Scope • Roles and Responsibilities • Performance/Capability Goals • Dependencies and baseline assumptions • Test tools • Testing approach and methodology • Test schedules including length of tests and number of times each is executed • Testing processes, procedures, and activities • Testing scenarios • Test status reporting • Performance thresholds • Test metrics • Test entry/exit criteria • Test pass/fail criteria • Process for communicating the performance test results and the system performance acceptance process to the CDE
PER-09.10	Performance	The contractor must provide a process for monitoring and reporting production system performance, the specifics of which will be determined through joint requirement sessions.
PER-09.11	Performance	The contractor must provide production system health reporting capabilities that include, but are not limited to, the ability for the CDE to monitor in real time, or through reports, the number of test takers, number of in-progress tests (interim and summative counts), number of administrative users, and other technical system health and use parameters to be determined through joint requirement sessions.
PER-09.12	Performance	The contractor must obtain a network peering agreement (or functionally similar agreement) with the K12HSN to enable efficient routing of messages.
DRC-10.00	Disaster Recovery and Business Continuity	The Assessment Delivery System must maintain an availability rate of 99.9 percent annually from January 1 through August 30, exclusive of designated California school holidays, between the hours of 6 a.m. and 8 p.m. PT. Otherwise maintain an availability rate of 99 percent between the hours of 6 a.m. and 8 p.m. PT.
DRC-10.01	Disaster Recovery and Business Continuity	The Assessment Delivery System must be at a Tier 3 data center. A Tier 3 data center is defined as a facility consisting of multiple active power and cooling distribution paths; however, only one path is active. Additionally, the facility has redundant components and is concurrently maintainable providing 99.982% availability.
DRC-10.02	Disaster Recovery and Business Continuity	The Assessment Delivery System must provide sufficient information on student progress or state of the application with sufficient detail necessary for system recovery, including saving the state of partially completed answers to multi-part items.

#	Type	Requirement
DRC-10.03	Disaster Recovery and Business Continuity	The Assessment Delivery System must have the ability to recover from end-user device failure while minimizing the loss of information, progress, and state.
DRC-10.04	Disaster Recovery and Business Continuity	The Assessment Delivery System must have the ability to recover from network failure while minimizing the loss of information, progress, and state.
DRC-10.05	Disaster Recovery and Business Continuity	The Assessment Delivery System must have the ability to recover from a Web server/application server/database server failure while minimizing the loss of information, progress, and state.
DRC-10.06	Disaster Recovery and Business Continuity	The Assessment Delivery System must ensure the maintenance of test integrity during outage events that occur while test administration is in process.
DRC-10.07	Disaster Recovery and Business Continuity	The Assessment Delivery System must have robust data backup and recovery process and architecture that adhere to industry best practices.
DRC-10.08	Disaster Recovery and Business Continuity	The contractor must provide a Disaster Recovery and Business Continuity Plan that provides for the Assessment Delivery System to stay functional in a disastrous state. The plan must include, at a minimum: • Scope • Approach and methodology • Roles and responsibilities • Backup and restore strategies and policies for data, database, and code • Business continuity planning activities • Disaster recovery process, procedures and timeframes • Ongoing testing, updates, and maintenance of the plan
DRD-11.00	Data Policy Retention and Destruction	The Assessment Delivery Component must securely store and transmit student- level data in accordance with the requirements of the *SAM* Section 5305.8 for highly sensitive data. Data must be accessed only by authorized personnel and securely destroyed after the termination of the contract.
DRD-11.01	Data Policy Retention and Destruction	The contractor must adhere to the Department of Education Administrative Manual (DEAM), sections 10120, 10600, and 10601 with regards to the retention and destruction of data security, retention and destruction.
DRD-11.02	Data Policy Retention and Destruction	The contractor must adhere to *EC* 60607 and to the Family Educational Rights and Privacy Act (FERPA) of 1974 , Section 1232g in Part 4 of Title 20 of the Code of Federal Regulations (20 C.F.R. § 1232g) with regard to the access and destruction of personally identifiable information and/or confidential data.

#	Type	Requirement
MAO-12.00	Maintenance and Operation	The contractor must develop a maintenance and operation plan that describes, at a minimum: • Process for system maintenance and upgrades (e.g., implementation of subsequent versions of the open-source Smarter Balanced code base; implementation of proprietary modifications and independently developed components) • Process for scheduled and unscheduled releases • Process for release testing and coordination • Release notes, communications and coordination processes

Appendix D—Summary of Embedded Universal Tools, Designated Supports, and Accommodations Supported by the CAASPP 2015 Test Delivery System

The following table includes the full set of embedded universal tools, designated supports, and accommodations (see gray boxes) which the Assessment Delivery System (ADS) supports.

	Universal Tools	Designated Supports	Accommodations
Embedded	Breaks Calculator[1] Digital Notepad English Dictionary[2] English Glossary Expandable Passages Global Notes Highlighter Keyboard Navigation Mark for Review Math Tools[3] Spell Check[4] Strikethrough Writing Tools[5] Zoom	Color Contrast Masking Text-to-Speech[6] Translated Test Directions[7] Translations (Glossary)[8] Translations (Stacked)[9] Turn off Any Universal Tools	American Sign Language[10] Braille Closed Captioning[11] Streamline Text-to-Speech[12]
Non-embedded	Breaks English Dictionary[13] Scratch Paper Thesaurus[14]	Bilingual Dictionary[15] Color Contrast Color Overlay Magnification Read Aloud Noise Buffers Scribe[16] Separate Setting Translated Test Directions Translations (Glossary)[17]	Abacus Alternate Response Options[18] Calculator[19] Multiplication Table[20] Print on Demand Read Aloud Scribe Speech-to-Text

*Items shown are available for ELA and math unless otherwise noted.

[1] For calculator-allowed items only
[2] For ELA performance task full-writes
[3] Includes embedded ruler, embedded protractor
[4] For ELA items
[5] Includes bold, italic, underline, indent, cut, paste, spell check, bullets, undo/redo.
[6] For ELA items (not ELA reading passages) and math items
[7] For math items
[8] For math items
[9] For math test
[10] For ELA listening Items and math items
[11] For ELA listening items
[12] For ELA reading passages grades 6-8 and 11
[13] For ELA performance task full-writes
[14] For ELA performance task full-writes
[15] For ELA performance task full-writes
[16] For ELA non-writing items and math items
[17] For math items
[18] Includes adapted keyboards, large keyboards, StickyKeys, MouseKeys, FilterKeys, adapted mouse, touch screen, head wand, and switches.
[19] For calculator-allowed items only
[20] For math items beginning in grade 4.

Educational Testing Service Request for Submissions Budget Summary

The following reflects the Cost Submission Summary submitted by Educational Testing Service as part of the Request for Submissions process.

Task	Fiscal Year 2015–16 (July 1, 2015 to June 30, 2016)	Fiscal Year 2016–17 (July 1, 2016 to June 30, 2017)	Fiscal Year 2017–18 (July 1, 2017 to June 30, 2018)	Fiscal Year 2018–19 (July 1, 2018 to December 31, 2018)	**Grand Total All Years**
Task 1: Comprehensive Plan and Schedule of Deliverables	$ 4,681,624.69	$ 4,754,962.16	$ 4,869,001.59	$ 1,615,287.23	**$ 15,920,875.67**
Task 2: Program Support Services	$ 8,201,490.53	$ 7,888,022.58	$ 8,107,584.37	$ 383,409.70	**$ 24,580,507.18**
Task 3: Technology Services	$ 5,027,486.35	$ 4,733,928.99	$ 4,293,781.43	$ 601,494.00	**$ 14,656,690.77**
Task 4: Test Security	$ 99,832.25	$ 100,576.58	$ 102,410.63	$ -	**$ 302,819.46**
Task 5: Accessibility and Accommodations	$ 171,457.16	$ 100,491.20	$ 110,762.83	$ -	**$ 382,711.19**
Task 6: Assessment Development	$ 3,234,494.40	$ 6,020,004.06	$ 8,499,556.24	$ 1,401,847.08	**$ 19,155,901.78**
Task 7: Test Administration	$ 31,285,609.29	$ 32,426,307.55	$ 27,574,358.66	$ 192,217.58	**$ 91,478,493.08**
Task 8: Scoring and Analysis	$ 21,193,220.27	$ 23,904,257.53	$ 19,648,999.02	$ 50,844.00	**$ 64,797,320.82**
Task 9: Reporting Results	$ 2,104,720.09	$ 2,930,378.71	$ 2,552,625.25	$ 1,135,078.30	**$ 8,722,802.35**
Total:	**$ 75,999,935.03**	**$ 82,858,929.36**	**$ 75,759,080.02**	**$ 5,380,177.89**	**$ 239,998,122.30**

Prepared by the California Department of Education, April 2015

California Department of Education
April 2015
CN150021 Budget Summary by Fiscal Year
Draft

Proposed Budget

CBT = Computer-based testing
P = Paper-pencil testing

	Task	Type	Grades to be Tested	Estimated Number of Test Takers	Fiscal Year 2015–16 (7/1/15 to 6/30/16)	Fiscal Year 2016–17 (7/1/16 to 6/30/17)	Fiscal Year 2017–18 (7/1/17 to 6/30/18)	Fiscal Year 2018–19 (7/1/18 to 12/31/18)	**Total Costs**
2015–16 Test Administration Cycle									
Administrative and Program Supports:									
Comprehensive Plan and Schedule	1				$ 4,681,625	$ 49,730			**$ 4,731,355**
Program Support Services(Smarter Interim included under test admin)	2				$ 6,572,439	$ 137,603			**$ 6,710,042**
Technology Services	3				$ 5,027,486	$ 476,627			**$ 5,504,113**
Test Security Measures	4				$ 99,832	$ -			**$ 99,832**
Accessibility and Accommodations	5				$ 171,457	$ -			**$ 171,457**
Assessment Development (Task 6):									
CCSS-aligned Alternate Assessments (ongoing)	6	CBT	3–8, 11		$ 998,419	$ 710,064			**$ 1,708,483**
NGSS-aligned science assessments (develop)	6	CBT	TBD		$ 1,176,838	$ 561,453			**$ 1,738,291**
NGSS-aligned alternate science assessments (develop)	6	CBT	TBD		$ 341,645	$ 306,873			**$ 648,518**
CCSS-aligned primary language assessments (develop)	6	CBT	3–11		$ 717,593	$ 1,169,013			**$ 1,886,606**
Test Administration (Task 7); Scoring and Analysis (Task 8); and Reporting (Task 9); Interim Assessments (Task 2):									
Smarter Balanced Summative Assessments	7, 8, 9	CBT	3–8, 11	3,104,000	$ 46,372,147	$ 5,999,112			**$ 52,371,259**
Smarter Balanced Interim Assessments	2, 7, 8, 9	CBT	K–12		$ 1,672,029	$ 2,129			**$ 1,674,158**
CCSS-aligned Alternate Assessments	7, 8, 9	CBT	3–8, 11	39,000	$ 1,039,582	$ 33,294			**$ 1,072,876**
Smarter Balanced Summative Assessments	7, 8, 9	P	3–8, 11	96,000	$ 1,727,409	$ 228,932			**$ 1,956,341**
CCSS-aligned Alternate Assessments	7, 8, 9	P	3–8, 11	4,000	$ 120,855	$ 2,705			**$ 123,560**
CST and CMA Science Assessments	7, 8, 9	P	5, 8, 10	1,380,000	$ 3,711,073	$ 325,353			**$ 4,036,426**
CAPA Science Assessments	7, 8, 9	P	5, 8, 10	15,000	$ 447,416	$ 4,994			**$ 452,410**
STS Primary Language Assessment	7, 8, 9	P	2–11	45,000	$ 1,122,090	$ 13,147			**$ 1,135,237**
Total cost for 2015–16 test administration cycle:					$ 75,999,935	$ 10,021,029	$ -	$ -	**$ 86,020,964**

California Department of Education
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CN150021 Budget Summary by Fiscal Year
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	Task	Type	Grades to be Tested	Estimated Number of Test Takers	Fiscal Year 2015–16 (7/1/15 to 6/30/16)	Fiscal Year 2016–17 (7/1/16 to 6/30/17)	Fiscal Year 2017–18 (7/1/17 to 6/30/18)	Fiscal Year 2018–19 (7/1/18 to 12/31/18)	**Total Costs**
2016–17 Test Administration Cycle									
Administrative and Program Supports:									
Comprehensive Plan and Schedule	1					$ 4,705,232	$ 93,868		**$ 4,799,100**
Program Support Services(Smarter Interim included under test admin)	2					$ 6,115,925	$ 141,730		**$ 6,257,655**
Technology Services	3					$ 4,257,302	$ 443,722		**$ 4,701,024**
Test Security Measures	4					$ 100,577	$ -		**$ 100,577**
Accessibility and Accommodations	5					$ 100,491	$ -		**$ 100,491**
Assessment Development (Task 6):									
CCSS-aligned Alternate Assessments (ongoing)	6	CBT	3–8, 11			$ 916,550	$ 467,130		**$ 1,383,680**
NGSS-aligned science assessments (Pilot)	6	CBT	TBD			$ 1,157,172	$ 52,668		**$ 1,209,840**
NGSS-aligned alternate science assessments (Pilot)	6	CBT	TBD			$ 149,872	$ 21,297		**$ 171,169**
CCSS-aligned primary language assessments (Pilot)	6	CBT	3–11			$ 1,049,006	$ 37,807		**$ 1,086,813**
Test Administration (Task 7); Scoring and Analysis (Task 8); and Reporting (Task 9); Interim Assessments (Task 2):									
Smarter Balanced Summative Assessments	7, 8, 9	CBT	3–8, 11	3,104,000		$ 44,463,695	$ 3,085,275		**$ 47,548,970**
Smarter Balanced Interim Assessments	2, 7, 8, 9	CBT	K–12			$ 1,678,581	$ 2,741		**$ 1,681,322**
CCSS-aligned Alternate Assessments	7, 8, 9	CBT	3–8, 11	39,000		$ 1,030,128	$ 30,879		**$ 1,061,007**
Smarter Balanced Summative Assessments	7, 8, 9	P	3–8, 11	96,000		$ 1,727,731	$ 366,421		**$ 2,094,152**
CCSS-aligned Alternate Assessments	7, 8, 9	P	3–8, 11	4,000		$ 115,549	$ 2,851		**$ 118,400**
CST and CMA Science Assessments	7, 8, 9	P	5, 8, 10	1,380,000		$ 3,663,940	$ 556,464		**$ 4,220,404**
CAPA Science Assessments	7, 8, 9	P	5, 8, 10	15,000		$ 439,963	$ 7,160		**$ 447,123**
STS Primary Language Assessment	7, 8, 9	P	2–11	45,000		$ 1,166,186	$ 18,587		**$ 1,184,773**
Total cost for 2016–17 test administration cycle:					$ -	$ 72,837,900	$ 5,328,600	$ -	**$ 78,166,500**

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CN150021 Budget Summary by Fiscal Year
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	Task	Type	Grades to be Tested	Estimated Number of Test Takers	Fiscal Year 2015–16 (7/1/15 to 6/30/16)	Fiscal Year 2016–17 (7/1/16 to 6/30/17)	Fiscal Year 2017–18 (7/1/17 to 6/30/18)	Fiscal Year 2018–19 (7/1/18 to 12/31/18)	Total Costs
2017–18 Test Administration Cycle									
Administrative and Program Supports:									
Comprehensive Plan and Schedule	1						$ 4,775,131	$ 1,615,287	**$ 6,390,418**
Program Support Services(Smarter Interim included under test admin)	2						$ 6,325,618	$ 383,410	**$ 6,709,028**
Technology Services	3						$ 3,850,059	$ 601,494	**$ 4,451,553**
Test Security Measures	4						$ 102,411	$ -	**$ 102,411**
Accessibility and Accommodations	5						$ 110,763	$ -	**$ 110,763**
Assessment Development (Task 6):									
CCSS-aligned Alternate Assessments (ongoing)	6	CBT	3–8, 11				$ 846,859	$ 517,726	**$ 1,364,585**
NGSS-aligned science assessments (Field Test)	6	CBT	TBD	1,395,000			$ 5,143,955	$ 282,314	**$ 5,426,269**
NGSS-aligned alternate science assessments (Field Test)	6	CBT	TBD	15,000			$ 730,553	$ 113,421	**$ 843,974**
CCSS-aligned primary language assessments (Field Test)	6	CBT	3–11	45,000			$ 1,199,287	$ 488,386	**$ 1,687,673**
Test Administration (Task 7); Scoring and Analysis (Task 8); and Reporting (Task 9); Interim Assessments (Task 2):									
Smarter Balanced Summative Assessments	7, 8, 9	CBT	3–8, 11	3,200,000			$ 44,442,217	$ 1,348,822	**$ 45,791,039**
Smarter Balanced Interim Assessments	2, 7, 8, 9	CBT	K–12				$ 1,682,500	$ 3,844	**$ 1,686,344**
CCSS-aligned Alternate Assessments	7, 8, 9	CBT	3–8, 11	39,000			$ 1,037,787	$ 22,566	**$ 1,060,353**
CCSS-aligned Alternate Assessments	7, 8, 9	P	3–8, 11	4,000			$ 109,494	$ 2,908	**$ 112,402**
NGSS-aligned science assessments (Technical Report Only)	9						$ 53,234	$ -	**$ 53,234**
NGSS-aligned alternate science assessments (Technical Report Only)	9						$ 2,802	$ -	**$ 2,802**
CCSS-aligned primary language assessments (Technical Report Only)	9						$ 17,810	$ -	**$ 17,810**
Total cost for 2017–18 test administration cycle:					$ -	$ -	$ 70,430,480	$ 5,380,178	**$ 75,810,658**

Total cost per fiscal year for all three test administration cycles:	$ 75,999,935	$ 82,858,929	$ 75,759,080	$ 5,380,178	
Total cost for all three test administrations cycles:					**$ 239,998,122**

California Department of Education
April 2015
CN150012 2015–16 Test Administration Summary
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Budget

	A	B	C	D	E	F	G	H	I	J	K	L
	Task	Type	Subjects	# Items (to be developed)	Cost Per Item	Grades to be Tested	Estimated Number of Test Takers	Fixed Costs	Per Pupil Costs	Per Pupil Rate (I ÷ G)	**Total Costs** (H + I)	Total Per Pupil Cost (K ÷ G)
2015–16 Test Administration Cycle												
Administrative and Program Supports (Tasks 1, 2, 3, 4, and 5):												
Comprehensive Plan and Schedule	1							$ 4,731,355			$ 4,731,355	**$ 1.01**
Program Support Services (Smarter Interim included under test admin.)	2							$ 6,710,042			$ 6,710,042	**$ 1.43**
Technology Services	3							$ 5,504,113			$ 5,504,113	**$ 1.18**
Test Security Measures	4							$ 99,832			$ 99,832	**$ 0.02**
Accessibility and Accommodations	5							$ 171,457			$ 171,457	**$ 0.04**
Assessment Development (Task 6):												
CCSS-aligned Alternate Assessments (ongoing)	6	CBT	ELA, Math	TBD—See Note Below		3–8, 11		$ 1,708,483			$ 1,708,483	**N/A**
NGSS-aligned science assessments (develop)	6	CBT	Science	TBD—See Note Below		TBD		$ 1,738,291			$ 1,738,291	**N/A**
NGSS-aligned alternate science assessments (develop)	6	CBT	Science	TBD—See Note Below		TBD		$ 648,518			$ 648,518	**N/A**
CCSS-aligned primary language assessments (develop)	6	CBT	RLA	TBD—See Note Below		3–11		$ 1,886,606			$ 1,886,606	**N/A**
Note: The average cost per item for an assessment depends on the mix of item types and number of items. Since the scope of work includes meetings with stakeholders to assist the State Board of Education in determining the content of the test(s), an average cost per item for the new assessments cannot be provided at this time.												
Test Administration (Task 7); Scoring and Analysis (Task 8); and Reporting (Task 9):												
Smarter Balanced Summative Assessments	7	CBT	ELA, Math			3–8, 11	3,104,000	$ 24,592,193	$ -	$ -	$ 24,592,193	**$ 7.92**
	8							$ 16,658,384	$ 8,381,810	$ 2.70	$ 25,040,194	**$ 8.07**
	9							$ 2,503,426	$ 235,446	$ 0.08	$ 2,738,872	**$ 0.88**
Subtotal:								***$ 43,754,003***	***$ 8,617,256***	***$ 2.78***	***$ 52,371,259***	***$ 16.87***
Smarter Balanced Interim Assessments	2	CBT	ELA, Math			K–12		$ 1,629,052	$ -		$ 1,629,052	**N/A**
	7							$ 18,747	$ -		$ 18,747	**N/A**
	8							$ 26,359	$ -		$ 26,359	**N/A**
	9							$ -	$ -		$ -	**N/A**
Subtotal:								***$ 1,674,158***	***$ -***		***$ 1,674,158***	***N/A***
CCSS-aligned Alternate Assessments	7	CBT	ELA, Math			3–8, 11	39,000	$ 713,293	$ -	$ -	$ 713,293	**$ 18.29**
	8							$ 280,721	$ 14,679	$ 0.38	$ 295,400	**$ 7.57**
	9							$ 60,543	$ 3,640	$ 0.09	$ 64,183	**$ 1.65**
Subtotal:								***$ 1,054,557***	***$ 18,319***	***$ 0.47***	***$ 1,072,876***	***$ 27.51***
Smarter Balanced Summative Assessments	7	P	ELA, Math			3–8, 11	96,000	$ 1,113,733	$ 584,976	$ 6.09	$ 1,698,709	**$ 17.69**
	8							$ 158,554	$ 84,665	$ 0.88	$ 243,219	**$ 2.53**
	9							$ 12,035	$ 2,378	$ 0.02	$ 14,413	**$ 0.15**
Subtotal:								***$ 1,284,322***	***$ 672,019***	***$ 6.99***	***$ 1,956,341***	***$ 20.37***
CCSS-aligned Alternate Assessments	7	P	ELA, Math			3–8, 11	4,000	$ 69,810	$ 37,041	$ 9.26	$ 106,851	**$ 26.71**
	8							$ 14,775	$ 773	$ 0.19	$ 15,548	**$ 3.89**
	9							$ 969	$ 192	$ 0.05	$ 1,161	**$ 0.29**
Subtotal:								***$ 85,554***	***$ 38,006***	***$ 9.50***	***$ 123,560***	***$ 30.89***
CST and CMA Science Assessments	7	P	Science			5, 8, 10	1,380,000	$ 1,472,012	$ 2,053,357	$ 1.49	$ 3,525,369	**$ 2.55**
	8							$ 136,478	$ 58,096	$ 0.04	$ 194,574	**$ 0.14**
	9							$ 189,600	$ 126,883	$ 0.09	$ 316,483	**$ 0.23**
Subtotal:								***$ 1,798,090***	***$ 2,238,336***	***$ 1.62***	***$ 4,036,426***	***$ 2.92***

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Budget

	A	B	C	D	E	F	G	H	I	J	K	L
	Task	Type	Subjects	# Items (to be developed)	Cost Per Item	Grades to be Tested	Estimated Number of Test Takers	Fixed Costs	Per Pupil Costs	Per Pupil Rate (I ÷ G)	**Total Costs** (H + I)	Total Per Pupil Cost (K ÷ G)
2015–16 Test Administration Cycle												
CAPA Science Assessments	7	P	Science			5, 8, 10	15,000	$ 142,363	$ 199,483	$ 13.30	$ 341,846	**$ 22.79**
	8							$ 66,457	$ 11,716	$ 0.78	$ 78,173	**$ 5.21**
	9							$ 31,450	$ 941	$ 0.06	$ 32,391	**$ 2.16**
Subtotal:								***$ 240,270***	***$ 212,140***	***$ 14.14***	***$ 452,410***	***$ 30.16***
STS Primary Language Assessment	7	P	RLA			2–11	45,000	$ 369,125	$ 511,507	$ 11.37	$ 880,632	**$ 19.57**
	8							$ 137,208	$ 47,494	$ 1.06	$ 184,702	**$ 4.10**
	9							$ 66,066	$ 3,837	$ 0.09	$ 69,903	**$ 1.55**
Subtotal:								***$ 572,399***	***$ 562,838***	***$ 12.52***	***$ 1,135,237***	***$ 25.22***
Total cost for 2015–16 test administration cycle:								**$ 73,662,050**	**$ 12,358,914**	**$ 2.64**	**$ 86,020,964**	**$ 18.37**

California Department of Education
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CN150012 2016–17 Test Administration Summary
Draft

Budget

	A	B	C	D	E	F	G	H	I	J	K	L
	Task	Type	Subjects	# Items (to be developed)	Cost Per Item	Grades to be Tested	Estimated Number of Test Takers	Fixed Costs	Per Pupil Costs	Per Pupil Rate (I ÷ G)	**Total Costs** (H + I)	Total Per Pupil Cost (K ÷ G)
2016–17 Test Administration Cycle												
Administrative and Program Supports:												
Comprehensive Plan and Schedule	1							$ 4,799,100			$ 4,799,100	**$ 1.02**
Program Support Services (Smarter Interim included under test admin.)	2							$ 6,257,655			$ 6,257,655	**$ 1.34**
Technology Services	3							$ 4,701,024			$ 4,701,024	**$ 1.00**
Test Security Measures	4							$ 100,577			$ 100,577	**$ 0.02**
Accessibility and Accommodations	5							$ 100,491			$ 100,491	**$ 0.02**
Assessment Development (Task 6):												
CCSS-aligned Alternate Assessments (ongoing)	6		ELA, Math	TBD - See Note Below		3–8, 11		$ 1,383,680			$ 1,383,680	**N/A**
NGSS-aligned science assessments (Pilot)	6		Science	TBD - See Note Below		TBD		$ 1,209,840			$ 1,209,840	**N/A**
NGSS-aligned alternate science assessments (Pilot)	6		Science	TBD - See Note Below		TBD		$ 171,169			$ 171,169	**N/A**
CCSS-aligned primary language assessments (Pilot)	6		RLA	TBD - See Note Below		3–11		$ 1,086,813			$ 1,086,813	**N/A**
Note: The average cost per item for an assessment depends on the mix of item types and number of items. Since the scope of work includes meetings with stakeholders to assist the State Board of Education in determining the content of the test(s), an average cost per item for the new assessments cannot be provided at this time.												
Test Administration (Task 7); Scoring and Analysis (Task 8); and Reporting (Task 9):												
Smarter Balanced Summative Assessments	7	CBT	ELA, Math			3–8, 11	3,104,000	$ 25,098,116	$ -	$ -	$ 25,098,116	**$ 8.09**
	8							$ 17,313,054	$ 2,876,716	$ 0.93	$ 20,189,770	**$ 6.50**
	9							$ 1,977,391	$ 283,693	$ 0.09	$ 2,261,084	**$ 0.73**
Subtotal:								***$ 44,388,561***	***$ 3,160,409***	***$ 1.02***	***$ 47,548,970***	***$ 15.32***
Smarter Balanced Interim Assessments	2	CBT	ELA, Math			K–12		$ 1,634,495	$ -		$ 1,634,495	**N/A**
	7							$ 19,836	$ -		$ 19,836	**N/A**
	8							$ 26,991	$ -		$ 26,991	**N/A**
	9							$ -	$ -		$ -	**N/A**
Subtotal:								***$ 1,681,322***	***$ -***		***$ 1,681,322***	***N/A***
CCSS-aligned Alternate Assessments	7	CBT	ELA, Math			3–8, 11	39,000	$ 705,060	$ -	$ -	$ 705,060	**$ 18.08**
	8							$ 146,996	$ 7,640	$ 0.20	$ 154,636	**$ 3.97**
	9							$ 196,915	$ 4,396	$ 0.11	$ 201,311	**$ 5.16**
Subtotal:								***$ 1,048,971***	***$ 12,036***	***$ 0.31***	***$ 1,061,007***	***$ 27.21***
Smarter Balanced Summative Assessments	7	P	ELA, Math			3–8, 11	96,000	$ 1,248,643	$ 638,012	$ 6.65	$ 1,886,655	**$ 19.65**
	8							$ 164,111	$ 29,058	$ 0.30	$ 193,169	**$ 2.01**
	9							$ 11,462	$ 2,866	$ 0.03	$ 14,328	**$ 0.15**
Subtotal:								***$ 1,424,216***	***$ 669,936***	***$ 6.98***	***$ 2,094,152***	***$ 21.81***
CCSS-aligned Alternate Assessments	7	P	ELA, Math			3–8, 11	4,000	$ 49,593	$ 59,512	$ 14.88	$ 109,105	**$ 27.28**
	8							$ 7,737	$ 402	$ 0.10	$ 8,139	**$ 2.03**
	9							$ 925	$ 231	$ 0.06	$ 1,156	**$ 0.29**
Subtotal:								***$ 58,255***	***$ 60,145***	***$ 15.04***	***$ 118,400***	***$ 29.60***
CST and CMA Science Assessments	7	P	Science			5, 8, 10	1,380,000	$ 1,583,063	$ 2,210,945	$ 1.60	$ 3,794,008	**$ 2.75**
	8							$ 125,188	$ 11,945	$ 0.01	$ 137,133	**$ 0.10**
	9							$ 251,408	$ 37,855	$ 0.03	$ 289,263	**$ 0.21**
Subtotal:								***$ 1,959,659***	***$ 2,260,745***	***$ 1.64***	***$ 4,220,404***	***$ 3.06***

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Budget

	A	B	C	D	E	F	G	H	I	J	K	L
	Task	Type	Subjects	# Items (to be developed)	Cost Per Item	Grades to be Tested	Estimated Number of Test Takers	Fixed Costs	Per Pupil Costs	Per Pupil Rate (I ÷ G)	**Total Costs** (H + I)	Total Per Pupil Cost (K ÷ G)
2016–17 Test Administration Cycle												
CAPA Science Assessments	7	P	Science			5, 8, 10	15,000	$ 142,984	$ 199,600	$ 13.31	$ 342,584	**$ 22.84**
	8							$ 62,184	$ 8,548	$ 0.57	$ 70,732	**$ 4.72**
	9							$ 32,892	$ 915	$ 0.06	$ 33,807	**$ 2.25**
Subtotal:								***$ 238,060***	***$ 209,063***	***$ 13.94***	***$ 447,123***	***$ 29.81***
STS Primary Language Assessment	7	P	RLA			2–11	45,000	$ 378,007	$ 522,378	$ 11.61	$ 900,385	**$ 20.01**
	8							$ 140,191	$ 48,858	$ 1.09	$ 189,049	**$ 4.20**
	9							$ 91,543	$ 3,796	$ 0.08	$ 95,339	**$ 2.12**
Subtotal:								***$ 609,741***	***$ 575,032***	***$ 12.78***	***$ 1,184,773***	***$ 26.33***
Total cost for 2016–17 test administration cycle:								**$ 71,219,134**	**$ 6,947,366**	**$ 1.48**	**$ 78,166,500**	**$ 16.69**

California Department of Education
"April 2015
CN150012 2017–18 Test Administration Summary
Draft

Budget

	A	B	C	D	E	F	G	H	I	J	K	L
	Task	Type	Subjects	# Items (to be developed)	Cost Per Item	Grades to be Tested	Estimated Number of Test Takers	Fixed Costs	Per Pupil Costs	Per Pupil Rate (I ÷ G)	**Total Costs** (H + I)	Total Per Pupil Cost (K ÷ G)
2017–18 Test Administration Cycle												
Administrative and Program Supports:												
Comprehensive Plan and Schedule	1							$ 6,390,418			$ 6,390,418	**$ 1.36**
Program Support Services (Smarter Interim included under test admin.)	2							$ 6,709,028			$ 6,709,028	**$ 1.43**
Technology Services	3							$ 4,451,553			$ 4,451,553	**$ 0.95**
Test Security Measures	4							$ 102,411			$ 102,411	**$ 0.02**
Accessibility and Accommodations	5							$ 110,763			$ 110,763	**$ 0.02**
Assessment Development (Task 6):												
CCSS-aligned Alternate Assessments (ongoing)	6		ELA, Math	TBD - See Note Below		3–8, 11		$ 1,364,585			$ 1,364,585	**N/A**
NGSS-aligned science assessments (Field Test)	6		Science	TBD - See Note Below		TBD	1,380,000	$ 5,426,269			$ 5,426,269	**$ 3.93**
NGSS-aligned alternate science assessments (Field Test)	6		Science	TBD - See Note Below		TBD	15,000	$ 843,974			$ 843,974	**$ 56.26**
CCSS-aligned primary language assessments (Field Test)	6		RLA	TBD - See Note Below		3–11	45,000	$ 1,687,673			$ 1,687,673	**$ 37.50**
Note: The average cost per item for an assessment depends on the mix of item types and number of items. Since the scope of work includes meetings with stakeholders to assist the State Board of Education in determining the content of the test(s), an average cost per item for the new assessments cannot be provided at this time.												
Test Administration (Task 7); Scoring and Analysis (Task 8); and Reporting (Task 9):												
Smarter Balanced Summative Assessments	7	CBT	ELA, Math			3–8, 11	3,200,000	$ 25,908,530	$ -	$ -	$ 25,908,530	**$ 8.10**
	8							$ 16,694,939	$ 818,301	$ 0.26	$ 17,513,240	**$ 5.47**
	9							$ 2,054,260	$ 315,009	$ 0.10	$ 2,369,269	**$ 0.74**
Subtotal:								***$44,657,729***	***$ 1,133,310***	***$ 0.36***	***$45,791,039***	***$ 14.31***
Smarter Balanced Interim Assessments	2	CBT	ELA, Math			K–12		$ 1,640,237	$ -		$ 1,640,237	**N/A**
	7							$ 15,650	$ -		$ 15,650	**N/A**
	8							$ 30,457	$ -		$ 30,457	**N/A**
	9							$ -	$ -		$ -	**N/A**
Subtotal:								***$ 1,686,344***	***$ -***		***$ 1,686,344***	***N/A***
CCSS Alternate Assessments	7	CBT	ELA, Math			3–8, 11	39,000	$ 721,305	$ -	$ -	$ 721,305	**$ 18.50**
	8							$ 189,556	$ 5,990	$ 0.15	$ 195,546	**$ 5.01**
	9							$ 134,041	$ 9,461	$ 0.24	$ 143,502	**$ 3.68**
Subtotal:								***$ 1,044,902***	***$ 15,451***	***$ 0.39***	***$ 1,060,353***	***$ 27.19***
CCSS-aligned Alternate Assessments	7	P	ELA, Math			3–8, 11	4,000	$ 44,543	$ 55,077	$ 13.77	$ 99,620	**$ 24.90**
	8							$ 9,977	$ 315	$ 0.08	$ 10,292	**$ 2.57**
	9							$ 1,992	$ 498	$ 0.12	$ 2,490	**$ 0.62**
Subtotal:								***$ 56,512***	***$ 55,890***	***$ 13.97***	***$ 112,402***	***$ 28.09***
NGSS-aligned science assessments (Technical Report Only)	9		Science				1,380,000	$ 53,234	$ -		$ 53,234	**$ 0.04**
NGSS-aligned alternate science assessments (Technical Report	9		Science				15,000	$ 2,802	$ -		$ 2,802	**$ 0.19**
CCSS-aligned primary language assessments (Technical Report	9		RLA				45,000	$ 17,810	$ -		$ 17,810	**$ 0.40**
Subtotal:								***$ 73,846***	***$ -***		***$ 73,846***	***$ 0.63***
Total cost for 2017–18 test administration cycle:								**$ 74,606,007**	**$ 1,204,651**	**$ 0.37**	**$ 75,810,658**	**$ 16.19**

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CAASPP CN150012
Narrative for the Budget Summary

Revised April 21, 2015

The purpose of this document is to provide supporting information to the budget summary that Educational Testing Service (ETS) submitted to the California Department of Education (CDE) as part of the contract negotiations for RFS CN150012. The budget summary was presented to the CDE on March 30, 2015. The narrative is organized in the same order as Exhibit B in the budget summary.

General Comments about Fixed Costs

- Fixed costs include costs for the activities that must occur in order to successfully administer the California Assessment of Student Performance and Progress (CAASPP) system regardless of variables such as, but not limited to: number of tests; number of students tested; or number of local educational agencies (LEAs), schools, or test administrators. To administer at least one test, the activities described as fixed costs must occur.
- Fixed costs include activities that are not tied to a specific testing program and that must occur to operate the CAASPP system. These tasks include the comprehensive plan and schedule (Task 1); program support services, including the Smarter Balanced Interim Assessments and Digital Library (Task 2); technology services (Task 3); test security measures (Task 4); accessibility and accommodations support (Task 5), and test development (Task 6).
- Fixed costs also include activities that are related directly to the specific testing program. These activities must occur in order to administer at least one test for each grade and content area required. These fixed costs may include test materials construction and production (whether online or paper), scoring, analysis, and psychometric/technical activities and are combined with variable costs. Additional information about these fixed costs is described in the sections below for each testing program. Tasks that have a mix of both fixed and variable costs include test administration (Task 7), scoring and reporting (Task 8), and reporting (Task 9).
- The testing programs within the CAASPP assessment system also share some specific activities that create efficiencies in the administration and operations of the overall assessment system. These include, but are not limited to: preparing the test delivery system for computer-based tests; packaging paper-pencil testing materials for the different testing programs and shipping these materials to LEAs; collecting the paper test materials from LEAs; processing and preparing the test materials (both online or paper tests) when returned to the scoring center; and reporting the test results to the LEAs. For the CAASPP assessment system, the fixed costs for these shared activities are allocated to each testing program according to the expected number of students taking the tests. Thus, the fixed costs for the Smarter Balanced Summative Assessments — both shared and test specific — are higher than those of the other testing programs, because they include the largest volume of test takers.

General Comments about Variable Costs

- Variable costs include activities that are impacted directly by factors that can change, such as number and types of test materials or number of test takers.
- For the CAASPP assessment system, the most significant drivers of variable costs are the number of test takers which varies by and for each testing program and the number of student responses that human readers must score.
- Variable costs generally include activities that are tied to a specific testing program. The tasks that include variable costs are test administration (Task 7); scoring and analysis (Task 8), and reporting (Task 9). These tasks also have associated fixed costs.

Administrative and Program Support Costs

- The tasks and associated costs included in this area are those that contribute to the overall completion of the CAASPP Scope of Work (SOW) and that are not attributed to a specific testing program. These tasks include program support services (Task 2), test security (Task 4), support to LEAs (Task 2), test administration setup support (Task 2, item banking support (Task 6), provision of reports and data to the CDE (Task 9), and coordination with the CDE independent evaluator (Task 1).
- All costs in this area are fixed costs that are based on the estimated labor and other direct costs needed to complete each task, using reasonable assumptions, expertise, and experience of the ETS Team.

Assessment Development Costs

- The scope of assessment development costs includes the following new CAASPP assessments that are aligned to the state-adopted Common Core State Standards (CCSS) English-language arts (ELA) and mathematics or to the state-adopted Next Generation Science Standards (NGSS):
    - CCSS-aligned Alternate Assessments for ELA and mathematics — continuation of the assessment development activities that were initiated in the previous contract #5417. The California Alternate Assessment (CAA) for ELA and mathematics will be available as an online assessment and a paper-pencil assessment and will be administered to students in grades three through eight (inclusive) and grade 11.
    - NGSS-aligned science assessments — development of items and tasks (year 1), pilot testing (year 2), and field testing (year 3). The NGSS-aligned science assessments will be designed as online assessments; the pilot and field tests will be administered to students in the three grade levels that the state determines.
    - NGSS-aligned alternate science assessments — development of items and tasks (year 1), pilot testing (year 2), and field testing (year 3). The NGSS-aligned alternate science assessments will be designed primarily as an online assessment, similar to the CAA for ELA and mathematics; the pilot and field tests will be administered to students in the three grade levels that the state determines.
    - CCSS-aligned primary language assessments — development of items and tasks (year 1), pilot testing (year 2), field testing (year 3), and standard setting (year 3). The CCSS-aligned primary language assessments will be designed as online assessments; the pilot and field tests will be administered to students in grades three through 11 (inclusive), who meet the eligibility requirements for this assessment.

- All costs for assessment development activities are fixed costs under Task 6.
- The average cost per item for an assessment depends on the mix of item types and number of items. Since our scope of work includes meetings with stakeholders to determine the content of the test, we cannot predict the mix of item types at this time. Therefore, it is impossible to quote an average cost per item for the new assessments. We would like to discuss this issue in the negotiation meetings.
- There are no assessment development costs for the Smarter Balanced Summative and Interim Assessments, the California Standards Tests (CSTs) for Science, the California Modified Assessments (CMA) for Science, the California Alternate Performance Assessment (CAPA) for Science, and the Standards-based Tests in Spanish (STS) for Reading/language Arts (RLA).
    - Assessment development for the Smarter Balanced assessments is the responsibility of the Smarter Balanced Consortium.
    - The CST, CMA, and CAPA Science tests and the STS RLA tests utilize existing items and tasks developed under the previous contract.
- Costs to produce the Field Test technical reports for the NGSS-aligned science, NGSS-aligned alternate science, and the CCSS-aligned primary language assessments are included under the "Assessment Development (Task 6); Scoring and Analysis (Task 8); and Reporting (Task 9)" section for the 2018 administration.

Smarter Balanced Summative Assessment Costs — Computer-Based Tests

- The tasks and associated costs included in this area are those that are specifically related to the computer-based (online) administration of the Smarter Balanced Summative Assessments in ELA and mathematics. All students in grades three through eight (inclusive) and 11 are required to take the Smarter Balanced tests. Students eligible to take the CAA are exempt from the Smarter Balanced tests.
- The summative assessments are available as computer-based online tests, which is the primary mode of the test administration. The paper-pencil summative assessments are available for each administration covered under the contract. This section describes the costs relative to the computer-based tests only. The paper-pencil summative assessments are discussed later in this budget narrative.
- The costs for Smarter Balanced assessments are based on the test taker counts provided in the RFS. The estimated number of test takers for the Smarter Balanced Online Summative Assessments in all grades is 3,104,000 each in the 2016 and 2017 administrations. The estimated number of test takers for the Smarter Balanced Online Summative Assessments in all grades for the 2018 administration is 3,200,000. The increase in the 2018 test taker estimates is due to the fact that the paper-pencil version of the Smarter Balanced Summative Assessments will no longer be available beginning with the 2018 administration.
    - Students in grades three through eight (inclusive) and grade 11 must take the Smarter Balanced Summative Assessments for mathematics, including English learner (EL) students who have been United States schools less than 12 months.
    - Students in grades three through eight (inclusive) and grade 11 must take the Smarter Balanced Summative Assessments for ELA. However, per testing regulations, EL students who have been in the United States schools less than 12 months may be exempt from taking the Smarter Balanced Summative Assessments; for the purposes of planning and providing cost estimates, we assumed that the percentage of EL students exempt from testing in ELA will be a small fraction of the overall test taker counts.

- Students in grades five and eight must also take either CST Science or CMA Science.
- Summative Assessments test takers do not take the CAA and CAPA Science tests.
- Summative Assessments test takers may take the STS RLA test.

- The Smarter Balanced Summative Assessments are developed by the Smarter Balanced Consortium. Therefore, the ETS budget does not include test development costs for these tests.
- Use of the Smarter Balanced Summative Assessments are paid by the state through membership fees to the consortium. The membership fees include costs for activities such as, but not limited to, item and task development, fees for copyrighted materials, and tier 3 support to the Smarter Balanced systems and materials used by the state. Therefore, the ETS budget does not include costs for these and other Smarter Balanced-provided activities. The ETS cost estimate assumes the state will pay these fees directly, outside of ETS's pricing.
- Task 7: Test Administration
  - The *fixed costs specific* to the Smarter Balanced Online Summative Assessments for this task include:
    - Providing and supporting the Secure Browsers that students use to take the tests
    - Providing the Test Administrator (TA) Interface that test administrators use to proctor a testing session
    - Providing the Practice and Training Tests
    - Providing the online summative assessment as computer-adaptive tests (CAT) and performance tasks (PTs), along with necessary supporting materials, such as the Classroom Activities
    - Providing user guides and *Directions for Administration*
  - The *fixed costs shared* with other testing programs for this task include:
    - Hosting the test delivery system with sufficient resources to support up to 500,000 concurrent users (shared with the online CAA)
  - The *variable costs specific* to the Smarter Balanced Online Summative Assessments include:
    - (There are no program-specific variable costs.)
  - The *variable costs shared* with other testing programs for this task include:
    - (There are no shared variable costs.)
- Task 8: Scoring and Analysis
  - The *fixed costs specific* to the Smarter Balanced Online Summative Assessments for this task include:
    - Receiving and processing the student response and scored data from the computer-based test delivery system
  - The *fixed costs shared* with other testing programs for this task include:
    - Programming the scoring system with the Smarter Balanced test questions (shared with the Smarter Balanced Paper-Pencil Summative Assessments for the 2016 and 2017 administrations only)

        - Analyzing the Smarter Balanced test questions as part of the quality control processes (shared with the Smarter Balanced Paper-Pencil Summative Assessments for the 2016 and 2017 administrations only)
        - Preparing the hand-scoring and artificial intelligence (AI) processes and systems (hand-scoring is shared with the Smarter Balanced Paper-Pencil Summative Assessments for the 2016 and 2017 administrations only)
    - The *variable costs specific* to the Smarter Balanced Online Summative Assessments for this task include:
        - (There are no program-specific variable costs.)
    - The *variable costs shared* with other testing programs for this task include:
        - Scoring the student responses that must be hand scored (shared with the Smarter Balanced Paper-Pencil Summative Assessments for the 2016 and 2017 administrations only)
- Task 9: Reporting
    - The *fixed costs specific* to the Smarter Balanced Online Summative Assessments for this task include:
        - (There are no program-specific fixed costs.)
    - The *fixed costs shared* with other testing programs for this task include:
        - Setting up the infrastructure to produce and ship the paper Individual Student Reports
        - Shipping the paper Individual Student Reports
        - Providing reports to the online reporting system
        - Producing assessment data files at the student and aggregate level for delivery to the CDE
        - Providing a data file of test results to the Smarter Balanced Consortium (shared with the Smarter Balanced Paper-Pencil Summative Assessments for the 2016 and 2017 administrations only)
        - Producing the public reporting Web site
        - Completing the psychometric analyses for the Smarter Balanced tests (shared with the Smarter Balanced Paper-Pencil Summative Assessments for the 2016 and 2017 administrations only)
        - Producing the Technical Report for Smarter Balanced (shared with the Smarter Balanced Paper-Pencil Summative Assessments for the 2016 and 2017 administrations only)
    - The *variable costs specific* to the Smarter Balanced Summative Assessments for this task include:
        - (There are no program-specific variable costs.)
    - The *variable costs shared* with other testing programs for this task include:
        - Producing the Smarter Balanced results on the Individual Student Reports (shared with the Smarter Balanced Paper-Pencil Summative Assessments and CST and CMA Sciences for the 2016 and 2017 administrations only)

Smarter Balanced Interim Assessment Costs

- The tasks and associated costs included in this area are those that are specifically related to the delivery of the Smarter Balanced Interim Assessments in ELA and mathematics and access to the Smarter Balanced Digital Library.
- The Smarter Balanced Interim Assessments are designed to be administered on the same computer-based test delivery platform as the Smarter Balanced Online Summative Assessments. Students will use the same Secure Browsers and TAs will use the same TA Interface as the online summative assessments. LEAs may administer the Smarter Balanced Interim Assessments to any student in kindergarten through grade 12.
- The test delivery system will include the capability for the CDE to limit access to the interim assessments per § 855(c) of the state testing regulations for CAASPP.
- The interim assessment costs include access to the Interim Assessment Hand Scoring System, a scoring module that American Institutes for Research developed.
- Results from the interim assessments are available through the Smarter Balanced Reporting System. Costs to develop and support single sign on to the Smarter Balanced Reporting System are included in the ETS costs. The Smarter Balanced Reporting System is developed and provided by the consortium; therefore, costs to maintain the Smarter Balanced Reporting System are not included in the ETS budget.
- Costs to develop and support single sign on access to the Smarter Balanced Digital Library are included in the ETS costs. The Smarter Balanced Digital Library is provided and maintained by the consortium; therefore, costs to maintain the Digital Library itself are not included in the ETS budget.
- All costs related for the Smarter Balanced Interim Assessments and Digital Library are fixed costs.

California Alternate Assessments — Computer-Based Tests

- The tasks and associated costs included in this area are those that are specifically related to the computer-based (online) administration of the CAA in ELA and mathematics. The CAA will be administered to students in grades three through eight (inclusive) and grade 11 whose individualized education program (IEP) teams have determined that the student's cognitive disabilities prevent him or her from taking the online Smarter Balanced Summative Assessments. This population of students has, in previous years, been assigned to take the CAPA for ELA and mathematics.
- The CAA is available as a computer-based online test, which is the primary mode of the test administration. A paper-pencil version will also be available for students whose IEP teams have determined that a paper-pencil assessment is the best mode of delivery. This section describes the costs relative to the computer-based tests only. The paper-pencil CAA are discussed later in this budget narrative.
- The costs for online CAA are based on the test taker counts provided in the RFS. The estimated number of test takers for the online CAA in all grades is 39,000 each year.
    - Eligible CAA students in grades five and eight must also take CAPA Science.
    - CAA test takers do not take the Smarter Balanced Summative Assessment, CST Science, CMA Science, or STS RLA tests.
- Task 7: Test Administration
    - The *fixed costs specific* to the online CAA for this task include:

        - Providing and supporting the Secure Browsers that students use to take the tests
        - Providing the Test Administrator (TA) Interface that test administrators use to proctor a testing session
        - Providing the CAA Practice and Training Tests
        - Providing the online assessment along with necessary supporting materials
        - Providing user guides and *Directions for Administration*
    - The *fixed costs shared* with other testing programs for this task include:
        - Hosting the test delivery system with sufficient resources to support up to 500,000 concurrent users (shared with the Smarter Balanced Online Summative Assessments)
    - The *variable costs specific* to the online CAA include:
        - (There are no program-specific variable costs.)
    - The *variable costs shared* with other testing programs for this task include:
        - (There are no shared variable costs.)
- Task 8: Scoring and Analysis
    - The *fixed costs specific* to the online CAA for this task include:
        - (There are no program-specific fixed costs.)
    - The *fixed costs shared* with other testing programs for this task include:
        - Receiving and processing the student response and scored data from the computer-based test delivery system (shared with the paper-pencil CAA)
        - Programming the scoring system with the CAA test questions (shared with the paper-pencil CAA)
        - Analyzing the CAA test questions as part of the quality control processes (shared with the paper-pencil CAA)
    - The *variable costs specific* to the online CAA include:
        - (There are no program-specific variable costs.)
    - The *variable costs shared* with other testing programs for this task include:
        - Scoring the student responses (shared with the paper-pencil CAA)
- Task 9: Reporting
    - The *fixed costs specific* to the online CAA for this task include:
        - (There are no program-specific fixed costs.)
    - The *fixed costs shared* with other testing programs for this task include:
        - Programming the reporting system to report the CAA results
        - Completing the psychometric analyses for the CAA tests (shared with the paper-pencil CAA)
        - Producing the Technical Report for CAA (shared with the paper-pencil CAA)

        - Setting up the infrastructure to produce and ship the paper Individual Student Reports
        - Shipping the paper Individual Student Reports
        - Providing reports to the online reporting system
        - Producing assessment data files at the student and aggregate level for delivery to the CDE
        - Producing the public reporting Web site
    - The *variable costs specific* to the online CAA for this task include:
        - (There are no program-specific variable costs.)
    - The *variable costs shared* with other testing programs for this task include:
        - Producing the CAA results on the Individual Student Reports (shared with the paper-pencil CAA)

Smarter Balanced Summative Assessments — Paper-Pencil Tests

- Information about the Smarter Balanced Summative Assessments is included in the "Smarter Balanced Summative Assessments — Computer-Based Tests" section of this budget narrative.
- The tasks and associated costs included in this area are those that are specifically related to the paper-pencil administration of the Smarter Balanced Summative Assessments in ELA and mathematics. The paper-pencil tests are available only for the 2016 and 2017 administrations and will be discontinued beginning with the 2018 administration. LEAs must receive approval from the CDE to receive and administer the paper-pencil versions.
- The costs for the Smarter Balanced Paper-Pencil Summative Assessments are based on the test taker counts provided in the RFS. The estimated number of test takers for the paper-pencil summative assessments in all grades is 96,000 each year.
- Task 7: Test Administration
    - The *fixed costs specific* to the Smarter Balanced Paper-Pencil Summative Assessments for this task include:
        - Producing one nonscannable test booklet per grade per content area for a total of 14 unique test booklets
        - Constructing and producing one scannable response booklet per grade per content area
        - Producing one braille test booklet per grade per content area
        - Producing one nonscannable test booklet and one scannable response booklet per grade for the Spanish version of the mathematics tests
        - Constructing one large-print test booklet per grade per content area
        - Preparing the production of one test administration manual for each grade and content area
    - The *fixed costs shared* with other testing programs for this task include:
        - Packaging and shipping test materials to LEAs

- The *variable costs specific* to the Smarter Balanced Paper-Pencil Summative Assessments include:
    - Producing test materials in sufficient volumes to administer the tests to the estimated number of test takers. ***Note:*** The production volumes include the overage materials that are provided to each LEA and school and materials to fulfill supplemental orders.
- The *variable costs shared* with other testing programs for this task include:
    - (There are no shared variable costs.)

- Task 8: Scoring and Analysis
    - The *fixed costs specific* to the Smarter Balanced Paper-Pencil Summative Assessments for this task include:
        - Programming the scanning system with the Smarter Balanced questions used on the paper-pencil forms
    - The *fixed costs shared* with other testing programs for this task include:
        - Collecting the paper test materials from LEAs
        - Setting up and maintaining the infrastructure to process paper test materials upon return to the scoring center
        - Programming the scoring system with the Smarter Balanced test questions (shared with the Smarter Balanced Online Summative Assessments for the 2016 and 2017 administrations only)
        - Analyzing the Smarter Balanced test questions as part of the quality control processes (shared with the Smarter Balanced Online Summative Assessments for the 2016 and 2017 administrations only)
        - Preparing the hand-scoring processes and systems (shared with the Smarter Balanced Online Summative Assessments for the 2016 and 2017 administrations only)
    - The *variable costs specific* to the Smarter Balanced Paper-Pencil Summative Assessments for this task include:
        - Scoring the student responses from the paper version of the Smarter Balanced Summative Assessments
    - The *variable costs shared* with other testing programs for this task include:
        - Scoring the student responses that must be hand scored (shared with the Smarter Balanced Online Summative Assessments for the 2016 and 2017 administrations only)

- Task 9: Reporting
    - The *fixed costs specific* to the Smarter Balanced Paper-Pencil Summative Assessments for this task include:
        - (There are no program-specific fixed costs.)

- The *fixed costs shared* with other testing programs for this task include:
  - Completing the psychometric analyses for the Smarter Balanced tests (shared with the Smarter Balanced Online Summative Assessments for the 2016 and 2017 administrations only)
  - Producing the Technical Report for Smarter Balanced (shared with the Smarter Balanced Online Summative Assessments for the 2016 and 2017 administrations only)
  - Setting up the infrastructure to produce and ship the paper Individual Student Reports
  - Shipping the paper Individual Student Reports
  - Providing reports to the online reporting system
  - Producing assessment data files at the student and aggregate level for delivery to the CDE
  - Providing a data file of test results to the Smarter Balanced Consortium (shared with the Smarter Balanced Online Summative Assessments for the 2016 and 2017 administrations only)
  - Producing the public reporting Web site
- The *variable costs specific* to the Smarter Balanced Paper-Pencil Summative Assessments for this task include:
  - (There are no program-specific variable costs.)
- The *variable costs shared* with other testing programs for this task include:
  - Producing the Smarter Balanced results on the Individual Student Reports (shared with the Smarter Balanced Online Summative Assessments and CST and CMA Sciences for the 2016 and 2017 administrations only)

California Alternate Assessments — Paper-Pencil Tests

- Information about the CAA is included in the "California Alternate Assessments — Computer-Based Tests" section of this budget narrative.
- The tasks and associated costs included in this area are those that are specifically related to the paper-pencil administration of the CAA in ELA and mathematics.
- The costs for the paper-pencil CAA are based on the test taker counts provided in the RFS. The estimated number of test takers for the paper-pencil CAA in all grades is 4,000 each year.
- Task 7: Test Administration
  - The *fixed costs specific* to the paper-pencil CAA for this task include:
    - Preparing the production of one administration manual for each grade and content area
  - The *fixed costs shared* with other testing programs for this task include:
    - Packaging and shipping test materials to LEAs

- The *variable costs specific* to the paper-pencil CAA for this task include:
  - Producing test materials in sufficient volumes to administer the tests to the estimated number of test takers. ***Note:*** The production volumes include the overage materials that are provided to each LEA and school and materials to fulfill supplemental orders.
- The *variable costs shared* with other testing programs for this task include:
  - (There are no shared variable costs.)

- Task 8: Scoring and Analysis
  - The *fixed costs specific* to the paper-pencil CAA for this task include:
    - (There are no program-specific fixed costs.)
  - The *fixed costs shared* with other testing programs for this task include:
    - Collecting the paper test materials from LEAs
    - Setting up and maintaining the infrastructure to process paper test materials upon return to the scoring center
    - Receiving and processing the student response and scored data from the computer-based test delivery system (shared with the online CAA)
    - Programming the scoring system with the CAA test questions (shared with the online CAA)
    - Analyzing the CAA test questions as part of the quality control processes (shared with the online CAA)
  - The *variable costs specific* to the paper-pencil CAA for this task include:
    - (There are no program-specific variable costs.)
  - The *variable costs shared* with other testing programs for this task include:
    - Scoring the student responses (shared with the online CAA)
- Task 9: Reporting
  - The *fixed costs specific* to the paper-pencil CAA for this task include:
    - (There are no program-specific fixed costs.)
  - The *fixed costs shared* with other testing programs for this task include:
    - Programming the reporting system to report the CAA results
    - Completing the psychometric analyses for the CAA tests (shared with the online CAA)
    - Producing the Technical Report for CAA (shared with the paper-pencil CAA)
    - Setting up the infrastructure to produce and ship the paper Individual Student Reports
    - Shipping the paper Individual Student Reports
    - Providing reports to the online reporting system
    - Producing assessment data files at the student and aggregate level for delivery to the CDE

        - Producing the public reporting Web site
    - The *variable costs specific* to the online CAA for this task include:
        - (There are no program-specific variable costs.)
    - The *variable costs shared* with other testing programs for this task include:
        - Producing the CAA results on the Individual Student Reports (shared with the paper-pencil CAA)

CST and CMA for Science Costs

- The tasks and associated costs included in this area are those that are specifically related to the administration of the CST and CMA for Science in grades five, eight, and 10. Administration, scoring, and reporting of the CST and CMA science assessments are required by state law to meet federal accountability requirements.
- The costs for CST and CMA Science tests are based on the test taker counts for the CST and CMA Science tests in grades five, eight, and 10 as specified in the RFS. The estimated number of CST and CMA Science test takers in the three grades is 1,380,000 each year.
    - A student in grade five, eight, or 10 must take either the CST Science or the CMA Science test. Determining which science test the student must take is a local decision. The CMA Science tests are administered to students with individual education plans (IEPs) who may not be able to access the CST Science tests even with accommodations.
    - CST and CMA Science test takers in grades five and eight must also take the Smarter Balanced Summative Assessments ELA and mathematics. CST Science test takers in grade 10 do not take the Smarter Balanced Summative Assessments.
    - CST and CMA Science test takers do not take the CAPA science tests.
    - CST and CMA Science test takers may take the STS RLA test.
- The CST and CMA Science tests are paper-pencil tests only. There are no computer-based versions of these tests.
- The costs for CST and CMA Science tests are for the 2016 and 2017 administrations only. The costs assume that the CST and CMA Science tests will be discontinued after the 2017 administration and will be replaced by the NGSS-aligned science assessments to be field tested in the 2018 administration.
- Task 7: Test Administration
    - The *fixed costs specific* to the CST and CMA Science tests for this task include:
        - Constructing three nonscannable test forms for each grade and test for a total of eighteen unique test forms—three test forms per grade and test is a continuation of the test security measure implemented in the previous contract
        - Constructing one braille and one larger-print version for each grade
        - Constructing three *Directions for Administration (DFA)*, one for each grade, that are updated with the policy and administration instructions applicable for each administration year
        - Constructing one CST/CMA Science combined scannable answer document that will be used for all three grades

- The *fixed costs shared* with other testing programs for this task include:
  - Packaging and shipping test materials to LEAs for the paper-pencil tests only
- The *variable costs specific to* the CST and CMA Science tests for this task include:
  - Producing test materials in sufficient volumes to administer the tests to the estimated number of test takers. ***Note:*** The production volumes include the overage materials that are provided to each LEA and school and materials to fulfill supplemental orders.
- The *variable costs shared* with other testing programs for this task include:
  - (There are no shared variable costs.)

- Task 8: Scoring and Analysis
  - The *fixed costs specific* to the CST and CMA Science tests for this task include:
    - Programming the scanning system to capture student responses that include possible changes to the test forms since their previous administration and capturing the updated demographic and test settings information that CDE requires
    - Programming the scoring system with the CST and CMA Science test questions for the test forms selected for each administration, updated to incorporate possible item swaps due to security breaches or copyright issues since the forms' previous administration. Making changes to the test settings fields that CDE requires
    - Analyzing the CST and CMA Science test questions as part of the standard ETS quality control processes conducted for all test administrations to assure that the tests are performing as expected regardless of the test taker population
  - The *fixed costs shared* with other testing programs for this task include:
    - Collecting the test materials from LEAs
    - Setting up and maintaining the infrastructure to process test materials upon return to the scoring center
  - The *variable costs specific* to the CST and CMA Science tests for this task include:
    - Scoring the student responses
  - The *variable costs shared* with other testing programs for this task include:
    - (There are no shared variable costs.)

- Task 9: Reporting
  - The *fixed costs specific* to the CST and CMA Science tests for this task include:
    - Programming the reporting system to report CST and CMA Science results that include possible changes to the reporting requirements and to capture updated demographic and test settings information that CDE requires.
    - Setting up and maintaining the reporting system where test results will be made available after the LEA has completed testing
    - Completing the psychometric analyses for the CST and CMA Science tests that incorporate any changes to the test forms since their previous administration and changes to CDE demographic reporting requirements

        - Producing two Technical Reports, one for the CST Science tests and one for the CMA Science tests
    - The *fixed costs shared* with other testing programs for this task include:
        - Setting up the infrastructure to produce and ship the paper Individual Student Reports
        - Shipping the paper Individual Student Reports
        - Providing reports to the online reporting system
        - Producing assessment data files at the student and aggregate level for delivery to the CDE
        - Producing the public reporting Web site
    - The *variable costs specific* to the CST and CMA Science tests for this task include:
        - Producing CST and CMA Science results for grade 10 on the Individual Student Reports
    - The *variable costs shared* with other testing programs for this task include:
        - Producing CST and CMA Science results for grades five and eight on the Individual Student Reports, which also include the test results for the Smarter Balanced Summative Assessments (shared with the Smarter Balanced Online and Paper-Pencil Summative Assessments)

CAPA for Science Costs

- The tasks and associated costs included in this area are those that are specifically related to the administration of the CAPA for Science in grades five, eight, and 10. Administration, scoring, and reporting of the CAPA Science assessments that state law is currently required to meet federal accountability requirements. The CAPA Science tests are administered to students with severe cognitive disabilities who cannot access the CST or CMA Science tests.
- The costs for the CAPA Science tests are based on the test taker counts for the CAPA Science Assessments in grades five, eight, and 10 specified in the RFS. The estimated number of CAPA Science test takers in the three grades is 15,000 each year.
- CAPA for Science test takers do not take the Smarter Balanced Summative Assessments, CST Science tests, CMA Science tests, or STS RLA tests. CAPA Science test takers must also take the California Alternate Assessments (CAA) in ELA and mathematics.
- The CAPA Science tests are paper-pencil tests only. There are no computer-based versions of these tests.
- The costs for CAPA Science tests are for the 2016 and 2017 administrations only. The costs assume that CAPA Science tests will be discontinued after the 2017 administration and will be replaced by the NGSS-aligned alternate science assessments to be field tested in the 2018 administration.
- Task 7: Test Administration
    - The *fixed costs specific* to the CAPA Science tests for this task include:
        - Constructing one nonscannable *CAPA Science Examiner's Manual* that includes all tests for the CAPA Science tests

        - Constructing a scannable answer document that is completed by the Test Examiner
    - The *fixed costs shared* with other testing programs for this task include:
        - Packaging and shipping test materials to LEAs
    - The *variable costs specific* to CAPA Science tests for this task include:
        - Producing test materials in sufficient volumes to administer the tests to the estimated number of test takers. ***Note:*** The production volumes include the overage materials that are provided to each LEA and school, and materials to fulfill supplemental orders.
    - The *variable costs shared* with other testing programs for this task include:
        - (There are no shared variable costs.)
- Task 8: Scoring and Analysis
    - The *fixed costs specific* to CAPA Science tests for this task include:
        - Programming the scanning system to capture student responses that include possible changes to the test forms since their previous administration, and capturing updated demographic and test settings information that CDE requires.
        - Programming the scoring system with the CAPA Science test questions (tasks) that also includes changes to the test settings fields that CDE requires.
        - Analyzing the CAPA for Science test questions (tasks) as part of the standard ETS quality control processes conducted for all test administrations to assure that the tests are performing as expected, regardless of the test taker population
    - The *fixed costs shared* with other testing programs for this task include:
        - Collecting the test materials from LEAs
        - Setting up and maintaining the infrastructure to process test materials upon return to the scoring center
    - The *variable costs specific* to CAPA Science tests for this task include:
        - Scoring the student responses to CAPA Science tests
    - The *variable costs shared* with other testing programs for this task include:
        - (There are no shared variable costs.)
- Task 9: Reporting
    - The *fixed costs specific* to CAPA Science tests for this task include:
        - Programming the reporting system to report CAPA Science tests results that include possible changes to the reporting requirements and capturing updated demographic and test settings information that CDE requires.
        - Completing the psychometric analyses for CAPA Science tests that incorporate any changes to the test forms since their previous administration and making changes to CDE demographic reporting requirements.
        - Producing the Technical Report for CAPA Science tests
    - The *fixed costs shared* with other testing programs for this task include:

        - Setting up the infrastructure to produce and ship the paper Individual Student Reports
        - Shipping the paper Individual Student Reports
        - Producing assessment data files at the student and aggregate level for delivery to the CDE
        - Producing the public reporting Web site
    - The *variable costs specific* to CAPA Science tests include:
        - Producing CAPA Science results on the Individual Student Reports
    - The *variable costs shared* with other testing programs for this task include:
        - (There are no shared variable costs.)

STS for Reading/Language Arts Costs

- The tasks and associated costs included in this area are those that are specifically related to the administration of the STS for Reading/Language Arts (RLA) in grades two through 11 inclusive. The STS for RLA tests are administered to Spanish-speaking English learners who meet the eligibility requirements provided by the CDE. It is an optional test and is not used to meet state or federal accountability requirements.
- The costs for the STS for RLA are based on the test taker counts for the STS for RLA in grades two through 11, inclusive, as specified in the RFS. The estimated number of STS test takers in the ten grades is 45,000 each year.
- STS test takers in grades three through eight (inclusive) and 11 also take the Smarter Balanced Summative Assessments in ELA and mathematics. STS test takers in grades five, eight, and 10 also take either CST or CMA Science. STS test takers do not take CAPA for Science or CAA in ELA or mathematics.
- The STS for RLA tests are paper-pencil tests only. There are no computer-based versions of these tests.
- The costs for STS for RLA are for the 2016 and 2017 administrations only. The costs assume that STS for RLA will be discontinued after the 2017 administration and will be replaced by the CCSS-aligned primary language assessments to be field tested in the 2018 administration.
- Task 7: Test Administration
    - The *fixed costs specific* to STS for RLA for this task include:
        - Constructing three scannable test forms for grades two and three for a total of six unique test forms— three test forms per grade and test is a continuation of the test security measure implemented in the previous contract
        - Constructing up to three nonscannable test forms for grades four through eleven for a total of up to 24 unique test forms—three test forms per grade and test is a continuation of the test security measure implemented in the previous contract
        - Constructing a scannable answer document for grades four through 11
        - Constructing one braille and one larger-print version for each grade
        - Constructing one *DFA* for each grade

- The *fixed costs shared* with other testing programs for this task include:
  - Packaging and shipping test materials to LEAs
- The *variable costs specific* to STS for RLA for this task include:
  - Producing test materials in sufficient volumes to administer the tests to the estimated number of test takers. ***Note:*** The production volumes include the overage materials that are provided to each LEA and school and materials to fulfill supplemental orders.
- The *variable costs shared* with other testing programs for this task include:
  - (There are no shared variable costs.)

- Task 8: Scoring and Analysis
  - The *fixed costs specific* to STS for RLA for this task include:
    - Programming the scanning system to capture student responses that include possible changes to the test forms since their previous administration and capturing updated demographic and test settings information that CDE requires.
    - Programming the scoring system with the STS test questions for the test forms selected for each administration and updated to incorporate possible item swaps due to security breaches or copyright issues since the forms' previous administration. Making changes to the test settings fields that CDE requires.
    - Analyzing the STS test questions as part of the standard ETS quality control processes conducted for all test administrations to assure that the tests are performing as expected regardless of the test taker population
  - The *fixed costs shared* with other testing programs for this task include:
    - Collecting the test materials from LEAs
    - Setting up and maintaining the infrastructure to process test materials upon return to the scoring center
  - The *variable costs specific* to STS for RLA for this task include:
    - Scoring the student responses to the STS
  - The *variable costs shared* with other testing programs for this task include:
    - (There are no shared variable costs.)

- Task 9: Reporting
  - The *fixed costs specific* to STS for RLA for this task include:
    - Programming the reporting system to report STS for RLA results that include possible changes to the reporting requirements and capturing updated demographic and test settings information that CDE requires.
    - Completing the psychometric analyses for STS for RLA that incorporate any changes to the test forms since their previous administration and making changes to CDE demographic reporting requirements
    - Producing the Technical Report for the STS for RLA
  - The *fixed costs shared* with other testing programs for this task include:

- Setting up the infrastructure to produce and ship the paper Individual Student Reports
- Shipping the paper Individual Student Reports
- Producing assessment data files at the student and aggregate level for delivery to the CDE
- Producing the public reporting Web site

- The *variable costs specific* to STS for RLA include:
  - Producing the STS for RLA results on the Individual Student Reports
- The *variable costs shared* with other testing programs for this task include:
  - (There are no shared variable costs.)

EXHIBIT B

BUDGET DETAIL AND PAYMENT PROVISIONS

I. INVOICING AND PAYMENT:

A. For services satisfactorily rendered, and upon receipt and approval of the invoices, the State agrees to compensate the contractor for actual expenditures incurred in performance of this agreement, not to exceed the amount budgeted in each fiscal year. Should legislation subsequent to execution of the Agreement make a task or activity set forth in the Agreement unnecessary, the contractor will not be reimbursed for costs incurred after the date the relevant legislation becomes operative for the affected task or activity or if such legislation is effective retroactively, the date that CDE issues a stop work order.

B. The contractor must retain and update all records and accounts, including original source records, necessary to support all costs and must be able to prepare and submit statistical, narrative, and/or financial and program reports and summaries related to this contract as requested by CDE or by the SBE.

C. Payment of the invoice will not be made until the CDE accepts and approves the invoice. To be approved the invoice must include the level of detail described in the Budget for each task and for the fiscal year in which the expense was incurred. Further, the invoice must be easily comparable by CDE staff to the Budget contained herein. The total costs invoiced for any fiscal year may not exceed the total amount for that fiscal year in the Budget.

D. With each monthly invoice submitted for reimbursement, the contractor must attach a written accomplishments report containing the information set forth in Task 1.7. The accomplishment report must be easily comparable to the invoice and must be easily comparable by CDE staff to the Budget contained herein. In addition, the CDE will not approve an invoice for payment on this contract until it has received and approves the monthly accomplishment report as set forth in Exhibit B.

E. In addition to the accomplishments report referenced in section D above, the contractor is to provide a separate monthly technology cost report that provides detailed information for the costs specifically related to Technology Services activities of the Assessment Delivery System as described in Exhibit A Scope of Work. The technology cost report content and format shall be approved by the CDE.

F. Invoices shall be itemized per Exhibit B (Budget) and shall include the Agreement Number (CN150012), dates of services, and shall be submitted in arrears. Each invoice shall contain an accomplishment report outlining the

costs being invoiced per task and subtask, by fiscal year and by administrative test cycle. The tasks identified in the invoice must match the tasks set forth in the Budget. Invoices shall be sent, not more frequently than monthly and in duplicate to:

California Department of Education
Assessment Development and Administration Division
Fiscal Support Office
1430 N Street, Suite 4409
Sacramento, CA 95814
Attention: Debbie McClurg

II. PAYMENT:

Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

III. TRAVEL:

All travel costs shall be reimbursed at rates not to exceed those established for CDE's nonrepresented employees, computed in accordance with and allowable pursuant to applicable California Department of Human Resources regulations.

IV. EXCISE TAX:

The State of California is exempt from federal excise taxes, and no payment will be made for any taxes levied on employees' wages. California may pay any applicable sales and use tax imposed by another state.

V. BUDGET ADJUSTMENTS:

Per *EC* Section 60643, the CDE, in consultation with the SBE, may make material amendments to the contract that do not increase the contract cost. Contract amendments that increase contract costs may only be made with the approval of the CDE, the SBE, and the Department of Finance.

VI. LIQUIDATED DAMAGES:

The Contractor shall pay liquidated damages in the amount of up to 10% of the total cost of the contract for any component task that the contractor through its own fault or that of its subcontractors fails to substantially perform by the date specified in the Agreement.

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VII. BUDGET CONTINGENCY CLAUSE (Rev. 9/12):

A. It is mutually understood between the parties that this Agreement may have been written before ascertaining the availability of congressional or legislative appropriation of funds, for the mutual benefit of both parties in order to avoid program and fiscal delays that would occur if the Agreement were executed after that determination was made.

B. This Agreement is valid and enforceable only if sufficient funds are made available to the State by the United States Government or the California State Legislature for the purpose of this program. In addition, this Agreement is subject to any additional restrictions, limitations, conditions, or any statute enacted by the Congress or the State Legislature that may affect the provisions, terms or funding of this Agreement in any manner.

C. It is mutually agreed that if the Congress or the State Legislature does not appropriate sufficient funds for the program, this Agreement shall be amended to reflect any reduction in funds.

D. Pursuant to GC, Section 927.13, no late payment penalty shall accrue during any time period for which there is no Budget Act in effect, nor on any payment or refund that is the result of a federally mandated program or that is directly dependent upon the receipt of federal funds by a state agency.

The department has the option to void the contract under the 30-day cancellation clause or to amend the contract to reflect any reduction of funds. If the department cancels the contract, it agrees to pay the contractor for work completed based on the contractor's actual final invoice of actual expenses incurred, up to and including the day of cancellation.

The recipient shall comply with the reporting requirements set forth in OMB Uniform Grants Guidance, subpart F at 2 C.F.R. 200.500 et.seq. For purposes of this contract, ETS is considered a vendor and not a sub-recipient.

VIII. PAYMENT WITHHOLD FOR SEPARATE AND DISTINCT TASKS

In accordance with *EC* 60643, all CAASPP contracts shall include a payment withhold for separate and distinct component tasks for work performed or costs incurred to be made to the contractor(s) in the performance of the contract.

The CDE shall withhold ten percent (10%) of each payment for each separate and distinct component task. Funds withheld for each separate and distinct Task

will be withheld pending final completion of all component tasks by the contractor for each test administration and will be paid upon satisfactory performance of each component task as determined by the SBE as described in Article IX. Process For Withhold Payment. Those annual activities that are completed and repeated in their entirety each year shall be considered separate and distinct tasks that are to be paid following satisfactory completion in each year of the contract.

Final Payment is not a progress payment and is not subject to the 10% withholding.

IX. PROCESS FOR RELEASE AND PAYMENT OF WITHHOLD:

Pursuant to *EC* 60643, the following establishes the process and criteria by which the successful completion of each component task shall be recommended by the CDE and approved by the SBE.

A. Process

1. SBE Determination: During the term of the Agreement, based on the criteria set forth below, the SBE will determine at its November Board Meeting, or the next meeting thereafter if a November meeting is not held, whether the contractor has successfully completed each component task for the prior fiscal year. If the SBE determines the contractor has not successfully completed each component task for the prior fiscal year, it shall, within ten days of its determination, notify the contractor and the CDE in writing which component tasks the SBE has determined that the contractor has failed to successfully complete. The contractor shall have ten days from receipt of the notice to respond in writing, and the response shall be promptly delivered to the CDE Contract Monitor.

   At the following SBE meeting, the CDE and the contractor will have an opportunity to discuss the issues before SBE. The SBE will, at the same meeting, make its final determination, based on the criteria set forth below, as to whether the contractor has successfully completed each task or component of a task for the prior fiscal year and releases the withholding for those component tasks.

2. Release: Once the SBE has determined that the contractor has successfully completed a component task, the ten (10) percent withheld from invoices for the component task for the prior fiscal year may be released by the CDE. The contractor must submit an invoice to CDE for the withheld amounts for each component task which SBE authorized

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release. The contractor must identify the prior invoice from which the money was withheld and the applicable component task in its invoice for the released withholding.

B. Criteria: The criteria by which CDE will recommend and the SBE will determine successful completion of each component task for payment of the final ten percent will be set forth in Exhibit E.

Prepared by the California Department of Education, April 2015

EXHIBIT C: GENERAL TERMS AND CONDITIONS

GTC 610

1. APPROVAL: This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. Contractor may not commence performance until such approval has been obtained.

2. AMENDMENT: No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.

3. ASSIGNMENT: This Agreement is not assignable by the Contractor, either in whole or in part, without the consent of the State in the form of a formal written amendment.

4. AUDIT: Contractor agrees that the awarding department, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).

5. INDEMNIFICATION: Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Contractor in the performance of this Agreement.

6. DISPUTES: Contractor shall continue with the responsibilities under this Agreement during any dispute.

7. TERMINATION FOR CAUSE: The State may terminate this Agreement and be relieved of any payments should the Contractor fail to perform the requirements of this Agreement at the time and in the manner herein provided. In the event of such termination the State may proceed with the work in any manner deemed proper by the State. All costs to the State shall be deducted from any sum due the Contractor under this Agreement and the balance, if any, shall be paid to the Contractor upon demand.

8. INDEPENDENT CONTRACTOR*:* Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.

9. RECYCLING CERTIFICATION: The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post consumer material as defined in the Public Contract Code Section 12200, in products, materials, goods, or supplies offered or sold to the State regardless of whether the product meets the requirements of Public Contract Code Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (Pub. Contract Code §12205).

10. NON-DISCRIMINATION CLAUSE: During the performance of this Agreement, Contractor and its subcontractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (e.g., cancer), age (over 40*),* marital status, and denial of family care leave. Contractor and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Contractor and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12990 (a-f) et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part hereof as if set forth in full. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other Agreement.

    Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Agreement.

11. CERTIFICATION CLAUSES: The CONTRACTOR CERTIFICATION CLAUSES contained in the document CCC 307 are hereby incorporated by reference and made a part of this Agreement by this reference as if attached hereto.

12. TIMELINESS: Time is of the essence in this Agreement.

13. COMPENSATION: The consideration to be paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.

14. GOVERNING LAW: This contract is governed by and shall be interpreted in accordance with the laws of the State of California.

15. ANTITRUST CLAIMS: The Contractor by signing this agreement hereby certifies that if these services or goods are obtained by means of a competitive bid, the Contractor shall comply with the requirements of the Government Codes Sections set out below.

    a. The Government Code Chapter on Antitrust claims contains the following definitions:

1) "Public purchase" means a purchase by means of competitive bids of goods, services, or materials by the State or any of its political subdivisions or public agencies on whose behalf the Attorney General may bring an action pursuant to subdivision (c) of Section 16750 of the Business and Professions Code.

2) "Public purchasing body" means the State or the subdivision or agency making a public purchase. Government Code Section 4550.

b. In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder. Government Code Section 4552.

c. If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. Government Code Section 4553.

d. Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. See Government Code Section 4554.

16. CHILD SUPPORT COMPLIANCE ACT: For any Agreement in excess of $100,000, the contractor acknowledges in accordance with Public Contract Code 7110, that:

a. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and

b. The contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

17. UNENFORCEABLE PROVISION: In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.

18. PRIORITY HIRING CONSIDERATIONS: If this Contract includes services in excess of $200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with Pub. Contract Code §10353.

19. SMALL BUSINESS PARTICIPATION AND DVBE PARTICIPATION REPORTING REQUIREMENTS**:**

    a. If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Govt. Code § 14841.)

    b. If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract; (2) the name and address of the DVBE(s) that participated in the performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)

20. LOSS LEADER:

    If this contract involves the furnishing of equipment, materials, or supplies then the following statement is incorporated: It is unlawful for any person engaged in business within this state to sell or use any article or product as a “loss leader” as defined in Section 17030 of the Business and Professions Code. (PCC 10344(e).)

Prepared by the California Department of Education, April 2015

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EXHIBIT D

SPECIAL TERMS & CONDITIONS

I. INFORMATION TECHNOLOGY (IT) REQUIREMENTS:

For all internet or Web products (which includes but is not limited to Web pages, Web documents, Web sites, Web applications, or other Web services), the contractor agrees to adhere to the following CDE standards unless otherwise specified by the CDE:

A. All Web site and application pages/documents that can be seen by users must be reviewed and approved as required by the CDE's DEAM 3900 process. Contractor agrees to work through the CDE Contract Monitor for this agreement to ensure the DEAM 3900 process is implemented.

B. Web sites and Web applications must adhere to the appropriate CDE Web standards as specified at http://www.cde.ca.gov/re/di/ws/webstandards.asp.

C. Contractor must provide the application and/or Web site source code (for all non-proprietary software systems or components paid for by the CDE), collected data, and project documentation in a form to be specified by the CDE according to the following time frame:

   i. For new sites/applications: Within 30 days of implementation. For multi-year agreements, material must also be provided annually on the contract date anniversary during the contract period.

   ii. For existing sites/applications: Within 90 days of the contract renewal or amendment execution. For multi-year agreements, materials paid for by the CDE must also be provided annually on the contract date anniversary during the contract period.

D. Contractor shall monitor the Web sites/applications on a monthly basis (or more frequently if necessary) to identify and correct the following issues:

   i. Broken links

   ii. Dated content

   iii. Usability issues

   iv. Circumstances where the contractual agreement is not followed

E. Contractor agrees to not violate any proprietary rights or laws (i.e., privacy, confidentiality, copyright, commercial use, hate speech, pornography, software/media downloading, etc.). Also, the Contractor agrees to make all reasonable efforts to protect the copyright of CDE content and to obtain permission from the CDE Press to use any potentially copyrighted CDE material, or before allowing any other entity to publish copyrighted CDE

content. Contractor agrees to indemnify CDE in the event that the Contractor violates the terms of this provision.

F. Contractor agrees that any Web applications, Web sites, data or other files which may be needed to restore the system in the event of disaster are backed up redundantly, and that a detailed, tested disaster recovery plan exists for such a restoration.

G. Contractor shall provide the CDE with Web site usage reports on a monthly basis during the contract period for each Web page, document or file which can be viewed by users. Additionally, Contractor shall provide an easy mechanism for users to provide feedback on the site/application, such as a feedback form.

II. DATA MANAGEMENT (DM) REQUIREMENTS (Rev. 3/15):

While working with the California Department of Education, the contractor may gather, process, or otherwise be intentionally or inadvertently exposed to Confidential Information. The contractor must use, disclose, manage, and protect Confidential Information in accordance with all applicable federal and California state laws. Applicable laws include, but are not limited to: the Family Educational Rights and Privacy Act of 1984 (FERPA; 20 U.S.C. Sec. 1232g), the Information Practices Act (California Civil Code Sec. 1798, et seq.), the Protection of Pupils Rights Amendment, the Children's Online Privacy Protection Act (COPPA), and California *Education Code* sections 49069 to 49079.

The contractor shall disclose Confidential Information, as defined below, only to its employees and employees of approved contractors or subcontractors who i) have a need to know such information for the purposes of performing obligations hereunder, ii) are under legal obligations to maintain the confidentiality of the information and restrict the use of the Confidential Information, which obligations name the CDE as a third-party beneficiary or otherwise give the CDE the legal right to enforce such legal obligations and iii) have completed training approved by the CDE on data security and privacy within the past 12 months. Contractors and its subcontractors shall exercise other security precautions that have been approved by the CDE's Educational Data Management Division (EDMD) and Technology Services Division (TSD) to prevent unauthorized use, access, modification or disclosure or re-disclosure of any Confidential Information.

The contractor, its employees, agents, and subcontractors, as well as the subcontractors agents and employees, shall protect from unauthorized disclosure all Confidential Information. The contractor, its employees, agents, and subcontractors and their agents and employees, promise not to copy, give or otherwise re-disclose such Confidential information to any other person or entity unless the re-disclosure is permitted by federal and state law, the California Department of Education has approved of the re-disclosure, and the CDE has on file a CDE confidentiality agreement that is signed by the party to whom the information has been disclosed.

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The contractor shall ensure that all Confidential Information are kept secure and confidential. Such security precautions shall include, at a minimum (and without limiting the generality of the use and disclosure restrictions set forth above):

- Securely encrypting and otherwise complying with responsible practices in order to securely protect Confidential Information that is transmitted electronically or stored on portable electronic devices; Securely locking any repository for Confidential Information

- Properly maintaining security of any and all computer systems (hardware and software applications) used to store or process Confidential Information, including installing – applicable security patches, upgrades, and anti-virus updates;

- Designating a Security Officer to oversee data security, carry out security programs and to act as the principle point of contract responsible for communicating on security matters with the CDE

- Implementing any other reasonable security protocols that may be prescribed by the CDE in a written notice to the contractor utilizing the agreed-upon change order process

The contractor must immediately report (within one business day of discovery), any breach of security, as that phrase is used in California Civil Code section 1798.29(d). The CDE contact for such notification is as follows:

Mark Lourenco, Information Security Officer
California Department of Education
Technology Services Division – Information Security Office
1430 N Street, Suite 3712
Sacramento, CA 95814-5901
Office phone: 916-322-8334

The contractor shall take prompt corrective action to cure any such breach of security. The contractor shall investigate such breach and provide a written report of the investigation to CDE, postmarked within thirty (30) working days of the discovery of the breach to the address above.

The contractor fully understands that any unauthorized disclosure made by the contractor, its employees, agents, and subcontractors may be a basis for civil or criminal penalties and/or disciplinary action (including dismissal for State employees). ETS agrees to advise the Contract Monitor immediately in the event that the contractor, its employees, agents, and subcontractors either learn or have reason to believe that any person who has access to confidential information has or intends to disclose that information in violation of this agreement. Contractor agrees to indemnify the CDE for any losses incurred as a result of any

breach of security or any disclosure or re-disclosure of Confidential Information to parties that are not entitled to such disclosure or re-disclosure, including any losses or damages resulting from any third-party claims.

The contractor shall return or confidentially destroy as directed by the CDE any and all Data: i) developed by the contractor for CDE hereunder or ii) provided by CDE hereunder, or iii) owned by CDE, immediately upon CDE's request or immediately upon termination of this agreement. Unless otherwise agreed to in writing by the CDE, such destruction shall include Data that is publically available; however, nothing herein shall prevent the contractor from thereafter obtaining such Data from publically available sources. Where applicable, irreversibly encrypting data shall be an acceptable form of destruction.

The contractor acknowledges that any and all Data that are collected, developed and/or generated by the work performed for the California Department of Education are the sole and exclusive proprietary information of the California Department of Education and may not be used or disclosed by contractor except as expressly permitted by the CDE in writing.

Definitions: The following definitions apply for the purposes of this agreement:

"Public Information" means information maintained by state agencies that is not exempt from disclosure under the provisions of the California Public Records Act (Government Code Sections 6250-6265) or other applicable state or federal laws, whether or not marked "confidential," "proprietary," "privileged" or with similar markings.

"Confidential Information" includes information that is personally identifiable information, student-level data and proprietary information. It may also include information maintained by state agencies that is exempt from disclosure under the provisions of the California Public Records Act (Government Code Sections 6250-6265) or other applicable state or federal laws, whether or not marked "confidential," "proprietary," "privileged" or with similar markings.

"Data" means any data or information, whether Confidential or publicly available.

"Personally Identifiable Information" (PII) means information about an individual that alone, or in combination with other information is linked or linkable to a specific student in a manner that would allow a reasonable person in the school community to be able to identify the student with reasonable certainty, whether or not the information is marked in any manner. PII includes, any personal identifier including name, telephone, e-mail address, street address, date of birth, student number, pupil information, educational record, or any indirect or local identifiers (such as parent's address).

"Proprietary Information" includes information contained in materials marked confidential, trade secrets, know-how, data, or other information, in tangible or intangible form possessed by a party and having value by virtue of not being generally known or due to being obtained at significant effort or expense. Information supplied to the contractor under provisions of confidentiality shall be considered to be the CDE's proprietary information.

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"Student–Level Data" includes demographic, performance and other information that pertains to a single student but cannot be attributed to a specific student. Such data is subject to compliance with all relevant laws including the Family Educational Rights and Privacy Act, the Pupil Protection Rights Amendment, the Children's Online Privacy Protection Act and the California Education Code.

III. RESOLUTION OF DISPUTES:

If the contractor disputes any action by the project monitor arising under or out of the performance of this contract, the contractor shall notify the project monitor of the dispute in writing and request a claims decision. The project monitor shall issue a decision within 30 days of the contractor's notice. If the contractor disagrees with the project monitor's claims decision, the contractor shall submit a formal claim to the Superintendent of Public Instruction or the Superintendent's designee. The decision of the Superintendent shall be final and conclusive on the claim unless the decision is arbitrary, capricious, or grossly erroneous or if any determination of fact is unsupported by substantial evidence. The decision may encompass facts, interpretations of the contract, and determinations or applications of law. The decision shall be in writing following an opportunity for the contractor to present oral or documentary evidence and arguments in support of the claim. Contractor shall continue with the responsibilities under this Agreement during any dispute.

IV. PRIOR APPROVAL OF OUT-OF-STATE TRAVEL:

All out-of-state travel by the contractor or subcontractor(s) for purposes of this contract is subject to prior written approval by the Department of Education project monitor specified in this contract.

Prepared by the California Department of Education, April 2015

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EXHIBIT E

ADDITIONAL PROVISIONS

I. COMPUTER SOFTWARE COPYRIGHT COMPLIANCE:

By signing this agreement, the contractor certifies that it has appropriate systems and controls in place to ensure that state funds will not be used in the performance of this contract for the acquisition, operation or maintenance of computer software in violation of copyright laws.

II. CONTRACT AMENDMENT:

No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties hereto, and no oral understanding or Agreement not incorporated herein, shall be binding on any of the parties hereto. Per *EC* Section 60643, the CDE, in consultation with the SBE, may make material amendments to the contract that do not increase the contract cost. Contract amendments that increase contract costs may only be made with the approval of the CDE, the SBE, and the Department of Finance.

No changes or variation of the terms of this Agreement shall be valid unless formally amended in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.

III. OPTION TO RENEW:

The CDE in collaboration with the SBE may exercise the option to renew this Agreement. Costs for each renewal year will be negotiated with the contractor, the CDE, the SBE and the Department of Finance at the time of the renewal. If the State elects to renew the Agreement, the CDE Contract Monitor will notify the contractor that the CDE will recommend SBE approval of the option to renew.

IV. POTENTIAL SUBCONTRACTORS:

Nothing contained in the Agreement resulting from this RFS or otherwise, shall create any contractual relation between the State and any subcontractors, and no subcontract shall relieve the contractor of his responsibilities and obligations hereunder. The contractor agrees to be as fully responsible to the State for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the contractor. The contractor's obligation to pay its subcontractors is an independent obligation from the State's obligation to make payments to the contractor. As a result, the State shall have no obligation to pay or to enforce the payment of any moneys to any subcontractor.

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V. SUBCONTRACTING:

The contractor is responsible for any work it subcontracts. Subcontracts must include all applicable terms and conditions of this Agreement. Any subcontractors, outside associates, or consultants required by the contractor in connection with the services covered by this Agreement shall be limited to such individuals or firms agreed to in this Contract or as are specifically authorized in writing by the CDE and the SBE Executive Director during the performance of this Agreement. Any substitutions in, or additions to, such subcontractors, associates or consultants shall be subject to prior written approval of the CDE Contract Monitor. Contractor warrants, represents, and agrees that it and its subcontractors, employees and representatives shall at all times comply with all applicable laws, codes, rules and regulations in the performance of this Agreement. Should the CDE or the SBE determine that the work performed by a subcontractor is substantially unsatisfactory and is not in substantial accordance with the contract terms and conditions, or that the subcontractor is substantially delaying or disrupting the process of work, the CDE or the SBE may demand substitution of the subcontractor.

VI. PROHIBITION AGAINST OUTSIDE AGREEMENTS:

The contractor and subcontractor(s) must not enter into agreements related to products and/or services of this contract without the prior approval by the State of a work proposal and budget for the work proposed.

VII. CONFIDENTIALITY:

The contractor shall notdisclose data or documents or disseminate the contents of documents or reports without express written permission from CDE Contract Monitor.
Contractor shall not comment publicly to the press or any other media regarding its data or documents, or CDE actions on the same, except at a public hearing, or in response to questions from a legislative committee or a judge in court of law pursuant to a judicial subpoena.

The contractor must immediately notify CDE if a third party requests or subpoenas documents or data related to this contract.

VIII. DISCLOSURE OF FINANCIAL INTERESTS:

The contractor must disclose any financial interests that may allow any individual or organization to materially benefit from the state’s adoption of a course of action. During the performance of this contract, should the Contractor become aware of a financial conflict of interest that may foreseeably allow an individual or organization involved in this contract to materially benefit from this contract, the Contractor must inform the State in writing within 10 working days. If, in the State’s judgment, the financial interest will jeopardize the objectivity of the recommendations, the State shall have the option of terminating the contract.

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Failure to disclose a relevant financial interest on the part of the Contractor will be deemed grounds for termination of the Contract with all associated costs to be borne by the Contractor and, in addition, the Contractor may be excluded from participating in the State's bid processes for a period of up to 360 calendar days in accordance with Public Contract Code section (PCC) 12102(j).

Contractor should also be aware of the following provisions of Government Code § 1090:

"Members of the Legislature, state, county district, judicial district, and city officers or employees shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. Nor shall state, county district, judicial district, and city officers or employees be purchasers at any sale or vendors at any purchase made by them in their official capacity."

IX. CORRESPONDENCE:

Correspondence prepared by the contractor relating to the logistics of tasks to be performed by the contractor under the scope of work of this contract or correspondence of an informational nature related to the program supported by this contract which is prepared by the contractor must be reviewed and approved by CDE prior to mailing or distribution.

As a standard business practice, the contractor must "copy" CDE Contract Monitor on each final letter, e-mail, and memorandum prepared by the contractor under the scope of work of this contract.

X. NEWS RELEASES:

The contractor must not issue any news releases or make any statement to the news media in any way pertaining to this contract without the prior written approval by CDE, and then only in cooperation with CDE.

XI. UNLAWFUL DENIAL OF SERVICES: (GC Section 11135)

No person in the State of California shall, on the basis of ethnic group identification, religion, age, sex, color, or disability, be unlawfully denied the benefits of, or be unlawfully subjected to discrimination under, any program or activity that is funded directly by the state or receives any financial assistance from the state.

With respect to discrimination on the basis of disability, programs and activities subject to subdivision (a) shall meet the protections and prohibitions contained in Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof, except that if the laws of this state prescribe stronger protections and prohibitions, the programs and activities subject to subdivision (a) shall be subject to the stronger protections and prohibitions.

As used in this section, "disability" means any of the following with respect to an individual: (1) a physical or mental impairment that substantially limits one or more of the major life activities of the individual, (2) a record of an impairment as described in paragraph 1, or (3) being regarded as having an impairment as described in paragraph 1.

XII. REPRESENTATIONAL CONFLICTS OF INTEREST:

The contractor must disclose to the CDE Contract Monitor any known activities by contractor or subcontractor personnel involving representation of parties, or provision of consultation services to parties, whose interests are known to be adverse to the CDE. The CDE may immediately terminate this contract if the contractor fails to disclose the information required by this section. The CDE may immediately terminate this contract if the CDE is not satisfied that any conflicts of interest have been resolved.

XIII. FOLLOW-ON CONTRACTS:

No contractor, subcontractor, person, firm, or subsidiary thereof who has been awarded a consulting services contract, or a contract which includes a consulting component, (see PCC § 10335.5) may be awarded a contract for the provision of services, delivery of goods or supplies, or any other related action, which is required, suggested, or otherwise deemed appropriate as an end product of the consulting services contract (see PCC § 10365.5).

XIV. CDE APPROVAL OF DELIVERABLES:

All approvals, orders for correction, or disapprovals from CDE must be in writing. If the CDE deems a deliverable or product as unacceptable, the contractor shall make required corrections within the time frame required by the CDE as referenced in the SOW..

Failure of the contractor to obtain prior CDE approval of deliverables or products shall not relieve the contractor of performing the related contract responsibilities and providing related required deliverables or products to the CDE. The contractor must accept financial responsibility for failure to meet agreed-upon timelines and quality standards, provided that delays in deliverables or failure in quality are caused by the contractor and/or its subcontractors or vendors. Contractor is not responsible for delays in deliverables or failure in quality caused by other CDE contractors (e.g., Smarter Balanced). CDE shall have no liability for payment of any work, of any kind whatsoever, which commences without prior CDE approval.

The contractor is responsible for completing all tasks in sufficient time for CDE to review the materials and/or deliverables, and if necessary, for the contractor to make modifications as directed by CDE and for CDE to review and sign-off on the revised submission. Unless otherwise specified in the Scope of Work, in no case may the contractor allow less than ten working days for CDE to initially review the submission. Unless otherwise agreed to in the Scope of Work or subsequently in writing by the parties, the contractor must make any

modifications within three working days of receipt of the changes directed by CDE. The contractor must allow CDE at least three working days to review the modified submission. The contractor is responsible for any costs associated with making modifications to materials and deliverables necessary to obtain CDE's approval.

All approvals, orders for correction, or disapprovals from CDE must be in writing. If CDE rejects a deliverable or product as unacceptable, the contractor shall make required corrections within the time frame required by CDE as referenced in the SOW. Unless otherwise specified in the Scope of Work, the contractor will ensure that all materials and/or deliverables submitted to the CDE have been reviewed and approved by the Contractor's Project Director. The materials and/or deliverables should not contain any typographical or grammatical errors and must be presented in a professional format. With each deliverable the Project Director must submit a signed certification with original signature that each deliverable:

a. Meets all the requirements for the deliverable as specified in the scope of work for the specified test administration;

b. Is consistent with and does not conflict with any previously certified deliverable submitted for the specified test administration;

c. Meets the requirements of the CDE Correspondence Guide and CDE Style Manual;

d. That all numerical information provided has been reviewed and is accurate;

e. Is consistent with and does not conflict with the requirements for the CAASPP System as specific in state law, state regulations, and/or State Board of Education actions;

f. Is being submitted in a timely manner consistent with the CDE approved deliverables schedule and/or due dates as specified in the scope of work, state law, and/or state regulations.

If it is determined by the CDE that a certified deliverable submitted to the CDE by the contractor does not meet all of the requirements set forth in XIV. a. through f., above, the CDE reserves the right to use this information as part of the criteria by which the CDE will recommend, and the SBE will determine, successful completion of each component task for payment of the final ten percent for each applicable test administration as set forth in the attached CAASPP Completion Criteria.

XV. RIGHT TO TERMINATE:

The State reserves the right to terminate this agreement subject to 30 days written notice to the Contractor. Contractor may submit a written request to terminate this agreement only if the State should substantially fail to perform its responsibilities as provided herein.

However, the agreement can be immediately terminated for cause. The term "for cause" shall mean that the Contractor fails to meet the terms, conditions, and/or responsibilities of the contract. In this instance, the contract termination shall be effective as of the date indicated on the State's notification to the Contractor.

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This agreement may be suspended or cancelled without notice, at the option of the Contractor, if the Contractor or State's premises or equipment are destroyed by fire or other catastrophe, or so substantially damaged that it is impractical to continue service, or in the event the Contractor is unable to render services as a result of any action by any governmental authority.

If the contract is terminated for any reason, CDE agrees to pay the Contractor for work completed based on the final invoices of actual expenses incurred by the contractor up to and including the date the contract is terminated.

XVI. CONTRACTOR EVALUATION:

Within sixty (60) days after the completion of this Agreement, the Project Monitor shall complete a written evaluation of Contractor's performance under this Agreement. If the Contractor did not satisfactorily perform the work, a copy of the evaluation will be sent to the State Department of General Services, Office of Legal Services, and to the Contractor within 15 working days of the completion of the evaluation. (Public Contract Code Section 10369)

XVII. STAFF REPLACEMENTS:

Changes to any of the contractor's professional project personnel or management team (e.g., project manager, fiscal manager, or key personnel, etc.) require formal written approval by the Contract Monitor. The staffing change may not occur until the contractor receives written approval of the change by the Contract Monitor. CDE shall not arbitrarily withhold approval or withhold approval for reasons that would constitute unlawful discrimination.

XVIII. OWNERSHIP OF MATERIALS:

All materials developed under the terms of this agreement, or any predecessor agreement and paid for using CDE funds, are the property of CDE. ETS acknowledges that the rights to any report, computer program, documentation for programs, exams, exam items or other material developed or modified by ETS or its subcontractors and paid for with CDE funds under the terms of this Agreement or the terms of predecessor Agreements shall belong to the CDE. CDE reserves the exclusive right to copyright such material, and to publish, disseminate, and otherwise use materials developed under the terms of this agreement. No contractor or subcontractor staff may participate in any meeting or activity without prior written permission from the CDE Contract Monitor.

Copyright for CDE must be noted on all materials produced for the purposes of this contract. CDE acknowledges that any materials and proprietary computer programs previously developed by the contractor or its subcontractors, not paid for with CDE funds under the terms of this agreement or the terms of the predecessor agreements, shall belong to the contractor or its subcontractors. Unless otherwise stated in the Scope of Work, any materials and proprietary computer programs previously developed by the contractor or its subcontractors shall be owned by and remain the property of the contractor or its subcontractors.

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XIX. RETENTION OF RECORDS:

The contractor shall maintain accounting records and other evidence pertaining to costs incurred, with the provision that they shall be kept available by the contractor during the contract period and thereafter for five full years from the date of the final payment. The CDE must be permitted to audit, review, and inspect the contractor's activities, books, documents, papers and records during progress of the work during reasonable business hours at a time mutually agreed to and for five years following final payment.

XX. DISPOSITION OF EQUIPMENT:

The purchasing of equipment is not allowed without approval of the CDE. Equipment purchased under the provisions of this agreement is the property of the State and shall be used for its intended purpose during the term of this agreement. An inventory of all equipment purchased under this agreement shall be maintained. After the term of this agreement, the equipment shall be disposed of in accordance with instructions from the CDE.

XXI. INSURANCE REQUIREMENTS:

A. Contractor, at his/her own expense, shall maintain the following insurance coverage for the term of this Agreement:

1. General Liability

   General liability with limits of not less than $1,000,000 per occurrence for both injury and property damage combined. The policy should include coverage for liabilities arising out of premises, operations, independent contractors, products completed operations, personal and advertising injury and liability assumed under an insured contract. This insurance shall apply separately for each insured against whom claim is made or suit is brought subject to the Contractor’s limit of liability. If the policy contains an annual aggregate, this should be at least double the per occurrence limit.

2. Automobile Liability

   Motor vehicle liability with limits not less than $1,000,000 per accident. Such insurance shall cover liability arising out of a motor vehicle accident including owned, hired, and non-owned motor vehicles. The Contractor shall insure that any subcontracts include the same provisions as stated herein.

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3. Workers Compensation and Employers Liability

   Contractor shall maintain statutory workers compensation and employer's liability coverage for all its employees who will engage in the performance of the contract. Employer's liability limits of $1,000,000 are required. Contractor shall furnish a certificate for Workers' Compensation Insurance in the State of California, including the name of the carrier and the date of expiration of insurance, or a Certificate of Consent to Self-Insure issued by the Department of Industrial Relations.

4. Professional Liability

   Professional liability with limits no less than $1,000,000 per claim and $3,000,000 aggregate. The policy retro date must be shown on the certificate and must be no later than the date of the contract or the date work under the contract begins.

B. The insurance required above shall cover all Contractor-supplied personnel and equipment used in the performance of the contract. If subcontractors performing work under this contract do not have insurance equivalent to the above, Contractor liability shall provide such coverage for the subcontractor, except for coverage for error, mistake omissions, or malpractice, which shall be provided by the subcontractor if such insurance is required by the State.

C. The Contractor agrees that the insurance herein provided for shall be in effect at all times during the term of this contract. In the event said insurance coverage expires at any time or times during the term of the contract, the Contractor agrees to provide at least 30 days before said expiration date, a new certificate of insurance evidencing insurance coverage as provided herein for not less than one year.

D. The certificate(s) of insurance must include the following provisions stating that:

   1. The insurer will not cancel the insured's coverage without 30 days prior written notice to the State; and

   2. The State of California, its officers, agents, employees, and servants are included as additional insured for General Liability, but only with respect to work performed for the State of California under this contract.

E. Certificates evidencing Contractor's insurance coverage shall be filed with CDE prior to execution of this Agreement.

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XXII. PROHIBITION AGAINST OUTSIDE AGREEMENTS:

The contractor or subcontractor(s) shall not enter into agreements related to products and/or Services developed under the terms of this agreement or any predecessor agreements and paid for with CDE funds with any out-of-state agency or organization. CDE reserves the right to review such materials referenced above ETS intends to sell during the duration of this agreement to ensure that those products and/or services are outside the terms of this agreement. Any out-of-state agency or organization shall negotiate with the CDE for products and/or services developed under this agreement or any predecessor agreements.

XXIII. CALIFORNIA ITEM BANK (CA Item Bank):

A. License of the CA Item Banking System: ETS grants to CDE a perpetual, non-transferable, non-exclusive license to use and modify the CA Item Banking System solely as part of the state assessment programs and solely for the benefit of the State of California and the state assessment programs participants. This license may be sublicensed by CDE (i) only in the event ETS is no longer a current vendor of CDE with respect to the CA Item Bank under this Agreement; or (ii) only for purposes of permitting such a sublicensee to use and/or modify the CA Item Banking System on behalf of CDE and as part of the state assessment programs. No other sublicenses of the CA Item Banking System may be granted. To the extent the CA Item Banking System includes source code for any software, the license to such source code shall be subject to the further restrictions that:

B. CDE may not resell, rent, lease, sublicense or distribute the Source Code of the CA Item Banking System in any way that would compete with ETS, except as set forth above.

C. CDE shall maintain the confidentiality of, protect and keep secure all Source Code provided by ETS.

D. CDE shall not resell, rent, lease or distribute products created from the Source Code in any way that would compete with ETS, except as set forth above.

E. All copyright, ownership and any other notices may not be removed from the Source Code.

F. CDE Ownership: CDE shall own all right, title and interest in any and all improvements or modifications to the CA Item Banking System (not IBIS) that have been newly developed pursuant to this agreement, or any predecessor agreement, and at CDE's expense, subject to a non-exclusive, perpetual, fully paid-up, sublicenseable, worldwide license to such improvements or modifications that is hereby reserved to ETS. CDE acknowledges and agrees that ETS shall have the right to make improvements or modifications to the CA Item Banking System independent of this agreement and, in the

event such modifications or improvements are not paid for by CDE, ETS shall own all right, title, and interest in and to such modifications or improvements.

XXIV. ETS ITEM BANKING INFORMATION SYSTEM (ETS IBIS):

In order to provide the CDE with a data warehouse for the new CAASPP assessments, ETS will use its proprietary item banking system, IBIS, during the development and reviews of the new CAASPP assessments. ETS does not include customization of IBIS for California. CDE staff and approved California item reviewers shall have direct access to the item bank through a secure Web-based interface. User authentication, controlled by ETS-managed credentials, secures access through the interface. To establish the complete security of all data moving across the Internet, ETS implements a 128-bit secure socket layer (SSL) encryption.

XXV. RIGHTS/LICENSES:

The contractor warrants that it has secured, or shall have secured, any and all necessary rights, clearances, and/or licenses with respect to all materials and elements embodied in or used in connection with the performance of this Agreement, and that all included material shall neither violate nor infringe upon the copyright, service mark, trademark, privacy, creative, or other rights of any person, firm, corporation, or other third party. The contractor must provide CDE with documentation indicating a third party's permission for CDE's use, for a period of eight years, of the third party's materials, such as a reading passage excerpted from a book or short story or artwork, or for such term that the third party is willing to negotiate. Contractor agrees to defend the CDE against any third-party claims and to fully indemnify CDE for any and all losses sustained or for any damages or losses suffered as a result of any violation of this paragraph.

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California Assessment of Student Performance and Progress
Completion Criteria

The criteria by which the California Department of Education (CDE) will recommend and the State Board of Education (SBE) will determine the successful completion of each separate and distinct component task for payment of the final 10 percent is set forth in the following table for each test administration covered in Exhibit A, Scope of Work (SOW) of the Agreement.

If it is determined by the CDE that a certified deliverable submitted to the CDE by the contractor does not meet all of the criteria in Exhibit E, the CDE reserves the right to use this information as part of the criteria by which the CDE will recommend, and the SBE will determine, successful completion of each separate and distinct component task for payment of the final ten percent for the each applicable test administration as set forth in the attached CAASPP Completion Criteria.

CRITERIA FOR SUCCESSFUL COMPLETION OF COMPONENT TASKS

Component Task	Criteria
Task 1: Comprehensive Plan and Schedule of Deliverables	• The contractor provided all reports, plans and schedules required in the task as specified in the SOW. • All materials, documents, and/or deliverables developed in conjunction with this contract were submitted to the CDE for approval. • The contractor provided the LEA Coordinators with all data, forms, and agreements as outlined in the SOW. • The contractor provided and maintained a secure Web-based CAASPP administration management system as specified in the SOW • The contractor delivered all electronic data files and documentation as specified in the SOW.
Task 2: Program Support Services	• The contractor provided all trainings, focus groups, workshops, and webcasts as specified in the SOW. • The California Technical Assistance Center (CalTAC) provided assistance to local educational agencies as specified, and within the response times specified, in the SOW. • The CDE received electronic files and other reports as specified in the SOW.
Task 3: Technology Services	• The Assessment Delivery System meets all system requirements as specified in the SOW. • The contractor provided a single sign-on as detailed in the SOW. • Contractor provided and maintained a Project Management Plan as detailed in the SOW • The Assessment Delivery System supported up to 500,000 concurrent users as

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Component Task	Criteria
	specified in the SOW. • The Assessment Delivery system supported at least 99.982 percent availability as specified in the SOW. •
Task 4: Test Security	• All test items, test materials, electronic files, data, (including student-identifiable data) were developed, used, transferred, delivered, and maintained in a secure manner as specified in the SOW. • The contractor completed all monitoring (including but not limited to on-site visits, social media monitoring, inventorying of materials) of schools before, during, and after testing as specified in the SOW. • The contractor conducted security breach investigations as specified in the SOW. • The contractor provided the CDE with summary reports of the results of each security breach investigation.
Task 5: Accessibility and Accommodations	• The contractor provided all universal tools, designated supports, and accommodations as required in the SOW. • All items developed (as specified in Task 6) include all the embedded accessibility supports, functionality, and render within the test delivery system as specified in the SOW.
Task 6: Assessment Development	• The contractor developed for all grades and subjects the number and types of items specified in the scope work. • The contractor pilot tested or field tested the minimum required number of items as specified in the SOW. • The contractor provided blueprints for new assessments as specified in the scope work. • A review of the scaling and equating processes showed items to meet or exceed industry standard. • The performance level settings generated results for all content areas and performance levels were reported to local educational agencies and the CDE.
Task 7: Test Administration	• All test materials required in the SOW were produced on time and in sufficient quantities. • All test materials were delivered to and retrieved from local educational agencies as specified in the SOW. • The contractor hosted the Assessment Delivery System as specified in the SOW. • The hosting systems (TOMS, Appeals, and Assessment Delivery System) were operational and functioned as specified in the SOW, including the authentication of users. • Smarter Balanced Interim Assessments were hosted and scoring provided as specified in the SOW.
Task 8: Scoring and Analysis	• All tests were correctly processed and scored within timelines specified in the SOW.

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Component Task	Criteria
	• All data analyses were completed as specified in the SOW. • The contractor delivered all electronic data files and documentation as specified in the SOW.
Task 9: Reporting Results	• The contractor provided accurate and complete reports of test results to local educational agencies that met all reporting requirements as specified in the SOW. • The contractor provided accurate and complete reports of test results for the public reporting Web site that met all reporting requirements as specified in the SOW. • The contractor met all reporting requirements to the CDE as specified in the SOW. • The annual technical reports were received by the CDE as specified in the SOW.

Prepared by the California Department of Education, April 2015

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 02

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
California Assessment of Student Performance and Progress: Update on Program Activities, including, but not limited to, Smarter Balanced Assessments (Summative, Interim, and Digital Library Resources), California Alternate Assessment Field Test, Development of the New Primary Language Development Test, and California Next Generation Science Standards for Public Schools.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

This item reflects the collaboration of the Assessment Development and Administration Division (ADAD), the Educational Data Management Division (EDMD), and the Special Education Division (SED), and the Analysis, Measurement, and Accountability Reporting Division (AMARD) of the California Department of Education (CDE) with regard to the California Assessment of Student Performance and Progress (CAASPP) System.

Update on Smarter Balanced Summative Assessments

On March 10, 2015, the Smarter Balanced Summative Assessments were made available to local educational agencies (LEAs) whose testing window indicated that summative testing could begin. As of April 17, 2015, the CDE estimates that 951,396 students started at least one test and 830 LEAs have started testing. The CDE will provide observations from LEAs as a verbal update.

2014–15 Hand Scoring Process for Smarter Balanced Summative Assessment Items

In response to the State Board of Education's (SBE's) request at the March 2015 Board meeting, the CDE provided information, in an April 2015 SBE Memorandum, regarding the process used to recruit, select, train, monitor, and evaluate readers for hand scoring. The April 2014 SBE Memorandum can be found on the SBE April Information Memorandum Web page at http://www.cde.ca.gov/be/pn/im/infomemoapr2015.asp.

The April Memorandum included information about the number of applicants, approved applicants, and successful readers (i.e., those qualified to hand score by way of the certification process); as well as the number of readers who are California educators.

Update on Reporting the Smarter Balanced Summative Assessment Results

LEA CAASPP coordinators and school site coordinators (i.e., users) will use the Test Operations Management System (TOMS) to access a secure online reporting system for individual student summative results and preliminary aggregate reports. Two to four weeks after the student completes a test in one of the content areas, the student's summative results will be available for that content area. The reporting system will provide users with preliminary aggregate and individual reports by LEA, school, content area, grade level, and student groups. Users will be able to view the average scale score for a specific group or entity and the number of completed assessments. Users will only have access to their specific LEA or school. For example, the LEA CAASPP coordinator will have access to aggregate results for the LEA and all schools within the LEA; whereas, the school site coordinator will only have access to their school-level data. These preliminary reports will provide LEA and school staff with information sooner than in previous years and LEAs and their educators can use the preliminary aggregate results to guide program evaluation and curriculum development.

Five post-test training workshops will be conducted for LEA CAASPP coordinators during the May-through-June timeframe. LEA CAASPP coordinators will also have the option of viewing a Webcast presenting the same material. Each training workshop will be scheduled for approximately four hours and will be offered in venues large enough to accommodate the expected number of attendees. The post-test training will cover the following topics: (1) interpretation of results, (2) overview of summary reports, (3) overview of the individual student reports, and (4) appropriate uses of CAASPP assessment data.

The CDE will also release the aggregate results to the public on the DataQuest Web site after testing has been completed and anticipates that this release will occur in August or early September 2015. Similar to the previous Standardized Testing and Reporting (STAR) public reporting site, this public Web site will provide state-, county-, LEA-, and school-level reports by student groups (e.g., gender, race/ethnicity, economic status).

In order to assist parents and guardians understand the student score reports, the CDE is currently developing the following resources:

- **Guide to Student Score Reports:** A guide to assist parents/guardians in understanding the student score report. This guide is expected to be available in May.

- **Student Score Report Video:** This 4-minute video will explain the components of the Smarter Balanced Summative Assessment individual student report to parents/guardians, and may be used for a variety of audiences including teachers. Release date to be determined.

Additionally, the CDE, in collaboration with the University of California at Los Angeles (UCLA), is developing an informational resource for parents/guardians that will provide background and exemplar items by the different achievement levels, content area, and

grade from the Smarter Balanced Summative Assessments in ELA and Mathematics. This informational resource will be similar to the STAR Parent Information Guides found on the More Information about STAR Web page at http://starsamplequestions.org/information.html. This parent resource will include a brief background of the development of the Smarter Balanced Summative Assessments, exemplar items, a sample student report, and a description of the achievement levels.

Update on Smarter Balanced Interim Assessments

On January 28, 2015, the Smarter Balanced Interim Assessments and the Interim Assessment Hand Scoring System were made available to California LEAs. Two types of interim assessments are available: interim comprehensive assessments (ICAs) and interim assessment blocks (IABs). The ICAs are built on the same test blueprints as the summative assessments. They assess the same range of standards and use the same item types and formats (including performance tasks), and yield results similar to those of the summative assessments. The IABs, in contrast, focus on smaller sets of standards and provide more detailed information for instructional purposes. As of April 23, 2015, nearly 1.5 million interim assessments had been started across 951 California LEAs. Table 1 shows the cumulative number of interim assessments completed as of April 23, 2015.

Table 1: Cumulative Number of Interim Assessments Completed by April 23, 2015

Assessment	Completed
Interim Comprehensive Assessments – ELA	247,651
Interim Comprehensive Assessments – Math	273,105
Total Interim Comprehensive Assessments Completed	**520,756**
Interim Assessment Blocks – ELA	286,756
Interim Assessment Blocks – Math	306,520
Total Interim Assessments Blocks Completed	**593,276**
Grand Total of Interim Assessments Completed	**1,114,032**

On March 25, 2015, the CDE launched the Smarter Balanced Interim Assessment Reporting System (IA Reporting System) through the CAASPP Web site at http://www.caaspp.org. The IA Reporting System allows authorized users to view and download results for students within their LEA who have completed interim assessments. Interim assessment student results are available to LEAs within 24 hours (after local hand scoring has been completed). For interim assessments with no hand scoring requirement, results are available within 24 hours after the test has been completed.

Once an LEA has started administering interim assessments, the CDE grants the necessary permissions to LEA CAASPP coordinators to provide other district and school staff within their LEAs with access to the IA Reporting System. The student reports contain information such as the overall score for ICAs and classification of claim level (e.g., Below Standard, At/Near Standard, Above Standard) for each IAB. In addition, the IA Reporting System allows authorized users to download student results for local manipulation and analysis. To support LEAs in using the IA Reporting System,

the CDE has developed a Quick Start Guide, a complete user guide, and a training video. These resources are posted on the CAASPP Web site at http://www.caaspp.org. The CDE is working with Smarter Balanced UCLA staff to identify enhancements to the IA system. An oral report will be provided at the May 2015 Board meeting.

Update on Smarter Balanced Digital Library of Formative Resources

Access to the Smarter Balanced Digital Library has grown to include more than 235,000 registered California educators. In March, the CDE released a 6-minute video for LEAs to use to promote the Digital Library among their Kindergarten through grade twelve (K-12) educators. These resources, and other Digital Library resources, are located on the CDE Digital Library Web page at http://www.cde.ca.gov/ta/tg/sa/diglib.asp.

Technology Update

The CDE, in partnership with the K-12 High Speed Network (K12HSN) and the Corporation for Education Network Initiatives in California (CENIC), continue to monitor broadband usage and ensure sufficient bandwidth availability during testing. As of April 21, 2015, the highest number of concurrent users has been approximately 287,778, well below the maximum 500,000 concurrent users.

The K12HSN, as part of the Broadband Infrastructure Improvement Grant (BIIG) program, is moving forward with 160 sites for improved broadband infrastructure. Approximately 102 sites anticipate having their installation of an improved high-speed broadband connection started by May 2015.

The CDE convened a service provider meeting on March 26, 2015, which was designed to obtain feedback from service providers that participated in the BIIG program, and determine next steps for the sites that did not receive a bid as part of this process.

As a follow up to the *Connecting California's Children 2015: Assessing and Improving Network Connectivity infrastructure in California's K-12 Public Schools,* a supplemental report, *Connecting California's Children 2015 Supplemental Report: Findings and Recommendations*, was released on April 17, 2015. This report provides an update to the BIIG program and provides observations from the Statewide Connectivity Infrastructure Needs Assessment. The report is based on data collected from a survey of 500 sites in California. It also provides national context regarding last mile and local infrastructure issues, describes the survey methodology for the data collection, details the current network connectivity infrastructure in K-12 schools, assesses various network connectivity options, and examines how the available infrastructure could be expanded with minimal costs. The report also examines federal, state, and local funding that has been invested in the past and may be available for future use, and an estimate of the costs associated with upgrading Internet infrastructure across public schools to implement the computer-based assessments included in the state's assessment system.

These reports are available on the K12HSN Statewide Connectivity Report Web page at http://www.k12hsn.org/sb852/report.php.

California Alternate Assessment Field Test

The California Alternate Assessment (CAA) Field Test window opened on April 15. The last day of testing will be June 10. Eligible students will be given 15 items each in ELA and mathematics. Each content area will take approximately 45–60 minutes to complete. The tests are computer-based and administered one-on-one with the examiner. No individual scores will be provided.

Update on California Next Generation Science Assessments

On April 28–29, 2015, the CDE, in collaboration with ETS, will convene two one-day meetings in Sacramento, California to obtain input from stakeholders regarding the content of a proposed digital center for science assessments. The proposed digital center for science assessments would house science formative tools and processes for use by California K–12 science educators to improve teaching and learning as recommended by the CA NGSS. The summary of these stakeholder meetings will be provided when results are available.

As part of the current contract work (Amendment 13), ETS will also develop a crosswalk of the 1998 California science content standards to the CA NGSS and conduct an alignment study of the CST and CMA science item bank to the CA NGSS. For future assessments, the contractor, with CDE and SBE staff input, will develop computer-based and paper-pencil tests, including alternate science assessments. The paper-pencil version will be made available to LEAs for a period of three years. In the development of these tests, the contractor will conduct an initial analysis of how each standard (for the grades and content to be assessed) could be assessed in terms of item/task type and depth of knowledge; develop content specifications for each test, item/task development criteria, and sample item/task sets; develop item and task specifications to ensure that the items and tasks measure the adopted standards and ensure consistency across item/task writers and editors; and develop test specifications and blueprints that define test form components (number of items/tasks, breadth and depth of content coverage) necessary to consistently build valid and reliable test forms.

In addition to current contractor activities, the CDE is actively engaged with science educators and experts involved in NGSS assessment development work. The CDE is a member of the Council of Chief State School Officers (CCSSO) NGSS Assessment Items Collaborative. CCSSO has established a collaborative, not a consortium, with states to develop high-quality summative science test items aligned to the NGSS that could be used by all states as they build state science assessments. The project is divided into two phases. Phase one runs from December 2014 through May 2015 and focuses on the development of an assessment framework that will address overall test design, item specifications, content parameters, model items, and accessibility. Phase two, scheduled to run from July 2015 through June 2016 will focus on the development of a secure item bank to be shared with participating states.

Finally, the CDE is engaged in a two-year project with Stanford University staff who received a grant from the S. D. Bechtel Jr. Foundation to assist states, including California, in building a coherent system of formative and summative science

assessments aligned to the CA NGSS for grades three through five and six through eight. The first year of the project includes developing assessment evaluation criteria and conducting an extensive review of existing national and international assessments as well as computer-based formats; drafting a report that defines a test blueprint of best practices; drafting specifications to develop innovative item types, and model tasks; developing a Web site for resources including items and tasks; and sharing the outcomes with stakeholders working with curriculum and professional development related to CA NGSS.

An initial conference of select international, national, and state representatives was held at Stanford University on March 16–17, 2015. Diane Hernandez, former Director of ADAD, represented the CDE at this conference. The goals of the meeting included a discussion of existing approaches to assessment and types of assessment tasks from sources worldwide that might prove promising in measuring student achievement related to the NGSS; provide feedback on a proposed process, tools and criteria to evaluate the capability of assessment tasks addressing the NGSS performance expectations; and identify the parameters (legal, technological, economic, temporal, and practical) within which states must work and the consequences for the development and administration of science assessments and the analysis of science assessment data.

The CDE will continue to work with the CCSSO/NGSS Assessment Items Collaborative, Stanford University staff, and the CAASPP contractor regarding science assessment development.

Outreach Activities

In addition to the resources described throughout this item, the CDE is involved in the following outreach activities to assist LEAs to administer and communicate with staff, parents/guardians, students, and other stakeholders about the CAASPP System:

- Weekly CAASPP Updates for the CAASPP Listserv:

  The CDE provides weekly updates on assessment activities through an e-mail that reaches over 15,500 subscribers. Recent topics have included announcements on upcoming Webcasts, posting of Digital Library resources, the launch of interim assessments, the CAA Field Test, and information on registering school coordinators and test administrators in TOMS. The Weekly CAASPP Updates are located on the CDE CAASPP Weekly Update Web page at http://www.cde.ca.gov/ta/tg/sa/caasppupdates.asp.

- Bi-monthly Meetings with Regional Assessment Liaisons:

  CDE staff continues to meet with regional assessment liaisons every other month to provide information on various assessment topics, including Smarter Balanced assessment activities. In addition, these meetings provide regional assessment liaisons an opportunity to share their resources for reaching out to schools, families, and community representatives.

- Communications Toolkit:

  CDE staff continues to work with CDE Senior Assessment Fellows, the San Joaquin County Office of Education, ETS staff, and SBE staff to develop a communications toolkit to assist in communicating about the upcoming Smarter Balanced Summative Assessment results with California LEAs, parents/ guardians, school board members, and community representatives. In February 2015, LEA superintendents and administrators received resources to assist them in communicating to various audiences on results from the Smarter Balanced Summative Assessments. In addition, the Smarter Balanced Assessment Consortium has prepared materials to assist schools and districts as they communicate with parents/guardians and the public about California's new assessment system. These materials present one approach a school or LEA may elect to use. Schools and districts are encouraged to modify these materials to reflect the needs of their individual schools and local communities. These resources are located on the CDE CAASPP Communications Toolkit Web page at http://www.cde.ca.gov/ta/tg/ca/communicationskit.asp.

- Presentations to special education stakeholder groups:

  The ADAD regularly makes presentations to the SBE Advisory Commission on Special Education (ACSE) in Sacramento. In addition, the ADAD was invited to present an update at the Special Education Local Planning Agency (SELPA) meeting in Sacramento. The CAA Field Test was the main topic at the March ACSE and SELPA presentations. See Attachment 1 for a list of CDE outreach activities during March and April 2015.

RECOMMENDATION

This item is for information only. No specific action is recommended.

BRIEF HISTORY OF KEY ISSUES

California Assessment of Student Performance and Progress

Per *EC* Section 60640, the CAASPP System succeeded the Standardized Testing and Reporting Program on January 1, 2014.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In April 2015, the CDE provided the SBE with an Information Memorandum on the process used to recruit, train, and monitor raters for hand scoring of the Smarter Balanced Summative Assessment items (http://www.cde.ca.gov/be/pn/im/infomemoapr2015.asp).

In March 2015, the SBE approved the CAASPP Individual Student Report (ISR) with technical edits (http://www.cde.ca.gov/be/ag/ag/yr15/agenda201503.asp).

In January 2015, the CDE provided the SBE with an update on the BIIG, the progress of the Smarter Balanced Interim Assessments, the Digital Library, the California Alternate Assessment and the plan for reporting the 2014–15 CAASPP results (http://www.cde.ca.gov/be/ag/ag/yr15/agenda201501.asp).

In November 2014, the CDE provided the SBE with an update on CAASPP activities, including Smarter Balanced, Achievement Level Setting, and Technology (http://www.cde.ca.gov/be/ag/ag/yr14/documents/nov14item02a2.pdf).

In November 2014, the SBE approved the CDE's recommendations for the full implementation of a technology-enabled assessment system and the administration of the Smarter Balanced Summative Assessments in 2014–15 (http://www.cde.ca.gov/be/ag/ag/yr14/documents/nov14item03.doc).

FISCAL ANALYSIS (AS APPROPRIATE)

A total of $26,689,000 in one-time funding was provided in the 2014–15 Budget Act to support the BIIG. The 2014–15 Budget Act includes a total of $89,081,000 for contracts related to the CAASPP System, including the Smarter Balanced Assessments, as approved by the SBE and contingent upon Department of Finance review of each related contract during contract negotiations prior to execution. Continued CAASPP funding is included in the proposed 2015–16 Budget Act and will be contingent upon an appropriation being made available from the Legislature.

California educator access to both the interim assessments and the formative assessment tools housed in the Digital Library are included in the CDE contract with the UCLA for Smarter Balanced consortium services approved by the SBE in September 2013. The UCLA contract is capped at $9.55 million annually, which includes the operational costs of the Smarter Balanced Summative Assessments, Interim Assessments, and Digital Library.

The CDE is developing a budget change proposal to utilize a one-time credit from the Smarter Balanced Consortium member services contract. The credit is due to the delay in the release of the interim assessments as well as the use of California field test results. The proposed use of the funds is to provide additional training and professional development to LEA and school staff (e.g., regional CAASPP Institutes, development of additional digital library resources, and training informational modules for use by schools and LEAs.

ATTACHMENT(S)

Attachment 1: California Assessment of Student Performance and Progress Outreach Activities (6 Pages)

California Assessment of Student Performance and Progress Outreach Activities

The California Department of Education (CDE), in coordination with its assessment contractor and CDE Senior Assessment Fellows, have provided a variety of outreach activities to prepare local educational agencies (LEAs) for the 2014–15 administration of California Assessment of Student Performance and Progress (CAASPP) System of assessments. Outreach efforts have included Webcasts, in-person test administration workshops, stakeholder meetings, and presentations for numerous LEAs throughout the state. The following table lists presentations during March and April 2015. In addition, the CDE continues to release information regarding the CAASPP System of assessments, including weekly updates, on its Web site and through e-mail Listservs.

Webcasts				
Date	**Event Location**	**Assessment**	**Number of Attendees**	**Description**
3/4/2015	Webcast -- Open Forum: Smarter Balanced Summative Assessments	Smarter Balanced Summative Assessments	394 viewers from LEAs	Open Forum Webcast was held to answer and discuss questions from LEAs about the online Smarter Balanced Summative Assessments for the 2014–15 CAASPP administration. This Webcast is archived on the CAASPP Archived Webcast Web page at http://caaspp.org/rsc/videos/archived-webcast_030415.html.
3/11/2015	Webcast -- California Alternate Assessments (CAA) Field Test Introduction and Instructions for Administration	California Alternate Assessments	1,200+ viewers from LEAs	Webcast to help LEA CAASPP Coordinators to prepare for administering the CAA Field Test. Testing window for the CAA Field Test for all LEAs is April 15 through June 10, 2015. This Webcast also serves as an introduction and explanation of the CAA Field Test for Site Coordinators and CAA Examiners. This Webcast is archived on the CAASPP Archived Webcast Web page at http://caaspp.org/rsc/videos/archived-webcast_031115.html.

Expansion of CAASPP Stakeholder Meetings				
Date	**Event Location**	**Assessment**	**Number of Attendees**	**Description**
3/17/15 - 3/18/15	History/Social Science Stakeholders Meetings	CAASPP	60	As stipulated in *Education Code (EC)* Section 60640, the CDE, in collaboration with Educational Testing Service (ETS), gathered input from stakeholders regarding history/social science, mathematics end-of-course, technology, and visual and performance arts. The input from stakeholders will be shared with State Superintendent of Public Instruction (SSPI) Tom Torlakson as he prepares recommendations for the State Board of Education (SBE) on expanding the CAASPP to include additional assessments.
3/17/15 - 3/18/15	Mathematics End-of-Course Stakeholders Meetings	CAASPP	70	
4/15/15 - 4/16/15	Technology Stakeholders Meetings	CAASPP	40*	
4/15/15 - 4/16/15	Visual and Performance Arts Stakeholders Meetings	CAASPP	80*	

* Estimated attendees

Presentations by CDE Staff

Date	Event Name	Event Location	Assessment	Number of Attendees	Description
3/4/2015	California Assessment of Student Performance and Progress Brown Bag	California Department of Education	Smarter Balanced	~25	CDE Staff were invited to join the District, School, and Innovation Branch (DSIB) for a Brown Bag on California's new statewide student assessment system, the CAASPP. CDE staff provided an overview of CAASPP.
3/5/2015	State Special Education Local Planning Area Meeting	Hilton Arden West	CAA and CA-ISAAPP Tool	100+	CDE Staff were invited to present update on the development of the CAA and the Individual Student Assessment Accessibility Performance Profile (CA-ISAAPP) Tool.
3/7/2015 - 3/8/2015	Curtis Center Math & Teaching Conference	University of California, Los Angeles	Smarter Balanced	300-400	Shelbi K. Cole, Ph.D., Deputy Director of Content for Smarter Balanced, gave a well-received conference keynote at the Curtis Center Math & Teaching Conference at University of California Los Angeles (UCLA) with attendance by 300-400 Los Angeles area math educators, primarily teachers.
3/13/2015	Bilingual Coordinator's Network	Marriott Courtyard at Cal Expo	Smarter Balanced Summative Assessments	75	CDE Staff presented update on Smarter Balanced Summative Assessments. In addition, demonstrated some practice test items with designated supports typically used by English learners.
3/17/2015	Practice Test Demonstration	State Legislature	Smarter Balanced Summative Assessments	4	Opportunities for state legislature members and their designees to interact with the Smarter Balanced practice tests.

Presentations by CDE Staff					
Date	**Event Name**	**Event Location**	**Assessment**	**Number of Attendees**	**Description**
03/18/2015	Stakeholders Meeting	Webinar	Smarter Balanced Assessments	20	CDE staff presented an update on the CAASPP System, including the Smarter Balanced Summative Assessments, Interim Assessments, Digital Library, and Field Test of California Alternate Assessment.
3/19/2015	Statewide System of School Support Directors' Meeting	WestEd Sacramento	Smarter Balanced Summative Assessments	50	CDE Staff presented update on CAASPP specifically the Smarter Balanced Summative Assessments - student score reports. In addition, discussed assessment development for CAA and CAASPP expansion work with stakeholders.
4/17/2015	State and Federal Programs Directors	California Department of Education	Smarter Balanced Summative Assessments	~100	CDE Staff presented an update on CAASPP specifically the Smarter Balanced Summative Assessments - the online reporting system and the appeals process.
4/22/2015	Stakeholders Meeting	Webinar	Smarter Balanced Assessments	20	CDE Staff presented an update on digital library registration, interim and summative assessments reporting systems.
4/24/2015	Central Regional Assessment Network	Sacramento County Office of Education	Smarter Balanced Summative Assessments	50*	CDE Staff presented an update on CAASPP specifically the Smarter Balanced Summative Assessments - student score reports and the online reporting system.
4/29/2015	Advisory Committee on Special Education	California Department of Education	Smarter Balanced	50*	CDE Staff presented an update on CAASPP System specifically the Smarter Balanced Summative Assessments, Digital Library, Interim Assessments, and California Alternate Assessment.

* Estimated attendees

Smarter Balanced Presentations by Senior Assessment Fellows				
Dates	**Event Location**	**Number of Attendees**	**Target Audience**	**Topic**
3/3/2015	Selma	25	Administrators and teachers	Interim Assessments
3/4/2015	Bakersfield	50	LEA Curriculum and Instruction administrators	Smarter Balanced Update
3/4/2015	Cerritos	75	LEA administrators	CAASPP and Smarter Balanced with a focus on interim assessments and Digital Library
3/5/2015	Glenn COE	35	Teachers and principals	Digital Library
3/6/2015	LACOE	65	Curriculum directors, principals, assessment coordinators, teacher coaches, and teacher leaders	An introduction to the Smarter Balanced Interim Assessment and strategies for embedding Digital Library resources into instruction
3/11/2015	Magnolia Elementary School District	10	Superintendent and teachers	Digital Library, interim assessments, and other CAASPP topics
3/12/2015	Marin COE	15	District administrators	Digital Library/Interim Assessments
3/12/2015	San Diego	50	LEA administrators	Update on CAASPP, with a focus on interim and summative reports
3/13/2015	Redding	20	LEA CAASPP coordinators and COE administrators	Reporting
3/13/2015	Manhattan Beach District Office	15	South Bay district directors of curriculum and instruction	CAASPP Update
3/16/2015	Sacramento	TBD	Charter school personnel	CAASPP/Smarter Balanced Update
3/20/2015	Riverside COE	50	LEA administrators	CAASPP Update

Smarter Balanced Presentations by Senior Assessment Fellows				
Dates	**Event Location**	**Number of Attendees**	**Target Audience**	**Topic**
3/24/2015	Fresno	50	Curriculum and instruction administrators from California Office of Reform Education (CORE) districts	Interim and summative assessments
3/24/2015	Selma	TBD	Administrators and special education staff	Accessibility Supports
3/25/2015	Orange County Department of Education	TBD	LEA administrators	CAASPP Update
3/26/2015	LACOE	TBD	LEA administrators	CAASPP Update
3/27/2015	LACOE	TBD	Curriculum directors, principals, assessment coordinators, teacher coaches, and teacher leaders	CAASPP Update
3/27/2015	Sacramento	40*	LEA CAASPP coordinators	Smarter Balanced Update
3/29/2015	Hilmar	135*	K–12 classroom teachers	Digital Library
4/10/2015	San Bernardino	TBD	LEA Superintendents	Smarter Balanced assessments

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 03

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Approve Changes to the *State of California Consolidated State Application Workbook* related to the Title III Accountability System in order to Comply with the Federal Title III Accountability Requirements.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

The purpose of this item is to seek approval from the State Board of Education (SBE) on changes to the Title III accountability program, as described in the State of California Consolidated State Application Workbook (Workbook), to meet the requirements of the Elementary and Secondary Education Act (ESEA) of 1965. The U.S Department of Education (ED) recently clarified that local educational agencies (LEAs) receiving Title III, Part A, Immigrant Student Program subgrant funds must meet the Title III accountability requirements. To comply with the Title III accountability program requirements authorized by the ESEA, Title III funds are to be used to provide supplementary programs and services to Limited English Proficient (LEP) and Immigrant students.

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE approve the following changes to the Workbook to comply with the Title III accountability program authorized by the ESEA:

- Include LEAs that receive a Title III subgrant to serve Immigrant children and youth who are also English learners (ELs) in the Title III Accountability reports. For LEAs that receive only Title III Immigrant funds, the same minimum group size of 50 California English Language Development Test (CELDT) records is applied to annual measurable achievement objective (AMAO) calculations and determinations that apply to Adequate Yearly Progress (AYP) determinations. The AYP determinations have been approved by the ED in the Workbook for purposes of Title I of the ESEA.

Under Title III, Part A, Section 3122(b)(1), each state must hold all LEAs receiving a subgrant under subpart 1 of Title III, Part A, accountable for meeting AMAOs. The requirements apply to the extent the Immigrant children and youth served under the subgrant are also ELs.

BRIEF HISTORY OF KEY ISSUES

California's Title III Accountability system, established in 2003–04, has been updated several times in response to changing federal requirements. Most recently, in August 2014, the ED issued guidance to clarify that Title III, Part A requirements relate to AMAOs. The requirements apply to LEAs that receive a Title III, Part A subgrant to serve Immigrant children and youth who are also ELs. Both the subgrants for ELs and the subgrants for Immigrant children and youth are funded under subpart 1 of Title III, Part A of the ESEA.

In meeting these requirements, upon the SBE approval, LEAs that received only a Title III Part A subgrant to serve Immigrant children and youth who are also ELs will be included in the 2014–15 Title III Accountability Reports which will be released in fall of 2015. Immigrant children and youth who are not ELs would not be included in an LEA's AMAO determinations.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In September 2013, the SBE approved inclusion of graduation rate data for secondary school EL students in AMAO 3 calculations and the weighting for the calculation of the overall CELDT score for students in kindergarten and grade 1 (K–1) (http://www.cde.ca.gov/be/ag/ag/yr13/documents/sep13item17.doc).

In July 2010, the SBE adopted the computation of the overall score and English language proficiency level for K–1 students and approved the performance level cut scores for the K–1 reading and writing assessments to be included in the Title III Accountability Reports (http://www.cde.ca.gov/be/ag/ag/yr10/documents/jul10item07.doc http://www.cde.ca.gov/be/ag/ag/yr10/documents/may10item21.doc).

In January 2010, the SBE approved changes to the Title III Accountability system to comply with the Notice of Final Interpretations issued by the ED in October 2008 (http://www.cde.ca.gov/be/ag/ag/yr10/documents/jan10item17.doc).

In September 2007, the SBE approved adjustments to the targets for AMAOs 1 and 2 that were necessary due to changes in the performance levels and the establishment of a common scale for the CELDT (http://www.cde.ca.gov/be/ag/ag/documents/agenda0907.pdf).

In 2003, the SBE defined the AMAOs and targets for the Title III Accountability system as required by the No Child Left Behind (NCLB) Act of 2001 as follows (http://www.cde.ca.gov/be/ag/ag/documents/agenda0703.pdf):

1. AMAO 1 measures the percent of ELs meeting their annual growth targets in learning English.

2. AMAO 2 measures the percent of ELs that attain the English language proficiency level on the CELDT.

3. AMAO 3 measures whether the EL student group has met Title I AYP targets in English-language arts and mathematics as measured by the NCLB approved assessments.[1]

These targets are applied only at the LEA level and only for LEAs that received Title III funds.

FISCAL ANALYSIS (AS APPROPRIATE)

Any state or LEA that does not abide by the mandates or provisions of the federal ESEA is at risk of losing federal funding. All costs associated with preparation of the Title III accountability reports are included in the CDE's Analysis, Measurement, and Accountability Reporting Division's budget.

ATTACHMENT(S)

None.

[1] In California, AYP is based upon results from the California Standards Test (CST) in grades two through eight, the California Alternate Performance Assessment (CAPA) in grades two through eight, and ten; the California Modified Assessment (CMA) in grades three through eight (grades three through seven in mathematics); and the California High School Exit Examination (CAHSEE) in grade ten.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 04

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Wisdom Academy for Young Scientists: Take Action to Uphold Los Angeles County Office of Education Revocation of Wisdom Academy for Young Scientists Charter Pursuant to California *Education Code* Section 47607(f)(4).	☒ Action ☒ Information ☒ Public Hearing

SUMMARY OF THE ISSUE(S)

The California Department of Education (CDE) received an appeal from Wisdom Academy for Young Scientists (WAYS), which had its charter revoked by the Los Angeles County Office of Education (LACOE) on November 18, 2014.

LACOE originally approved the WAYS charter on June 7, 2011, on appeal from a denial of the Los Angeles Unified School District (pp. 32–33 of Attachment 3 of Agenda Item 10 on the Advisory Commission on Charter Schools (ACCS) April 8, 2015, Meeting Notice on the State Board of Education (SBE) ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a3.pdf).

On December 20, 2013, LACOE issued WAYS a Notice of Concern identifying failures to respond to reasonable requests from its authorizer, material violations of the charter with regard to its Annual Financial Audit, and Governance (pp. 149–154 of Attachment 6 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a6.pdf).

On June 3, 2014, LACOE issued a Notice of Violation (NOV) to WAYS extensively detailing that WAYS had failed to follow Generally Accepted Accounting Principles (GAAP), lacked sufficient and effective internal controls, engaged in fiscal mismanagement (including fraud and related party transactions that violated conflict of interest statutes), and committed a material violation of the conditions, standards, and procedures set forth in its charter when its governing board failed to exercise fiscal and institutional control. This failure to provide adequate oversight contributed to the fiscal mismanagement of WAYS. LACOE provided WAYS with the opportunity to submit a plan of definitive action by June 30, 2014, that would correct violations and prevent future violations. The WAYS' response did not address evidence disputing its charter violations and offered no responsive action. WAYS submitted a remedy to cure on

July 31, 2014; however, LACOE determined that WAYS failed to refute the violations or provide a cure (pp. 5–40 of Attachment 5 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a5.pdf).

On September 23, 2014, LACOE issued a Notice of Intent to Revoke (NIR), which included evidence included with the NOV as a basis for the revocation and an analysis of the academic performance of WAYS. After the time period to propose a cure, WAYS entered into a charter management contract with Celerity Educational Group (CEG) as a remedy to cure the identified violations and grounds for revocation (pp.1–114 of Attachment 6 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a6.pdf).

On October 21, 2014, LACOE held a public hearing to determine whether evidence existed to support the revocation of WAYS. WAYS did not attend this meeting. CEG, presenting on behalf of WAYS, gave an overview of the proposed charter management contract between WAYS and CEG. On November 14, 2014, CEG rescinded the contract with WAYS stating that WAYS did not comply with the agreed upon conditions for CEG to act as its charter management organization (pp. 92–93 of Attachment 7 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a7.pdf).

On November 18, 2014, WAYS submitted a written response to the LACOE report regarding the Final Decision. On November 18, 2014, LACOE issued its Final Decision to revoke the WAYS charter based upon the evidence contained in the NOV, NIR, and WAYS' failure to cure the violations. On November 19, 2014, LACOE sent a letter to the WAYS Executive Director and members of the WAYS Board with confirmation of action regarding the revocation of the WAYS charter (pp. 1–471 of Attachment 8 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a8.pdf). LACOE provided the CDE with a copy of this letter (p. 3805 of Attachment 3 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a3.pdf).

California *Education Code* (*EC*) Section 47607(c) allows a chartering authority to revoke a charter, if the chartering authority finds through a showing of substantial evidence that a charter school did any of the following:

- Committed a material violation of any of the conditions, standards, or procedures set forth in the charter

- Failed to meet or pursue any of the pupil outcomes identified in the charter

- Failed to meet generally accepted accounting principles, engaged in fiscal mismanagement

- Violated any provision of law

In addition to being supported by substantial evidence, revocation actions must comply with specific procedural requirements. *EC* Section 47607(d) requires the chartering authority to notify the charter school prior to revocation of any violation described above, and give the school a reasonable opportunity to remedy the violation unless the violation constitutes a severe and imminent threat to the health or safety of pupils.

Pursuant to *EC* Section 47607(f)(4), the SBE may reverse a revocation decision if it finds that the chartering authority's decision to revoke was not supported by substantial evidence. In the alternative, the SBE may uphold a revocation if it finds that the chartering authority's decision was supported by substantial evidence.

RECOMMENDATION

The CDE recommends that the SBE hold a public hearing to consider the CDE's recommendation to uphold the LACOE revocation of WAYS. The Meeting Notice for the SBE ACCS Web page is located at http://www.cde.ca.gov/be/cc/cs/accsnotice040815.asp.

Advisory Commission on Charter Schools Recommendation

The ACCS considered the WAYS revocation appeal at its April 8, 2015, meeting. The ACCS voted to accept the CDE staff recommendation to uphold the LACOE revocation of WAYS. The motion passed by a vote of seven to zero.

BRIEF HISTORY OF KEY ISSUES

LACOE conditionally approved the WAYS charter on June 7, 2011 (pp. 32–33 of Attachment 3 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a3.pdf).

On June 3, 2014, LACOE issued a NOV to WAYS for failure to meet GAAP, engagement in fiscal mismanagement, and for committing a material violation of the conditions, standards, and/or procedures as stated in its charter in accordance with *EC* Section 47607(d) (pp. 5–40 of Attachment 5 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a5.pdf).

On September 23, 2014, LACOE issued a NIR (pp.1–114 of Attachment 6 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a6.pdf).

On October 21, 2014, LACOE held a public hearing to determine whether evidence existed to support the revocation of the WAYS' charter in accordance with

EC Section 47607(e) (pp. 92–93 of Attachment 7 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a7.pdf).

On November 18, 2014, LACOE revoked the charter (pp. 1–471 of Attachment 8 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a8.pdf).

On December 19, 2014, the CDE received the revocation appeal from WAYS (p. 1 of Attachment 4 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a4.pdf).

After reviewing all materials submitted by both WAYS and LACOE, the CDE finds that the grounds for revocation were sufficient and that the Administrative Record as a whole demonstrates substantial evidence in support of the revocation.

In considering the revocation appeal, CDE staff reviewed the following:

- California Department of Education Analysis of Evidence Submitted to the State Board of Education by the Wisdom Academy for Young Scientists on December 19, 2014, in Response to Revocation Issued by the Los Angeles County Office of Education, Attachment 1 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a1.doc.

- California Department of Education Analysis of Evidence Submitted to the State Board of Education by the Wisdom Academy for Young Scientists on December 19, 2014, Regarding Allegations Against the Los Angeles County Office of Education, Attachment 2 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a2.doc.

- Administrative Record for the Appeal of Charter Revocation Provided by Wisdom Academy for Young Scientists, Attachment 3 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a3.pdf.

- Letter to the State Board of Education and Exhibits Regarding Appeal of Charter Revocation Provided by Wisdom Academy for Young Scientists, Attachment 4 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a4.pdf.

- Grounds for Revocation and Supporting Substantial Evidence in the Notice of Violation, Attachment 5 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a5.pdf.

- Notice of Intent to Revoke, Attachment 6 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a6.pdf.

- Los Angeles County Office of Education Public Hearing, Attachment 7 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a7.pdf.

- Final Decision to Revoke and Accompanying Exhibits, Attachment 8 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a8.pdf.

- Los Angeles County Office of Education Letter of Opposition to Wisdom Academy for Young Scientists Appeal of Revocation, Attachment 9 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a9.pdf.

- Wisdom Academy for Young Scientists Letter to The Honorable Tom Torlakson, Attachment 10 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a10.pdf.

On November 18, 2014, LACOE revoked WAYS based on the following findings pursuant to *EC* sections 47607(c)(1)(C) and 47607(c)(1)(A) (pp. 459–460 of Attachment 8 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a8.pdf):

- WAYS failed to meet GAAP.

- WAYS engaged in fiscal mismanagement.

- WAYS committed a material violation of the conditions, standards, and/or procedures as stated in its charter.

After reviewing the record submitted by LACOE in the matter of this appeal, the CDE concludes that LACOE's action to revoke WAYS was supported by specific factual findings of violations of law and the charter, and that the findings were supported by substantial evidence. Further, LACOE did provide due process to WAYS prior to revoking the charter. For these reasons, the CDE recommends the revocation be upheld.

An analysis of LACOE's findings is provided below (Attachment 1 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a1.doc):

Finding 1: WAYS failed to meet GAAP and engaged in fiscal mismanagement.

In support of this allegation LACOE approved the initiation of an audit under *EC* Section 1241.5(c) and entered into this agreement with the Fiscal Crisis and Management Assistance Team (FCMAT) in May 2013. The scope of the audit is as follows (p. 451 of Attachment 3 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a3.pdf):

- Evaluate the charter school's internal control structure, policies, and procedures to test transactions and reporting processes to determine if adequate procedures are in place to safeguard assets, including physical objects, charter school data, and intellectual property.

- Evaluate the reliability and integrity of information used for internal management decision and external agency reports.

- Determine if authorization procedures are appropriate and consistently followed. Review administrator and manager approvals and whether signature authority is delegated only to authorized employees.

- Determine whether proper segregation of duties exists.

The FCMAT report provides substantial evidence to support LACOE's Finding 1 (pp. 465–502 of Attachment 3 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a3.pdf).

The FCMAT report includes evidence to support the lack of effective internal controls, independent audit reports for the last three fiscal years (FYs) providing 15 instances of significant and/or combined internal control conditions. Several of these findings have not been addressed by management and the governing board; therefore, these findings are repeated each year (p. 467 of Attachment 3 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a3.pdf).

Tables in the FCMAT report (pp. 467–470 of Attachment 3 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a3.pdf) provide the audited financial statements schedule of findings and questioned costs for audit years 2011, 2012, and 2013.

The FCMAT report states (p. 487 of Attachment 3 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a3.pdf) that FCMAT's findings are consistent with the independent auditor's reports for WAYS for the FYs ending June 2012 and June 2013. Both FCMAT and independent auditors find that WAYS has significant internal control conditions and has failed to ensure that adequate internal controls are in place.

Finding 2: WAYS committed a material violation of the conditions, standards, and/or procedures as stated in its charter.

LACOE cites failure by the WAYS Board to exercise adequate oversight when it failed to exercise fiscal and institutional control, as required by its charter. The WAYS Board did not establish and/or approve policies prior to implementation, did not hold consistent monthly board meetings, failed to follow its bylaws, did not comply with the Brown Act regarding meetings, failed to provide proper oversight of the school's Executive Director and its Director of Operations, and that inadequate oversight led to the fiscal mismanagement of the school (pp. 65–66 of Attachment 3 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a3.pdf). The FCMAT report provides evidence that although WAYS had a fiscal policies and procedures handbook, the organization failed to implement or monitor several of the adopted policies and procedures. Recent WAYS board minutes document that when board members expressed the need to review and approve certain financial transactions or asked for the back office provider to present the financial statements during open board meetings, management repeatedly ignored requests. In some cases, WAYS management canceled board meetings and caused major disruptions that ended board meetings prematurely.

The FCMAT report (p. 501 of Attachment 3 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a3.pdf) substantiates that there is little evidence of responsible governance by the WAYS board and clearly a lack of fiscal accountability by the WAYS administration. The governing board has failed and often been prevented from its ability to maintain and exercise its responsibilities, authority, and control. Additionally, based on the evidence presented to FCMAT, there is sufficient documentation to demonstrate that fraud, mismanagement and misappropriation of the charter school funds and assets may have occurred. There exists a significant material weakness in the charter school's internal control environment, which increase the probability of fraud and/or abuse. These findings should be of great concern to the WAYS governing board and the LACOE governing board and require immediate intervention to limit the risk of fraud and/or misappropriation of assets in the future.

WAYS, in its appeal of the revocation, alleges that LACOE erred in its decision to revoke WAYS and that the revocation action by LACOE violated WAYS' right to due process in a number of respects.

An analysis of WAYS' allegations is provided below (Attachment 2 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a2.doc):

Allegation 1: LACOE glaringly failed to consider student achievement as the most important factor in revocation.

LACOE's Board Meeting Agenda for September 23, 2014, includes agenda item VI Reports/Study Topics with enclosures of a power point presentation. This power point includes, on slide 16, Academic Analysis (pp. 3388–3394 of Attachment 3 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a3.pdf) includes LACOE's Academic Analysis Pursuant to *EC* Section 47607(c)(2) in which the WAYS Academic Performance Index, Adequate Yearly Progress Proficiency Rates, Annual Measurable Objectives, and English learner Redesignation Rates are included.

LACOE's NIR September 23, 2014, Executive Summary contains the academic analysis pursuant to *EC* Section 47607(c)(2) in which LACOE determined that, based on the data presented, WAYS has not demonstrated consistent increases in pupil achievement since the charter school began operation (p. 3388 of Attachment 3 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a3.pdf). Upon consideration of this information, good cause exists to issue this NIR. A full analysis of the extent to which LACOE considered pupil achievement is included in Attachment 1 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a1.doc.

Therefore, from the documentation submitted in the WAYS' administrative record, CDE determines there is no substantial evidence to support this allegation.

Allegation 2: WAYS was not provided a reasonable opportunity to remedy violations in the NOV.

The WAYS letter dated July 31, 2014, in response to the LACOE letter dated June 3, 2014, regarding the NOV acknowledges that LACOE provided WAYS with more time (pp. 1766–1792 of Attachment 3 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a3.pdf). It should be noted that in the LACOE June 3, 2014, NOV, LACOE requested a response from WAYS by June 30, 2014. Therefore the WAYS letter, dated July 31, 2014, represents a reasonable opportunity to reply to LACOE's NOV.

From the documentation submitted, CDE determines that there is insufficient evidence in the WAYS Administrative Record (pp. 1–3855 of Attachment 3 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a3.pdf), from which CDE can conclude that due process was violated.

After reviewing the LACOE letter dated January 21, 2015, Re: Appeal by Wisdom Academy for Young Scientists of Charter Revocation (Attachment 9 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a9.pdf), CDE concludes that LACOE submitted substantial evidence to support its opposition to the WAYS appeal of revocation.

After reviewing the WAYS' letter dated February 5, 2014 *[sic]*, to The Honorable Tom Torlakson Re: Wisdom Academy for Young Scientists' appeal of charter revocation (Attachment 10 of Agenda Item 10 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item04a10.pdf), CDE concludes that WAYS did not provide substantial evidence to support their allegation that LACOE erred in its decision to revoke the WAYS charter.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 25 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
- One countywide benefit charter
- Eight districtwide charters operating a total of eighteen sites
- Fifteen charter schools, authorized on appeal after local or county denial

The SBE delegates oversight duties of the districtwide charters to the county office of education of the county in which the districtwide charter is located. The SBE delegates oversight duties of the remaining charter schools to the CDE.

FISCAL ANALYSIS (AS APPROPRIATE)

N/A

ATTACHMENT(S)

None

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 05

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Thrive Public Schools: Consider a Material Revision of the Charter to Change from Kindergarten and Grade Six to Kindergarten through Grade Eight.	☒ Action ☒ Information ☒ Public Hearing

SUMMARY OF THE ISSUE(S)

Thrive Public Schools (TPS), a State Board of Education (SBE)-authorized charter school, requests a material revision of its charter to amend its build-out plan for the grade levels served by the school beginning in 2015–16 as specified on p. 1 of Attachment 1 of Agenda Item 07 on the Advisory Commission on Charter Schools (ACCS) April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item06a1.doc. TPS was authorized on July 9, 2014, to serve 168 pupils in kindergarten and grade six in the first year of operation. TPS requests a material revision to add grade two through grade five and grade eight in 2015–16, with a projected enrollment of 168 pupils. The TPS material revision indicates the charter seeks approval to increase enrollment by adding classes over the next four years as specified on p. 1 of Attachment 1 of Agenda Item 07 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item06a1.doc.

RECOMMENDATION

California Department of Education Recommendation

The California Department of Education (CDE) recommends that the SBE hold a public hearing to consider the CDE's recommendation to conditionally approve, with one condition and seven technical amendments, the request for a material revision to the TPS charter petition to change from kindergarten and grade six to kindergarten through grade eight as specified on p. 1 of Attachment 1 of Agenda Item 07 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item06a1.doc.

Advisory Commission on Charter Schools Recommendation

The ACCS considered the TPS material revision at its April 8, 2015, meeting. The ACCS voted unanimously to accept the CDE recommendation that the SBE approve the material revision for TPS to change from kindergarten and grade six to kindergarten through grade eight.

BRIEF HISTORY OF KEY ISSUES

TPS has been an SBE-authorized charter school, located in San Diego, since July 9, 2014. The SBE approved the TPS charter petition for a five-year term opening with kindergarten and grade six the first year and adding additional grade levels over the next five years to grade eight by year five.

TPS submitted a material revision to the CDE on February 20, 2015, stating the petitioners propose to serve 168 pupils in kindergarten through grade eight in their second year of operation, 2015–16. Additionally, TPS requests to expand to 756 pupils in kindergarten through grade eight by 2018–19, by adding an additional combination class at each grade level over the course of the next four years as specified on p. 1 of Attachment 1 of Agenda Item 07 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item06a1.doc.

In considering the request for a material revision, CDE reviewed the following:

- The TPS petition and appendices, Attachments 3 and 5 of Agenda Item 07 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item06a3.pdf and http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item06a5.pdf.

- Educational and demographic data of schools where pupils would otherwise be required to attend, Attachment 2 of Agenda Item 07 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item06a2.xls.

- The TPS multi-year budget and financial projections, Attachment 4 of Agenda Item 07 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item06a4.pdf.

Pursuant to California *Education Code* (*EC*) sections 47605(b)(1), 47605(b)(2), 47605(b)(5), and *California Code of Regulations*, Title 5 (5 *CCR*) Section 11967.5.1, a material revision to a charter petition must provide a reasonably comprehensive description of multiple required elements as specified on p. 2 of Attachment 1 of Agenda Item 07 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item06a1.doc.
The CDE finds that the TPS petition does provide a reasonably comprehensive description for some of the required elements, as indicated by a “Yes” as specified on

p. 2 of Attachment 1 of Agenda Item 07 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item06a1.doc. Others require a technical amendment and are identified by a "Yes*" as specified on p. 2 of Attachment 1 of Agenda Item 07 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item06a1.doc. These amendments strengthen or clarify elements for monitoring and accountability purposes. One of the additional required elements is marked by a "No" as specified on p. 2 of Attachment 1 of Agenda Item 07 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item06a1.doc.

If the SBE approves the TPS material revision, the CDE recommends that the SBE include the condition that TPS must revise the petition to include action plans, schoolwide and by subgroup, to meet the goals that address the applicable state priorities by July 1, 2015, as specified on p. 38 of Attachment 1 of Agenda Item 07 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item06a1.doc.

The CDE recommends that the SBE approve the request for a material revision of the TPS charter, with the recommended technical amendments and condition, for the following reasons:

- TPS provides pupils with a sound educational program addressing the Common Core State Standards and the Next Generation Science Standards through an authentic, pupil-centered, mastery-based approach that integrates Project-Based Learning, Blended/Targeted Learning, and a "whole child" approach via Exploratory Learning to ensure students gain real world understanding of content and how to learn.

- TPS ensures that their teachers have the time, resources, skills, and support to meet individual pupil needs based on data, inquiry, and ongoing reflection.

- The TPS budget projections for revenues, expenditures, and fund balances appear sufficient. The CDE concludes that the TPS multi-year budget appears to be fiscally viable, with a positive ending fund balance of $271,968 and adequate reserves.

- TPS has submitted all required documentation to the CDE including but not limited to, attendance reports, compliance documents, budgets, and audit reports.

The TPS petition addresses the requirements of *EC* Section 47605(b)(5)(A)(ii), including a description of the school's annual goals, for all pupils (i.e. schoolwide) and subgroups identified pursuant to *EC* Section 52052, for each of the applicable state priorities identified in *EC* Section 52060(d), however, the petition does not include descriptions of the specific annual actions the school will take to achieve each of the identified annual goals schoolwide or by subgroup to satisfy the requirement of *EC* Section 52052.

The CDE finds that the TPS material revision meets the standards and criteria in *EC* Section 47605 with the required technical amendments and proposed condition.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 25 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
- One countywide benefit charter
- Eight districtwide charters operating a total of eighteen sites
- Fifteen charter schools, authorized on appeal after local or county denial

The SBE delegates oversight duties of the districtwide charters to the county office of education of the county in which the districtwide charter is located. The SBE delegates oversight duties of the remaining charter schools to the CDE.

FISCAL ANALYSIS (AS APPROPRIATE)

As an SBE-authorized charter school, the CDE would receive approximately one percent of the TPS general purpose apportionment for CDE oversight activities. However, no additional resources are allocated to the CDE for oversight.

ATTACHMENT(S)

None

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 06

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Baypoint Preparatory Academy which was denied by the Hemet Unified School District and the Riverside County Board of Education.	☒ Action ☒ Information ☒ Public Hearing

SUMMARY OF THE ISSUE(S)

On November 18, 2014, the Hemet Unified School District (HUSD) voted to deny the petition of Baypoint Preparatory Academy (BPA) by a vote of seven to zero. On February 11, 2015, the Riverside County Board of Education (RCBOE) voted to deny the petition on appeal by a vote of four to two, with one member absent.

Pursuant to California *Education Code* (*EC*) Section 47605(j), petitioners for a charter school that have been denied at the local level may petition the State Board of Education (SBE) for approval of the charter, subject to certain conditions.

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE hold a public hearing to approve, with technical amendments as specified within this item and Attachment 1 of Agenda Item 06 on the Advisory Commission on Charter Schools (ACCS) April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a1.doc, the petition to establish BPA, a kindergarten through grade twelve school, for a five-year term effective July 1, 2015, through June 30, 2020, under the oversight of the SBE, based on the CDE's findings pursuant to *EC* sections 47605(b)(1), 47605(b)(5), and *California Code of Regulations*, Title 5 (5 *CCR*) Section 11967.5. The Meeting Notice on the SBE ACCS Web page is located at http://www.cde.ca.gov/be/cc/cs/accsnotice040815.asp. The CDE will conduct a pre-opening site visit at least 30 days prior to the scheduled opening date. Written authorization from the CDE would be required prior to the operation of any additional facility.

Advisory Commission on Charter Schools

The ACCS considered the BPA charter petition at its April 8, 2015, meeting. The ACCS voted to recommend that the SBE approve the charter petition to establish BPA under the oversight of the SBE. The motion passed by a vote of seven to one.

Subsequent to the April 8, 2015, ACCS meeting, the CDE changed the recommendation regarding the petition to establish BPA after reviewing the petitioner's responses to the CDE's findings provided in a letter dated April 6, 2015. The original CDE recommendation presented to the ACCS on April 8, 2015, states that the CDE proposes to recommend that the SBE hold a public hearing to deny the petition to establish BPA, a kindergarten through grade twelve school, under the oversight of the SBE, based on the CDE's findings pursuant to *EC* sections 47605(b)(1), 47605(b)(5), and 5 *CCR* Section 11967.5, that the petitioner is unlikely to successfully implement the program set forth in the petition and the petition does not provide a reasonably comprehensive description of the 16 charter elements.

BRIEF HISTORY OF KEY ISSUES

The CDE reviewed additional information dated April 6, 2015, which has been noted in the analysis as follows.

BPA submitted a petition on appeal to the CDE on February 27, 2015.

The petitioner proposes to serve approximately 325 pupils in kindergarten through grade twelve in the first year of operation (2015–16) and expand to 825 pupils by the fifth year of operation. The educational philosophy of BPA is a commitment to provide an intimate, friendly academic environment that recognizes and values a pupil's unique learning profile, defines clear expectations, sets appropriate yet challenging goals, and celebrates the achievement of these goals (p. 13 of Attachment 1 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a1.doc).

In considering the BPA petition, CDE reviewed the following:

- The BPA petition and appendices, Attachments 3 and 5 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a3.pdf and http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a5.pdf.

- Educational and demographic data of schools where pupils would otherwise be required to attend, Attachment 2 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a2.xls.

- The BPA budget and financial projections, Attachment 4 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a4.pdf.

- Description of changes to the petition necessary to reflect the SBE as the authorizing entity, Attachment 6 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a6.pdf.

- Board agendas, minutes, and findings from the HUSD and RCBOE regarding the denial of the BPA petition, along with the petitioner's response to the HUSD and RCBOE findings, Attachment 7 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a7.pdf.

On November 18, 2014, the HUSD denied the BPA petition based on the following findings (pp. 38–41 of Attachment 1 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a1.doc).

- The petitioner is demonstrably unlikely to successfully implement the program set forth in the petition.

- The petition does not provide a reasonably comprehensive description of the educational program.

On February 11, 2015, the RCBOE denied the BPA petition on appeal based on the following findings (pp. 42–48 of Attachment 1 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a1.doc).

- The petition fails to provide a reasonably comprehensive description of all required elements of a charter petition.

- The petitioner is demonstrably unlikely to successfully implement the program set forth in the petition.

The information in this item provides the analysis that CDE has been able to complete to date with the available information.

Pursuant to *EC* sections 47605(b)(1), 47605(b)(2), 47605(b)(5) and 5 *CCR* Section 11967.5.1, a charter petition must provide a reasonably comprehensive description of multiple required elements (p. 2 of Attachment 1 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a1.doc).

Educational Program

The CDE has reviewed the information provided by the petitioner in a letter dated April 6, 2015, addressing English learners (EL), which indicates how specific targeted English Language Development instruction will be provided and including how reclassified EL are monitored for a minimum of two years to ensure English proficiency. BPA has provided sufficient information to ensure that appropriate educational services that EL are required to receive under federal and state law would be provided by BPA. This information addresses CDE's concerns (p. 12 of Attachment 1 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a1.doc); however, if approved as an SBE-authorized charter school, the petition will require an amendment to reflect this information.

The CDE has reviewed the information provided by the petitioner in a letter dated April 6, 2015, addressing the specific services BPA will provide in order to serve pupils with disabilities. The letter states that BPA will provide all needed services as defined by the Individualized Education Program including but not limited to the following:

- Specialized Academic Instruction
- Speech and Language Instruction
- Occupational Therapy
- Physical Therapy
- Counseling
- Vision Services

This information addresses CDE's concerns (p. 12 of Attachment 1 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a1.doc); however, if approved as an SBE-authorized charter school, the petition will require an amendment to reflect this information.

The CDE staff has reviewed the information provided by the petitioner in a letter dated April 6, 2015, for high-achieving pupils. The information states the following resources and instructional materials that will be used to support high-achieving pupils:

- Enrichment activities
- Online curriculum and resources
- Honor courses
- Advanced Placement courses
- Dual college enrollment
- Access to Edgenuity courses
- Differentiated instruction

The new information addresses CDE's concerns (p. 12 of Attachment 1 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a1.doc); however, if approved as an SBE-authorized charter school, the petition will require an amendment to reflect this information.

The CDE staff has reviewed the information provided by the petitioner in a letter dated April 6, 2015, to address the manner in which BPA will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements as required by *EC* Section 47605(A)(iii). BPA will notify parents and students through their Student Parent Handbook and publicized parent informational meetings. This information addresses CDE's concerns (p. 4 of Attachment 1 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a1.doc); however, if approved as an SBE-authorized charter school, the petition will require an amendment to reflect this information.

Budget

The CDE staff has reviewed the information provided by the petitioner in a letter dated April 6, 2015, to address the projected enrollment. The maximum enrollment for year five will be 725 students, which is the number reflected in the budget. The proposed build out plan of 825 pupils, as stated in the petition (p. 21 of Attachment 3 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a3.pdf) reflects the sixth year of operation. The BPA budget and multi-year projections are reasonable and the charter appears to be fiscally viable with the assumed enrollment growth of 725 pupils and Unduplicated Pupil Projections.

The BPA petition states annual goals to be achieved in the eight state priorities for schoolwide and for subgroups (pp. 33–35 of Attachment 3 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a3.pdf). However, the BPA petition does not include specific annual actions to achieve these goals schoolwide or by each subgroup identified in *EC* Section 52052 and the CDE is recommending a technical amendment (p. 37 of Attachment 1 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a1.doc), to address this concern.

After review of the information BPA provided in their April 6, 2015, letter the CDE finds that the BPA petition does provide a reasonably comprehensive description for some of the required elements, including description of the educational program, while others require a technical amendment (p. 2 of Attachment 1 of Agenda Item 06 on the ACCS

April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a1.doc).

Based on the CDE review, as noted above, and those noted in the CDE petition review and analysis in Attachment 1 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a1.doc), the CDE finds that the BPA charter petitioner is demonstrably likely to implement the intended program; however, the petition does not contain reasonably comprehensive descriptions of the 16 charter elements pursuant to *EC* sections 47605(b)(1), 47605(b)(2), 47605(b)(5), and 5 *CCR* Section 11967.5.1 and the CDE requires technical amendments to address these elements as noted in this item and in Attachment 1, pp. 13, 17, 20, 21, 23, and 37 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a1.doc.

A detailed analysis of the review of the entire petition is provided in Attachment 1 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item10a1.doc.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 25 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
- One countywide benefit charter
- Eight districtwide charters operating a total of eighteen sites
- Fifteen charter schools, authorized on appeal after local or county denial

The SBE delegates oversight duties of the districtwide charters to the county office of education of the county in which the districtwide charter is located. The SBE delegates oversight duties of the remaining charter schools to the CDE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved as an SBE-authorized charter school, the CDE would receive approximately one percent of the revenue of the charter school for the CDE's oversight activities. However, no additional resources are allocated to the CDE for oversight.

ATTACHMENT(S)

Attachment 1: State Board of Education Standard Conditions on Opening and Operation (3 pages)

STATE BOARD OF EDUCATION
STANDARD CONDITIONS ON OPENING AND OPERATION

- **Insurance Coverage.** Prior to opening, (or such earlier time as school may employ individuals or acquire or lease property or facilities for which insurance would be customary), submit documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings. Additionally, the school will provide a document stating that the District will hold harmless, defend, and indemnify the State Board of Education (SBE) and the California Department of Education (CDE), their officers and employees, from every liability, claim, or demand that may be made by reason of: (1) any injury to volunteer; and (2) any injury to person or property sustained by any person, firm, or corporation caused by any act, neglect, default, or omission of the School, its officers, employees, or agents. In cases of such liabilities, claims, or demands, the School at its own expense and risk will defend all legal proceedings that may be brought against it and/or the SBE or the CDE, their officers and employees, and satisfy any resulting judgments up to the required amounts that may be rendered against any of the parties.

- **Memorandum of Understanding/Oversight Agreement.** Prior to opening, either: (a) accept an agreement with the SBE, administered through the CDE, to be the direct oversight entity for the school, specifying the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities; or (b) enter into an appropriate agreement between the charter school, the SBE (as represented by the Executive Director of the SBE), and an oversight entity, pursuant to the California *Education Code* (*EC*) Section 47605(k)(1), regarding the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities.

- **Special Education Local Plan Area Membership.** Prior to opening, submit written verification of having applied to a Special Education Local Plan Area (SELPA) for membership as a local educational agency and submit either written verification that the school is (or will be at the time pupils are being served) participating in the SELPA; or an agreement between a SELPA, a school district that is a member of the SELPA, and the school that describes the roles and responsibilities of each party and that explicitly states that the SELPA and the district consider the school's pupils to be pupils of the school district in which the school is physically located for purposes of special education programs and services (which is the equivalent of participation in the SELPA). Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff following a review of either: (1) the school's written plan for membership in the SELPA, including any proposed contracts with service providers; or (2) the agreement between a SELPA, a school district, and the school, including any proposed contracts with service providers.

- **Educational Program.** Prior to opening, submit a description of the curriculum development process the school will use and the scope and sequence for the grades envisioned by the school; and submit the complete educational program for pupils to be served in the first year including, but not limited to, a description of the curriculum and identification of the basic instructional materials to be used; plans for professional development of instructional personnel to deliver the curriculum and use the instructional materials; and identification of specific assessments that will be used in addition to the assessment identified in *EC* Section 60640 in evaluating student progress. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff.

- **Student Attendance Accounting.** Prior to opening, submit for approval the specific means to be used for student attendance accounting and reporting that will be satisfactory to support state average daily attendance claims and satisfy any audits related to attendance that may be conducted. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Fiscal Services Division.

- **Facilities Agreements.** Prior to opening, present written agreements (e.g., a lease or similar document) indicating the school's right to use the principal school sites and any ancillary facilities identified by the petitioners for at least the first year of each school's operation and evidence that the facilities will be adequate for the school's needs. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities and Transportation Services Division.

- **Zoning and Occupancy.** Not less than 30 days prior to the school's opening, present evidence that each school's facility is located in an area properly zoned for operation of a school and has been cleared for student occupancy by all appropriate local authorities. For good cause, the Executive Director of the SBE may reduce this requirement to fewer than 30 days, but may not reduce the requirement to fewer than 10 days. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities and Transportation Services Division.

- **Final Charter.** Prior to opening, present a final charter that includes all provisions and/or modifications of provisions that reflect appropriately the SBE as the chartering authority and otherwise address all concerns identified by CDE and/or SBE staff, and that includes a specification that the school will not operate satellite schools, campuses, sites, resource centers, or meeting spaces not identified in the charter without the prior written approval of the Executive Director of the SBE based primarily on the advice of the Charter Schools Division (CSD) staff. Satisfaction of this condition is determined by the Executive Director of the SBE based primarily on the advice of the Director of the CSD.

- **Processing of Employment Contributions.** Prior to the employment of any individuals by the school, present evidence that the school has made appropriate arrangements for the processing of the employees' retirement contributions to the California Public Employees' Retirement System and the California State Teachers' Retirement System.

- **Operational Date.** If any deadline specified in these conditions is not met, approval of the charter is terminated, unless the SBE deletes or extends the deadline not met. If the school is not in operation by September 30, 2015, approval of the charter is terminated.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 07

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Paramount Collegiate Academy which was denied by the San Juan Unified School District and the Sacramento County Office of Education.	☒ Action ☒ Information ☒ Public Hearing

SUMMARY OF THE ISSUE(S)

On November 18, 2014, the San Juan Unified School District (SJUSD) voted to deny the Paramount Collegiate Academy (PCA) petition by a vote of four to zero. On February 17, 2015, the Sacramento County Office of Education (SCOE) voted to deny the PCA petition on appeal by a vote of five to zero with one abstention and one member absent.

Pursuant to California *Education Code* (*EC*) Section 47605(j), petitioners for a charter school that has been denied at the local level may petition the State Board of Education (SBE) for approval of the charter, subject to certain conditions.

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE hold a public hearing to approve, with technical amendments as specified within this item and in Attachment 1 of Agenda Item 09 on the Advisory Commission on Charter Schools (ACCS) April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc, the petition to establish PCA, a grade six through grade twelve school, for a five-year term effective July 1, 2015, through June 30, 2020, under the oversight of the SBE, based on the CDE's findings pursuant to *EC* sections 47605(b)(1), 47605(b)(5), and *California Code of Regulations*, Title 5 (5 *CCR*) Section 11967.5. The Meeting Notice for the SBE ACCS Web page is located at http://www.cde.ca.gov/be/cc/cs/accsnotice040815.asp. The CDE will conduct a pre-opening site visit at least 30 days prior to the scheduled opening date. Written authorization from the CDE would be required prior to the operation of any additional facility.

Advisory Commission on Charter Schools Recommendation

The ACCS considered the PCA charter petition at its April 8, 2015, meeting. The ACCS voted to accept the CDE staff recommendation to deny the charter petition to establish PCA under the oversight of the SBE. The motion passed by a vote of five to four.

Subsequent to the April 8, 2015, ACCS meeting, the CDE changed the recommendation regarding the petition to establish PCA after reviewing the petitioner's responses to the CDE's charter school petition review provided by the petitioner in a memorandum dated April 6, 2015. The original CDE recommendation presented to the ACCS on April 8, 2015, states that the CDE proposes to recommend that the SBE hold a public hearing to deny the petition to establish PCA, a grade six through grade twelve school, under the oversight of the SBE, based on the CDE's findings pursuant to *EC* sections 47605(b)(1), 47605(b)(5), and *California Code of Regulations*, Title 5 (5 *CCR*) Section 11967.5, that the petitioner is unlikely to successfully implement the program set forth in the petition and the petition does not provide a reasonably comprehensive description of the 16 charter elements.

BRIEF HISTORY OF KEY ISSUES

The CDE reviewed additional information dated April 6, 2015, which has been noted in the analysis as follows.

PCA submitted a petition on appeal to the CDE on February 27, 2015.

The PCA petition proposes to serve pupils in the Sacramento area by providing a program that incorporates Science, Technology, Engineering, Arts, and Mathematics (STEAM) with project-based learning through interdisciplinary themes. The mission statement of PCA is to equip all students for fulfilling and productive lives in the 21st century (p. 32 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf).

The PCA petition proposes to serve approximately 150 pupils in grade six through grade nine in the first year of operation (2015–16). In the second year of operation (2016–17), PCA will add approximately 25 pupils in grade six through grade nine and expand by one grade level each year until the addition of grade twelve (2018–19). At full capacity, the school intends to serve 875 pupils in grade six through grade twelve (p. 50 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf).

In considering the PCA petition, CDE staff reviewed the following:

- The PCA petition and appendices, Attachments 3 and 5 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at

http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf and http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a5.pdf.

- Educational and demographic data of schools where pupils would otherwise be required to attend, Attachment 2 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a2.xls.

- The PCA budget and financial projections, Attachment 4 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a4.pdf.

- Description of changes to the petition necessary to reflect the SBE as the authorizing entity, Attachment 6 of Agenda Item 06 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a6.pdf.

- Board agendas, minutes, and findings from SJUSD and SCOE regarding the denial of the PCA petition, along with the petitioner's response to the SJUSD and SCOE findings, Attachment 7 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a7.pdf.

On November 18, 2014, SJUSD denied the PCA petition based on the following findings (pp. 39–42 of Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc):

- The PCA petition presents an unsound educational program.

- The petitioner is demonstrably unlikely to successfully implement the program set forth in the petition.

- The PCA petition does not contain reasonably comprehensive descriptions of certain required elements.

On February 17, 2015, SCOE denied the PCA petition on appeal based on the following findings (pp. 43–44 of Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc):

- The petitioner's financial and operational plan is not realistic.

- The petition does not present a sound educational program for pupils requiring special education services and English learners (EL).

- The petition does not contain reasonably comprehensive descriptions of certain elements required by *EC* Section 47605(b)(5), specifically, the educational program and measurable pupil outcomes.

- The petitioner is demonstrably unlikely to successfully implement the program set forth in the petition.

Pursuant to *EC* sections 47605(b)(1), 47605(b)(2), 47605(b)(5), and 5 *CCR* Section 11967.5.1, a charter petition must provide a reasonably comprehensive description of multiple required elements (p. 2 of Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc).

Educational Program

Plan for English Learners

The CDE has reviewed the information provided by the petitioner in a memorandum dated April 6, 2015, addressing English Learners (EL), which indicates pupil placement based on the results from the California English Learner Development Test (CELDT) and an English Language Development (ELD) program utilizing the SBE Common Core State Standards (CCSS)-aligned ELD standards in tandem with the English language arts CCSS and the qualifications of staff providing this instruction. The memorandum also indicates a monitoring plan to ensure that reclassified EL maintain their English proficiency and are monitored for a minimum of two years. PCA has provided sufficient information to ensure that appropriate educational services that EL students are required to receive under federal and state law would be provided by PCA. The new information provided addresses CDE's concerns (pp. 9–10 of Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc); however, if approved as an SBE-authorized charter school, the petition will require an amendment to reflect this information.

Plan for Special Education

The CDE has reviewed the information provided by the petitioner in a memorandum dated April 6, 2015, addressing the specific services PCA will provide in order to serve pupils with disabilities, which includes Specialized Academic Instruction, Designated Instruction and Services, behavioral supports, transition services, and interventions. The memorandum states that PCA will comply with the Individuals with Disabilities Education Improvement Act of 2004, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and any other civil rights enforced by the United States Department of Education Office of Civil Rights as well as compliance with Assembly Bill 602, Special Education Local Plan Area (SELPA) guidelines, and all California laws pertaining to students with disabilities. The memorandum also states that PCA has joined the El Dorado County Office of Education Charter SELPA for the 2015–16 school year. PCA has provided sufficient information to ensure that

appropriate educational services that pupils with disabilities are required to receive under federal and state law would be provided by PCA. The new information provided addresses CDE's concerns (p. 10 of Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc); however, if approved as an SBE-authorized charter school, the petition will require an amendment to reflect this information.

Plan for Low-Achieving Pupils

The PCA petition describes a process for identifying low-achieving pupils through benchmark and state assessments (p. 105 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf). PCA will differentiate instruction, provide flexible grouping, extend the school day, and provide intersessions for acceleration and remediation (p. 106 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf). Additionally, PCA will develop a network of pupil support that includes pupil developed personal learning goals, advisory support classes, data driven instruction, teacher professional development, and interdisciplinary teams (pp. 106–108 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf). Pupil progress will be monitored through a combination of teacher and parent observation, classroom and benchmark assessments, and pupil learning goals. Pupils will be referred to a Student Success Team, as needed (p. 107 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf). The PCA petition meets the requirements for the plan for low-achieving pupils.

Plan for High-Achieving Pupils

The PCA petition indicates that high-achieving pupils will be served through the STEAM curriculum provided in the regular classroom program, and identified through benchmark and state assessments (p. 108 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf). PCA will differentiate instruction, provide intersessions, and Saturday academies developed with parents to address pupil ability and interest levels (pp. 108–109 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf). Additionally, high-achieving pupils will be monitored through a network of pupil support, which includes the pupil, parents, and school staff (p. 109 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf). The PCA petition meets the requirements for the plan for high-achieving pupils.

Measurable Pupil Outcomes

The CDE has reviewed the information provided by the petitioner in a memorandum dated April 6, 2015, addressing measurable pupil outcomes (MPO), which provides sufficient detail to determine whether pupils are making satisfactory progress in order to modify instruction for individual pupils and for groups of pupils. The new information provided addresses CDE's concerns regarding sufficient detail of MPO. However, the memorandum does not address CDE's concerns regarding parental and family volunteer requirements (p. 12 of Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc). The CDE recommends a technical amendment to the petition to align parental and family volunteer requirements to comply with *EC* Section 49011(b)(4) and remove language in the petition that states all parents will participate in a minimum number of annual volunteer hours set by the PCA Board of Directors.

Governance

The CDE has reviewed the information provided by the petitioner in a memorandum dated April 6, 2015, addressing governance. The memorandum addresses the CDE's concern regarding the Chairman of Paramount Education Inc. (PEI) also serving as the PEI Chief Executive Officer. The petitioner has informed the CDE that changes were made to their bylaws to reflect the separation of the Chairman of PEI and the Chief Executive Officer. However, the memorandum does not address CDE's concerns regarding parental and family volunteer requirements or the inclusion of a School Site Council (SSC) in the charter school's governance structure (pp. 14–15 of Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc). The CDE recommends a technical amendment to the petition to align parental and family volunteer requirements to comply with *EC* Section 49011(b)(4) and remove language in the petition that states all parents will participate in a minimum number of annual volunteer hours set by the PCA Board of Directors. The CDE also recommends a technical amendment to the petition to include a SSC with required council composition as part of PCA's governance structure.

Health and Safety Procedures

The CDE has reviewed the information provided by the petitioner in a memorandum dated April 6, 2015, addressing health and safety procedures, which indicates the petitioner will comply with *EC* Section 44830.1. The new information provided addresses CDE's concerns (p. 17 of Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc); however, if approved as an SBE-authorized charter school, the petition will require an amendment to reflect this information.

Suspension and Expulsion Procedures

The CDE has reviewed the information provided by the petitioner in a memorandum dated April 6, 2015, addressing suspension and expulsion procedures.

- The PCA petition includes a corporal punishment policy that seems to allow corporal punishment to protect property (p. 174 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf). The new information provided addresses CDE's concerns (pp. 22–23 of Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc); however, if approved as an SBE-authorized charter school, the petition will require an amendment to reflect this information.

- The PCA petition states that pupils who are expelled shall be responsible for seeking alternative education programs, including, but not limited to, programs within the county or their school district of residence (p. 189 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf). PCA's April 6, 2015, memorandum questions why the CDE assumes the petitioners intend for students to be responsible for seeking an alternative education program. The reason is it was so stated in PCA's petition. If the petitioner's intent is for parents of expelled students to be responsible for seeking an alternative education program, it should be so stated. The CDE recommends a technical amendment to the petition to state that the parents of pupils who are expelled shall be responsible for seeking alternative education programs, including, but not limited to, programs within the county or their school district of residence.

- The PCA petition is unclear whether a pupil will be provided due process rights of notice and a hearing if the PEI Board of Directors expels a pupil based on a determination that the pupil has brought a firearm or destructive device to PCA (p. 183 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf). The new information provided addresses CDE's concerns (pp. 22–23 of Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc); however, if approved as an SBE-authorized charter school, the petition will require an amendment to reflect this information.

- The PCA petition is unclear on whether PCA will have a conference or at least invite a parent and pupil to a conference prior to extending a suspension period prior to expulsion (p. 184 of Attachment 3 of Agenda Item 09 on the ACCS

April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf). The new information provided does not clarify to the CDE whether the school director or their designee's determination to extend a suspension period will be made after a conference in which the pupil or pupil's parents are invited to attend. The CDE recommends a technical amendment to this section to show that a determination by PCA to extend a suspension period will be made only after a conference is held with a pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

- The PCA petition states that a hearing shall be held in closed session (complying with all pupil confidentiality rules under Family Educational Rights and Privacy Act) unless the pupil makes a written request for a public hearing three days prior to the hearing (p. 185 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf). This policy is not clear on whether the petitioner means the pupil must make a request of at least three days prior to the hearing, or if the pupil must make the request on the third day prior to the hearing. The new information provided addresses CDE's concerns (pp. 22–23 of Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc); however, if approved as an SBE-authorized charter school, the petition will require an amendment to reflect this information.

- The PCA petition states that the decisions to readmit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the PEI Board following a meeting with the PCA director, pupil, and guardian (p. 189 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf). This policy is not clear if the action taken by the PEI Board on readmission, or admission of an expelled pupil occurs through a hearing. The new information provided addresses CDE's concerns (pp. 22–23 of Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc); however, if approved as an SBE-authorized charter school, the petition will require an amendment to reflect this information.

- The PCA petition states that when an appeal relating to the placement of the pupil or the manifestation determination has been requested by either the parent or the charter school, the pupil shall remain in the interim alternative educational setting pending the decision of the hearing officer, or until the expiration of the 45 day time period provided for an interim alternative education setting, whichever occurs first, unless the parent and the charter school agree otherwise (p. 191 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting

Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf). This would deny a pupil's due process right to be heard prior to placing the pupil in an alternative education setting for 45 school days under 20 United States Code Section 1415(k)(3)(B)(ii)(ll). PCA's April 6, 2015, memorandum does not address the CDE's concern that pursuant to 20 United States Code Section 1415(k)(3)(B)(ii)(ll), a hearing officer has the authority to make the determination to place a child with a disability in an interim alternative education setting for 45 days. Without a determination by a hearing officer, PCA does not have authority to place a child with a disability in an interim setting when an appeal relating to placement of the pupil or the manifestation determination has been requested by either the parent or the charter school. The CDE recommends a technical amendment to this section to show that it is the hearing officer who determines whether a child with a disability shall remain in an interim alternative educational setting for 45 days when an appeal to a manifestation determination has been requested by a parent or a charter school.

Budget

The PCA multi-year budgeted revenues, expenditures, and fund balances appear reasonable. CDE's fiscal analysis concludes that PCA is fiscally viable due to positive fund balances with more than five percent fiscal reserves projected in the second and third year of operation.

The PCA petition provides a chart (pp. 126–131 of Attachment 3 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a3.pdf), identifying the goals to address the eight state priorities for schoolwide and for subgroups, however; these goals are not sufficiently detailed. Additionally, the PCA petition does not address actions to achieve these goals by each subgroup as identified in *EC* Section 52052 and the CDE has recommended a technical amendment (p. 38 of Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc).

The CDE finds that the PCA petition provides a reasonably comprehensive description for some of the required elements, while others require a technical amendment (p. 2 of Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc).

Based on the program analysis above and the CDE petition review and analysis in Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc, the CDE finds that the PCA charter petitioner is demonstrably likely to successfully implement the intended program, however; the petition does not contain reasonably comprehensive descriptions of the 16 charter elements pursuant to *EC* sections 47605(b)(1), 47605(b)(2),

47605(b)(5), and 5 *CCR* Section 11967.5.1 and the CDE requires technical amendments to address these elements as noted in this item and in Attachment 1, pp. 13, 14, 16, 19, 24, 27, and 38 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc.

A detailed analysis of the review of the entire petition is provided in Attachment 1 of Agenda Item 09 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item09a1.doc.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 25 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
- One countywide benefit charter
- Eight districtwide charters operating a total of eighteen sites
- Fifteen charter schools, authorized on appeal after local or county denial

The SBE delegates oversight duties of the districtwide charters to the county office of education of the county in which the districtwide charter is located. The SBE delegates oversight duties of the remaining charter schools to the CDE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved as an SBE-authorized charter school, the CDE would receive approximately one percent of the revenue of the charter school for the CDE's oversight activities. However, no additional resources are allocated to the CDE for oversight.

ATTACHMENT(S)

Attachment 1: State Board of Education Standard Conditions on Opening and Operation (3 pages)

STATE BOARD OF EDUCATION
STANDARD CONDITIONS ON OPENING AND OPERATION

- **Insurance Coverage.** Prior to opening, (or such earlier time as school may employ individuals or acquire or lease property or facilities for which insurance would be customary), submit documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings. Additionally, the school will provide a document stating that the District will hold harmless, defend, and indemnify the State Board of Education (SBE) and the California Department of Education (CDE), their officers and employees, from every liability, claim, or demand that may be made by reason of: (1) any injury to volunteer; and (2) any injury to person or property sustained by any person, firm, or corporation caused by any act, neglect, default, or omission of the School, its officers, employees, or agents. In cases of such liabilities, claims, or demands, the School at its own expense and risk will defend all legal proceedings that may be brought against it and/or the SBE or the CDE, their officers and employees, and satisfy any resulting judgments up to the required amounts that may be rendered against any of the parties.

- **Memorandum of Understanding/Oversight Agreement.** Prior to opening, either: (a) accept an agreement with the SBE, administered through the CDE, to be the direct oversight entity for the school, specifying the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities; or (b) enter into an appropriate agreement between the charter school, the SBE (as represented by the Executive Director of the SBE), and an oversight entity, pursuant to the California *Education Code* (*EC*) Section 47605(k)(1), regarding the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities.

- **Special Education Local Plan Area Membership.** Prior to opening, submit written verification of having applied to a Special Education Local Plan Area (SELPA) for membership as a local educational agency and submit either written verification that the school is (or will be at the time pupils are being served) participating in the SELPA; or an agreement between a SELPA, a school district that is a member of the SELPA, and the school that describes the roles and responsibilities of each party and that explicitly states that the SELPA and the district consider the school's pupils to be pupils of the school district in which the school is physically located for purposes of special education programs and services (which is the equivalent of participation in the SELPA). Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff following a review of either: (1) the school's written plan for membership in the SELPA, including any proposed contracts with service providers; or (2) the agreement between a SELPA, a school district, and the school, including any proposed contracts with service providers.

- **Educational Program.** Prior to opening, submit a description of the curriculum development process the school will use and the scope and sequence for the grades envisioned by the school; and submit the complete educational program for pupils to be served in the first year including, but not limited to, a description of the curriculum and identification of the basic instructional materials to be used; plans for professional development of instructional personnel to deliver the curriculum and use the instructional materials; and identification of specific assessments that will be used in addition to the assessment identified in *EC* Section 60640 in evaluating student progress. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff.

- **Student Attendance Accounting.** Prior to opening, submit for approval the specific means to be used for student attendance accounting and reporting that will be satisfactory to support state average daily attendance claims and satisfy any audits related to attendance that may be conducted. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Fiscal Services Division.

- **Facilities Agreements.** Prior to opening, present written agreements (e.g., a lease or similar document) indicating the school's right to use the principal school sites and any ancillary facilities identified by the petitioners for at least the first year of each school's operation and evidence that the facilities will be adequate for the school's needs. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities and Transportation Services Division.

- **Zoning and Occupancy.** Not less than 30 days prior to the school's opening, present evidence that each school's facility is located in an area properly zoned for operation of a school and has been cleared for student occupancy by all appropriate local authorities. For good cause, the Executive Director of the SBE may reduce this requirement to fewer than 30 days, but may not reduce the requirement to fewer than 10 days. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities and Transportation Services Division.

- **Final Charter.** Prior to opening, present a final charter that includes all provisions and/or modifications of provisions that reflect appropriately the SBE as the chartering authority and otherwise address all concerns identified by CDE and/or SBE staff, and that includes a specification that the school will not operate satellite schools, campuses, sites, resource centers, or meeting spaces not identified in the charter without the prior written approval of the Executive Director of the SBE based primarily on the advice of the Charter Schools Division (CSD) staff. Satisfaction of this condition is determined by the Executive Director of the SBE based primarily on the advice of the Director of the CSD.

- **Processing of Employment Contributions.** Prior to the employment of any individuals by the school, present evidence that the school has made appropriate arrangements for the processing of the employees' retirement contributions to the California Public Employees' Retirement System and the California State Teachers' Retirement System.

- **Operational Date.** If any deadline specified in these conditions is not met, approval of the charter is terminated, unless the SBE deletes or extends the deadline not met. If the school is not in operation by September 30, 2015, approval of the charter is terminated.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 08

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Wei Yu International Charter School which was denied by the Moreland School District and the Santa Clara County Office of Education.	☒ Action ☒ Information ☒ Public Hearing

SUMMARY OF THE ISSUE(S)

On November 18, 2014, the Moreland School District (MSD) voted to deny the Wei Yu International Charter School (WYICS) petition by a vote of five to zero. On February 4, 2015, the Santa Clara County Office of Education (SCCOE) voted to deny the WYICS petition on appeal by a vote of seven to zero.

Pursuant to California *Education Code* (*EC*) Section 47605(j), petitioners for a charter school that has been denied at the local level may petition the State Board of Education (SBE) for approval of the charter, subject to certain conditions. The WYICS petitioner submitted an appeal to the SBE on February 23, 2015.

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE hold a public hearing to consider the CDE's recommendation to deny the charter petition to establish WYICS under the oversight of the SBE, based on the CDE's findings pursuant to *EC* sections 47605(b)(1), 47605(b)(5), and *California Code of Regulations*, Title 5 (5 *CCR*) Section 11967.5, that the petitioner is unlikely to successfully implement the program set forth in the petition and the petition does not provide a reasonably comprehensive description of the 16 charter elements. The Meeting Notice for the SBE Advisory Commission on Charter Schools (ACCS) Web page is located at http://www.cde.ca.gov/be/cc/cs/accsnotice040815.asp.

Advisory Commission on Charter Schools Recommendation

The ACCS considered the WYICS charter petition at its April 8, 2015, meeting. The ACCS voted to accept the CDE staff recommendation to deny the charter petition to establish WYICS under the oversight of the SBE. The motion passed by a vote of five to four.

BRIEF HISTORY OF KEY ISSUES

WYICS submitted a petition on appeal to the CDE on February 23, 2015.

The WYICS petition proposes to prepare pupils through a Mandarin language immersion program to be successful individuals and community change makers. The mission statement of WYICS is to provide a bilingual and biliterate education that promotes high academic achievement and cultivates students' emotional intelligence and curiosity, equipping them with the essential skills to thrive in our dynamic global society (p. 17 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf).

The WYICS petition proposes to serve approximately 150 pupils in kindergarten through grade one in the first year of operation (2016–17) and expand by one grade level each year until the addition of grade eight (2023–24). At full capacity, the school intends to serve 525 pupils in kindergarten through grade eight (p. 18 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf).

The CDE has noted MSD has provided no factual findings (pp. 1–46 of Attachment 7 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a7.pdf), but rather provided a Memorandum to the Board of Trustees of MSD, Written Evaluation of Wei Yu International Charter School Petition, dated November 14, 2014.

The MSD Memorandum provided the following (pp. 1–46 of Attachment 7 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a7.pdf):

- The MSD Memorandum indicates concerns regarding the implementation of the comprehensive Science, Technology, Engineering, Arts, and Mathematics program and the Mandarin language immersion program as set forth in the WYICS petition. Additionally, the MSD Memorandum indicates concerns regarding the financial plan, operational plan, and the description of the facilities in the WYICS petition.

- The MSD Memorandum indicates that the WYICS petition does not describe an educational program that is likely to be of educational benefit to all pupils who attend.

- The MSD Memorandum states the WYICS petition neglects to address how special education services will be provided in the context of the Mandarin language immersion program (p. 7 of Attachment 7 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a7.pdf). The MSD Memorandum states that the WYICS petition neglects to address how the district

will find personnel delivering special education services with sufficient language proficiency to provide services in Mandarin, and does not account for the additional cost in its budget (pp. 7–8 of Attachment 7 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a7.pdf). The MSD Memorandum states that the WYICS petition also neglects to address how it will provide training to its teaching personnel in the delivery of special education services in Mandarin (p. 8 of Attachment 7 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a7.pdf).

- The MSD Memorandum states that the WYICS petition addresses instructional strategies for English learners (EL), however the WYICS petition does not describe where EL instruction would occur within the proposed daily instructional schedule and does not provide sufficient time for EL instruction to occur within the time allocated for English language arts instruction (p. 8 of Attachment 7 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a7.pdf). The MSD Memorandum states that the WYICS petition fails to describe how EL will meet the mandated one year of English proficiency progression on the California English Language Development test (CELDT) and English language proficiency assessments for California since the petition proposes to start the ratio of instruction in Mandarin to English at 90:10 (p. 8 of Attachment 7 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a7.pdf). The MSD Memorandum states that the WYICS petition also fails to describe how the English Language Development (ELD) standards would be incorporated into assessing progress in ELD (p. 8 of Attachment 7 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a7.pdf).

- The MSD Memorandum indicates that the WYICS charter petition does not contain reasonably comprehensive descriptions of the following required elements: description of educational program, measurable pupil outcomes, governance, employee qualifications, health and safety, racial and ethnic balance, and retirement coverage.

In considering the WYICS petition, CDE staff reviewed the following:

- The WYICS petition and appendices, Attachments 3 and 5 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf and http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a5.pdf.

- Educational and demographic data of schools where pupils would otherwise be required to attend, Attachment 2 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a2.xls.

- The WYICS budget and financial projections, Attachment 4 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a4.pdf.

- Description of changes to the petition necessary to reflect the SBE as the authorizing entity, Attachment 6 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a6.pdf.

- Board agendas, minutes, and findings from MSD and SCCOE regarding the denial of the WYICS petition, along with the petitioner's response to MSD and SCCOE findings, Attachment 7 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a7.pdf.

On February 4, 2015, SCCOE denied the WYICS petition on appeal based on the following factual findings (pp. 103–121 of Attachment 7 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a7.pdf):

Finding #1: WYICS presents an unsound educational program for the pupils to be enrolled in WYICS.

Finding #2: The petitioner is demonstrably unlikely to successfully implement the program set forth in the petition.

Finding #3: The WYICS petition does not contain reasonably comprehensive descriptions of the required elements.

The information in this item provides the analysis that CDE has been able to complete to date with the available information.

Pursuant to *EC* sections 47605(b)(1), 47605(b)(2), 47605(b)(5), and 5 *CCR* Section 11967.5.1, a charter petition must provide a reasonably comprehensive description of multiple required elements (p. 2 of Attachment 1 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a1.doc).

The CDE finds that the WYICS petition does not provide an adequate description of the educational program. The proposed plans to serve EL and pupils with disabilities are insufficient.

Educational Program

The WYICS petition proposes to prepare pupils through a Mandarin language immersion program to be successful individuals and community change makers. The mission statement of WYICS is to provide a bilingual and biliterate education that promotes high academic achievement and cultivates students' emotional intelligence and curiosity, equipping them with the essential skills to thrive in our dynamic global society (p. 17 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf).

Plan for Low-Achieving Pupils

The WYICS petition adequately describes the educational program for low-achieving pupils. The WYICS petition states that a variety of assessment tools will be used to identify pupils who are academically low-achieving (p. 67 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf). Assessments identified in the WYICS petition include incoming assessments in mathematics and language arts, the California Assessment of Student Performance and Progress (CAASPP), standards-based checklists, writing rubrics, and benchmark assessments (pp. 67–68 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf). The WYICS petition states that the engaging and active educational program at WYICS is designed to accommodate a full range of performance, including low-achieving pupils (p. 67 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf). The WYICS petition indicates that intervention services will include differentiated instruction, skill level grouping, targeted in classroom support, and pupil access to adaptive learning software (pp. 67–68 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf). The WYICS petition indicates that pupil monitoring will occur through family conferences to develop pupil informal learning goals, teacher observation, classroom assessments, benchmark assessments, and if needed, pupils will be referred to a Student Success Team (pp. 67–68 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf). Additionally, the WYICS petition indicates that parents will receive regular communication through progress reports (p. 67 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf). The WYICS petition meets the requirements for the plan for low-achieving pupils.

Plan for High-Achieving Pupils

The WYICS petition indicates that high-achieving pupils will be identified by incoming assessments in mathematics, language arts, and the CAASPP (p. 69 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf). Pupils will be considered high-achieving if they consistently perform significantly above their grade level peers on alternative assessments and/or score advanced on the CAASPP. WYICS will differentiate instruction and provide project-based learning within the regular classroom program. Additionally, high-achieving pupils will be provided extra opportunities for enrichment in core content areas, opportunities for leadership and the acquisition of mentoring skills, and access to curriculum materials designed for their mastery level (pp. 68–69 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf). The WYICS petition meets the requirements for the plan for high-achieving pupils.

Plan for English Learners

The CDE has reviewed the information provided by the petitioner in a letter dated April 6, 2015, addressing EL, which outlines a description of how and when EL will receive targeted ELD instruction aligned to the English language arts and ELD standards. The letter also provides a monitoring plan to ensure that the reclassified EL maintain their English proficiency and are monitored for a minimum of two years. However, the letter does not include a description of specific program placement for pupils based on results from the CELDT. Therefore, WYICS fails to provide sufficient information to ensure additional and appropriate educational services that EL are required to receive under federal and state law would indeed be provided by WYICS. The new information provided does not address CDE's concerns (p. 10 of Attachment 1 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a1.doc).

Plan for Special Education

The CDE has reviewed the information provided by the petitioner in a letter dated April 6, 2015, addressing WYICS plan for special education. The letter provides evidence that WYICS contacted the El Dorado County Charter Special Education Local Plan Area on January 15, 2015, to apply for membership. However, the letter does not outline what services and supports WYICS will provide to pupils with disabilities. The letter does not indicate the process to assess, identify, and monitor pupils with disabilities according to the requirements of law. The letter also does not indicate the alignment between the special education program and access to the Mandarin language immersion program. Therefore, WYICS fails to provide sufficient information to ensure additional and appropriate educational services that pupils with disabilities are required to receive under federal and state law would indeed be provided by WYICS. The new information provided does not address CDE's concerns (pp. 10–11 of

Attachment 1 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a1.doc).

Governance

The WYICS petition does not present a reasonably comprehensive description of WYICS' governance structure. The Bay Area Language Immersion Schools (BALIS) will govern WYICS. The WYICS petition is unclear whether the officers of the WYICS corporation specified in Article VIII of the bylaws, (pp. 69–71 of Attachment 5 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a5.pdf) are paid positions. If the WYICS officers are paid by the WYICS corporation, the following issue arises:

Article VII, Section 2 indicates that any number of offices may be held by the same person, except that neither the Secretary, nor the Chief Financial Officer may serve concurrently as either the President or the Chairman of the Board (p. 65 of Attachment 5 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a5.pdf). This would mean that the Secretary or Chief Financial Officer may serve as one of BALIS' directors and the President may serve as the Chairman of the BALIS Board.

It should be noted under Section 22 of Article VII of the bylaws, directors of the BALIS Board are not compensated (p. 68 of Attachment 5 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a5.pdf). On the other hand, the officers of the WYICS corporation (President, Secretary, and Chief Financial Officer) may be compensated positions. This appears to be a conflict as it would allow compensation to a member of the BALIS Board who serves in a dual capacity.

It should be noted that Article IX, Section 1 of BALIS' bylaws indicates that the WYICS corporation shall not enter into a contract or transaction in which a BALIS Director directly or indirectly has a material financial interest (nor any other corporation, firm, association, or other entity in which one or more of the corporation's directors are directors and have a material financial interest) unless all of the requirements in the BALIS' Conflict of Interest Code have been fulfilled (p. 71 of Attachment 5 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a5.pdf). It should be noted, the Conflict of Interest Code does not state what requirements would allow a contract between a BALIS Director and the WYICS corporation. This could lead to confusion on when a BALIS board of director is allowed to enter into a contract with WYICS or the nonprofit corporation which governs it. This could impact WYICS' financial viability.

The WYICS petition does not adequately ensure active and effective representation of interested parties including parents and/or guardians. The WYICS petition states that the BALIS Board of Directors will not meet during summer months (p. 106 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf), which will not provide an opportunity for parent participation, community participation, or pupil expulsion hearings during those months. However, WYICS intends to open school in July. The WYICS petition addresses the state priority for parental involvement by stating a Parent Teacher Organization (PTO) will be established to facilitate parental involvement (p. 84 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf). However, the parental involvement section of the WYICS petition conflicts with the state priority by indicating that parents are encouraged to form a PTO (p. 109 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf). Additionally, the WYICS petition does not indicate involvement of the PTO or school site council in the development of the Local Control and Accountability Plan (LCAP).

The CDE has reviewed the information provided by the petitioner in a letter dated April 6, 2015, addressing governance. The new information received addresses the CDE's concerns regarding compensation for someone who serves in a dual role as an officer and board of director. The new information also addresses CDE's concern regarding contracts or transactions directors may enter into with WYICS' corporation. However, the new information does not address CDE's concerns regarding representation by parent participation, expulsion hearing during the summer months when the Board will not be in session, or involvement of the PTO or school site in the development of the LCAP (pp. 14–15 of Attachment 1 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a1.doc.

Employee Qualifications

The CDE has reviewed the information provided by the petitioner in a letter dated April 6, 2015, addressing employee qualifications, which indicates how the Mandarin/English language immersion program will be adequately addressed by core teachers. The new information provided addresses CDE's concerns (p. 16 of Attachment 1 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a1.doc).

Health and Safety Procedures

The CDE has reviewed the information provided by the petitioner in a letter dated April 6, 2015, addressing health and safety procedures, which indicates the petitioner will comply with *EC* Section 44237 and *EC* Section 44830.1. The new information

provided addresses CDE's concerns (p. 17 of Attachment 1 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a1.doc)

Admission Requirements

The CDE has reviewed the information provided by the petitioner in a letter dated April 6, 2015, addressing Admission Requirements. The letter indicates that WYICS will agree to remove the language proficiency requirement, admit all pupils who wish to attend, subject to capacity of the school, and is willing to accept technical amendments on admission preferences to comply with applicable *EC* and guidelines issued by the CDE. The letter also indicates that WYICS will remove the statement from the petition, which states WYICS may refine the lottery policies and procedures following the first year of operations in accordance with written policy adopted by the Bay Area Language Immersion Schools (BALIS) Board. A copy of the revised policy will be provided to the district within 45 calendar days of the approval by the BALIS Board and prior to the open enrollment period (p. 131 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf). The new information provided addresses CDE's concerns (p. 19 of Attachment 1 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a1.doc).

Suspension and Expulsion Procedures

The CDE has reviewed the information provided by the petitioner in a letter dated April 6, 2015, addressing suspension and expulsion procedures.

The WYICS petition outlines suspension and expulsion polices that do not provide for the adequate safety of its pupils or will serve the best interest of its pupils. The WYICS petition states for the purposes of the policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons, or to prevent damage to school property (p. 133 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf). The CDE finds this policy inadequate for the safety of pupils, as it allows corporal punishment to protect property. The new information provided by WYICS addresses CDE's concern (pp. 21–23 of Attachment 1 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a1.doc).

The WYICS petition states that pupils who are expelled shall be responsible for seeking alternative education programs, including, but not limited to, programs within the county or their school district of residence (p. 140 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf). The CDE finds

this policy does not serve the best interest of the pupils and their parents. WYICS intends to serve pupils in kindergarten through grade eight; pupils in these grades would not be able to seek alternative education programs on their own. WYICS' April 6, 2015, letter questions why the CDE assumes the petitioners intend for students to be responsible for seeking an alternative education program. The reason is it was so stated in WYICS' petition. If the petitioners' intent is for parents of expelled students to be responsible for seeking an alternative education program, it should be so stated. The CDE recommends a technical amendment to the petition to state that the parents of pupils who are expelled shall be responsible for seeking alternative education programs, including, but not limited to, programs within the county or their school district.

The WYICS petition is unclear regarding whether it will provide due process rights to pupils in the following areas: when a pupil is determined to have brought a fire arm or other destructive device to the school, upon readmittance or admittance for a pupil previously expelled, and in the maximum amount of days a pupil may be placed in an interim alternative educational setting pending a decision of a hearing officer (pp. 136–141 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf). The new information provided by WYICS addresses CDE's concern (pp. 21–23 of Attachment 1 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a1.doc).

The WYICS petition states (p. 141 of Attachment 3 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www2.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a3.pdf) when an appeal relating to the placement of the pupil or the manifestation determination has been requested by either the parent or WYICS, the student shall remain in an interim alternative educational setting pending the decision of the hearing officer, or until the expiration of the 45-day time period provided for an interim alternative education setting, whichever occurs first, unless the parent and WYICS agree otherwise. United States Code (USC) Section 1415(k)(3)(B)(ii)(ll) allows a hearing to order a change of placement of a child with a disability to an appropriate alternative setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of a pupil is substantially likely to result in injury to the pupil or others. WYICS' policy which allows placing a pupil in an interim alternative setting for 45 school days prior to a determination by a hearing officer that the current placement of such pupil will result in injury to the pupil or others violates 20 USC Section 1415(k)(3)(B)(ii)(ll). This would deny a pupil of their due process right to be heard prior to placing the pupil in an alternative education setting for 45 school days. It should be further noted that under 20 USC Section 1415(k)(4)(B) the State or LEA shall arrange for an expedited hearing, which shall occur within 20 school days of the date the hearing is requested and shall result in a determination within 10 school days after the hearing. This would allow for a maximum placement in an interim alternative educational setting pending a decision for no more than 30 school days. WYICS's

April 6, 2015, letter does not address the CDE's concern that pursuant to 20 United States Code Section 1415(k)(3)(B)(ii)(ll), a hearing officer has the authority to make the determination to place a child with a disability in an interim alternative education setting for 45 days. Without a determination by a hearing officer, WYICS does not have the authority to place a child with a disability in an interim setting for 45 days when an appeal relating to the placement of the pupil or the manifestation determination has been requested by either the parent or the charter school. The CDE recommends a technical amendment to this section to show that it is the hearing officer who determines whether a child with a disability shall remain in an interim alternative educational setting for 45 days when an appeal to a manifestation determination has been requested by a parent or a charter school.

Budget

The WYICS multi-year budgeted revenues, expenditures, and fund balances appear reasonable. The CDE fiscal analysis concludes that WYICS is fiscally viable due to projected positive fund balances with reserves and reasonably projected enrollment. However, the WYICS petition does not include grade seven and grade eight in the projected budget, even though the WYICS petition requests a kindergarten through grade eight charter school to serve 525 pupils and provides a build out plan for eight years.

The WYICS petition addresses the requirements of *EC* Section 47605(b)(ii), including a description of the school's annual goals, for all pupils (i.e. schoolwide) and for each subgroup of pupils identified pursuant to *EC* Section 52052, for each of the applicable state priorities identified in *EC* Section 52060(d) and a description of the specific annual actions the school will take to achieve each of the identified annual goals.

The CDE finds that the WYICS petition does not provide a reasonably comprehensive description for some of the required elements including, description of educational program and governance structure; while others require a technical amendment (p. 2 of Attachment 1 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a1.doc).

Based on the program deficiencies noted above and those noted in the CDE petition review and analysis in Attachment 1, the CDE finds that the WYICS charter petitioner is demonstrably unlikely to successfully implement the intended program and the petition does not contain reasonably comprehensive descriptions of the 16 charter elements pursuant to *EC* sections 47605(b)(1), 47605(b)(2), 47605(b)(5), and 5 *CCR* Section 11967.5.1 and the CDE requires technical amendments to address these elements (pp. 12, 13, 26, and 27 Attachment 1 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a1.doc).

A detailed analysis of the review of the entire petition is provided in Attachment 1 of Agenda Item 05 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr15item08a1.doc.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 25 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
- One countywide benefit charter
- Eight districtwide charters operating a total of eighteen sites
- Fifteen charter schools, authorized on appeal after local or county denial

The SBE delegates oversight duties of the districtwide charters to the county office of education of the county in which the districtwide charter is located. The SBE delegates oversight duties of the remaining charter schools to the CDE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved as an SBE-authorized charter school, the CDE would receive approximately one percent of the revenue of the charter school for the CDE's oversight activities. However, no additional resources are allocated to the CDE for oversight.

ATTACHMENT(S)

Attachment 1: State Board of Education Standard Conditions on Opening and Operation (3 pages)

STATE BOARD OF EDUCATION
STANDARD CONDITIONS ON OPENING AND OPERATION

- **Insurance Coverage.** Prior to opening, (or such earlier time as school may employ individuals or acquire or lease property or facilities for which insurance would be customary), submit documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings. Additionally, the school will provide a document stating that the District will hold harmless, defend, and indemnify the State Board of Education (SBE) and the California Department of Education (CDE), their officers and employees, from every liability, claim, or demand that may be made by reason of: (1) any injury to volunteer; and (2) any injury to person or property sustained by any person, firm, or corporation caused by any act, neglect, default, or omission of the School, its officers, employees, or agents. In cases of such liabilities, claims, or demands, the School at its own expense and risk will defend all legal proceedings that may be brought against it and/or the SBE or the CDE, their officers and employees, and satisfy any resulting judgments up to the required amounts that may be rendered against any of the parties.

- **Memorandum of Understanding/Oversight Agreement.** Prior to opening, either: (a) accept an agreement with the SBE, administered through the CDE, to be the direct oversight entity for the school, specifying the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities; or (b) enter into an appropriate agreement between the charter school, the SBE (as represented by the Executive Director of the SBE), and an oversight entity, pursuant to the California *Education Code* (*EC*) Section 47605(k)(1), regarding the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities.

- **Special Education Local Plan Area Membership.** Prior to opening, submit written verification of having applied to a Special Education Local Plan Area (SELPA) for membership as a local educational agency and submit either written verification that the school is (or will be at the time pupils are being served) participating in the SELPA; or an agreement between a SELPA, a school district that is a member of the SELPA, and the school that describes the roles and responsibilities of each party and that explicitly states that the SELPA and the district consider the school's pupils to be pupils of the school district in which the school is physically located for purposes of special education programs and services (which is the equivalent of participation in the SELPA). Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff following a review of either: (1) the school's written plan for membership in the SELPA, including any proposed contracts with service providers; or (2) the agreement between a SELPA, a school district, and the school, including any proposed contracts with service providers.

- **Educational Program.** Prior to opening, submit a description of the curriculum development process the school will use and the scope and sequence for the grades envisioned by the school; and submit the complete educational program for pupils to be served in the first year including, but not limited to, a description of the curriculum and identification of the basic instructional materials to be used; plans for professional development of instructional personnel to deliver the curriculum and use the instructional materials; and identification of specific assessments that will be used in addition to the assessment identified in *EC* Section 60640 in evaluating student progress. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff.

- **Student Attendance Accounting.** Prior to opening, submit for approval the specific means to be used for student attendance accounting and reporting that will be satisfactory to support state average daily attendance claims and satisfy any audits related to attendance that may be conducted. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Fiscal Services Division.

- **Facilities Agreements.** Prior to opening, present written agreements (e.g., a lease or similar document) indicating the school's right to use the principal school sites and any ancillary facilities identified by the petitioners for at least the first year of each school's operation and evidence that the facilities will be adequate for the school's needs. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities Planning Division.

- **Zoning and Occupancy.** Not less than 30 days prior to the school's opening, present evidence that each school's facility is located in an area properly zoned for operation of a school and has been cleared for student occupancy by all appropriate local authorities. For good cause, the Executive Director of the SBE may reduce this requirement to fewer than 30 days, but may not reduce the requirement to fewer than 10 days. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities Planning Division.

- **Final Charter.** Prior to opening, present a final charter that includes all provisions and/or modifications of provisions that reflect appropriately the SBE as the chartering authority and otherwise address all concerns identified by CDE and/or SBE staff, and that includes a specification that the school will not operate satellite schools, campuses, sites, resource centers, or meeting spaces not identified in the charter without the prior written approval of the Executive Director of the SBE based primarily on the advice of the Charter Schools Division (CSD) staff. Satisfaction of this condition is determined by the Executive Director of the SBE based primarily on the advice of the Director of the CSD.

- **Processing of Employment Contributions.** Prior to the employment of any individuals by the school, present evidence that the school has made appropriate arrangements for the processing of the employees' retirement contributions to the California Public Employees' Retirement System and the California State Teachers' Retirement System.

- **Operational Date.** If any deadline specified in these conditions is not met, approval of the charter is terminated, unless the SBE deletes or extends the deadline not met. If the school is not in operation by September 30, 2014, approval of the charter is terminated.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 09

ITEM #09

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Elementary and Secondary Education Act: Approve Amendment to California's Consolidated State Application Accountability Workbook Related to the Title I Accountability System.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

Since 2004, the State Board of Education (SBE) has annually approved proposed amendments to California's Consolidated State Application Accountability Workbook (hereafter referred to as the Accountability Workbook) and submitted them to the U.S. Department of Education (ED).

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE approve one additional amendment to California's 2015 Accountability Workbook, which would impact the 2015 Adequate Yearly Progress (AYP) determinations.

BRIEF HISTORY OF KEY ISSUES

At the January 2015 SBE meeting, SBE members approved seven amendments to the Accountability Workbook that would impact the reporting of the 2015 AYP.

One of the approved amendments was to replace the Academic Performance Index (API) as the additional indicator in making AYP determinations for elementary and middle schools with attendance rates based on Average Daily Attendance.

The ED requires each school to meet an additional indicator in order to make AYP. High schools are required to meet the four-year cohort graduation rate as the additional indicator, and the SBE approved using attendance rates as the additional indicator for elementary and middle schools.

CDE staff has reviewed the Accountability Workbooks of 25 other states to identify which additional indicators and targets have already been approved by the ED. Of the 25 states, 12 states used attendance rates as their additional indicator. The targets ranged from 90 to 95 percent with the most frequent target set at 90 percent. The CDE is proposing that the attendance rate target be established at 90 percent. Any

elementary and middle schools and elementary and unified school districts serving grades three through eight would be required to meet the 90 percent target to make AYP.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has submitted amendments to California's Accountability Workbook each year since the initial submission in January 2003. Most amendments have been in response to changes in California's assessment system or to changes in federal requirements. The most recent changes to the Accountability Workbook include:

- For the 2015 AYP, the SBE and CDE submitted seven amendments: (1) add grade three to pair and share, (2) replace the Standardized Testing and Reporting (STAR) Program assessments with the Smarter Balanced assessments for grades three through eight, (3) suspend the use of alternate assessments for 2015 AYP determinations, (4) suspend the use of the AMOs for reporting and making AYP determinations, (5) revise the definition of the socioeconomically disadvantaged (SED) student group to include students that automatically qualify for the Free and Reduced-Price Meals program (foster youth, homeless, and migrant students), (6) replace the grade ten California High School Exit Examination (CAHSEE) with the grade eleven Smarter Balanced assessment for making AYP determinations, and (7) replace the API as the additional indicator for elementary and middle schools and elementary and unified school districts with the attendance rate.

- For the 2014 AYP, the SBE and CDE submitted two amendments. The first amendment added an extended-year (six-year) cohort graduation rate, and the second amendment removed the API as an additional indicator for high schools.

- For the 2013 AYP, the SBE and CDE submitted a technical amendment in response to the ED requiring a change to the proposed calculation method used for the five-year cohort graduation rate.

- For the 2012 AYP, the SBE and CDE submitted three amendments. The first amendment was in response to a previous Title I Monitoring Visit finding by the ED. As a result, the CDE agreed to produce all local educational agency (LEA) accountability report cards and post them on the CDE Web site. The second amendment was a technical change that revised the definition of the SED student group in the Accountability Workbook to align with the definition on the student answer document. A third amendment, approval of a five-year graduation rate, was not approved for 2012 AYP determinations.

FISCAL ANALYSIS (AS APPROPRIATE)

Fiscal impact will be minimal, as the AYP reports are generated by CDE staff and posted on the CDE AYP Web page. All expenses are included in the Analysis, Measurement, and Accountability Reporting Division's budget.

ATTACHMENT(S)

None.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 10

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Developing a New Accountability System: Discussion on System Coherence to Support Continuous Improvement in California's New Accountability System; Update on the Local Control Funding Formula including Evaluation Rubrics as specified in California *Education Code* Section 52064.5	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

On July 1, 2013, the Governor signed Assembly Bill (AB) 97 (Chapter 47, Statutes of 2013) to enact the Local Control Funding Formula (LCFF). The adoption of LCFF provides a significant opportunity for transformational improvements in California's accountability system. This opportunity for a revised accountability system is further realized with the State Board of Education (SBE) action to suspend the Academic Performance Index (API) for the 2014-15 school year at its March 2015 meeting.

This update features a discussion on transitioning to a new California accountability system that coherently supports the goals of continuous improvement. In addition, this item also features the status of the development of the LCFF evaluation rubrics and the implications for performance standards and expectations for improvement consistent with California *Education Code* (*EC*) Section 52064.5.

This agenda item is the second in a series of regular updates to demonstrate progress on the development of a new accountability system to the State Board of Education (SBE) and to the public.

RECOMMENDATION

The staff recommends that the SBE take action as deemed necessary and appropriate but recommends no specific action at this time.

BRIEF HISTORY OF KEY ISSUES

At the 2015 March SBE meeting, the board took action to suspend the Academic Performance Index (API) for the 2014-15 school year and to begin the transition to a multiple measures approach to accountability aligned with the LCFF state priorities. The board discussed the history of the API, and in particular, its original purpose to provide valid and reliable comparative information to measure growth, progress, and support

best practices. Instead, a system of rankings emerged and the use of the API has been perceived as a much more punitive system. As a result, despite the growth that “low performing” schools have demonstrated, these schools remain on a list that categorizes them in program improvement status (e.g., the bottom decile has now grown very close to the target of 800). The SBE requested that the history of unintended consequences of setting targets and providing comparisons for punitive outcomes be kept front and center as the conversation continues on what the future accountability system should include and how it should function.

The focus of this item is to consider the dimensions of system coherence related to designing accountability systems that provide measurements and feedback that align to the LCFF state priorities and support college and career readiness.

As California transitions to a new accountability system the following questions should be considered:

- What are the primary goals and purposes of the new accountability system?
- What local and state multiple measures and data are available, valid, reliable, and useful as we phase in a new accountability system?
- What technical issues and additional analyses will need to be addressed in developing a valid set of indicators?
- How will data from multiple measures and indicators reflecting the state priorities be combined to differentiate the needs of schools and districts needing technical assistance?
- How will the accountability system provide both status and growth information? How will information on how well schools and districts are performing and making satisfactory progress be determined?

Attachment 1 includes the draft set of guiding principles for accountability system planning. These principles are intended to help frame the conversation as the SBE continues to deliberate the development of a new system.

Attachment 2 provides information that will support the development of system coherence and continuous improvement. Drs. Linda Darling-Hammond and David Conley will present their recommendations on key elements of a new accountability system that emphasizes a systems framework to support a state and local partnership for improvement.

Attachment 3 presents an update on the LCFF and the development of the evaluation rubrics. This update introduces a revised draft of the rubrics based on feedback from the regional input sessions, policy stakeholders, and Rubric Design Group. As required by statutes, this version of the evaluation rubrics proposes initial concepts on standards for district and schoolsite performance and expectations for improvement for the SBE

and the public to review. A primary goal of this item is to get feedback and direction regarding the proposed concepts for performance and expectations for improvement in regard to each of the state priorities, while striving to reflect a “holistic, multidimensional assessment” of LEA and schoolsite performance.

The item concludes with Attachment 4 that outlines the next steps for development and continued public engagement on the transition to a new accountability system.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In March 2015, the SBE took action to suspend the Academic Performance Index (API) for the 2014-15 school year and recommended that the state move from a single index to a multiple measures accountability system. This item featured discussion on the transition to a new accountability system with a particular focus on system elements. Additionally, the item provided an update on the LCFF evaluation rubrics and determination of multiple measures with a discussion on the relationship between statewide and local measures and processes that combine to form the emerging state accountability system.
http://www.cde.ca.gov/be/ag/ag/yr15/documents/mar15item06.doc

In January 2015, the SBE requested that the Technical Design Group (TDG) and the Public Schools Accountability Act (PSAA) Advisory Committee provide the SBE with recommendations on two issues: (1) developing a new state accountability system based on multiple measures rather than a single index, and (2) timing for the release of the next state accountability report. The SBE requested that the PSAA provide a report on these recommendations at the March 2015 SBE meeting.
http://www.cde.ca.gov/be/ag/ag/yr15/documents/jan15item03.doc

In a separate January 2015 item that provided an update on the LCFF, the SBE received information on the development of the LCFF evaluation rubrics, including implications for the Statewide Accountability System.
http://www.cde.ca.gov/be/ag/ag/yr15/documents/jan15item04.doc

FISCAL ANALYSIS (AS APPROPRIATE)

The proposed 2015 State Budget Act provides an increase of $4 billion to support the continued implementation of LCFF and build upon the investment of almost $6.8 billion provided over the last two years.

ATTACHMENT(S)

Attachment 1: Draft Guiding Principles for Accountability System Planning (3 Pages)

Attachment 2: Transition to a New Accountability System: Developing System Coherence to Support Continuous Improvement (5 Pages)

Attachment 3: Local Control Funding Formula Update: Evaluation Rubrics (18 Pages)

Attachment 4: Next Steps for Development and Continued Public Engagement (2 Pages)

Attachment 5: California Education Code (EC) Sections 52064.5, 47607.3, 52071, 52071.5, 52072, 52072.5, 52060, 52066, 52064, and 52052 (15 Pages)

Draft Guiding Principles for Accountability System Planning
May 2015

The State Board of Education (SBE) requested that the California Department of Education (CDE) and SBE staff work with researchers, practitioners, and stakeholders to engage in a design process that produces a framework and implementation plan for a comprehensive and coherent accountability system. To support this request, the California Comprehensive Center at WestEd collaborated with CDE and SBE staff to identify potential contributors to this broader conversation on California's new accountability system.

For the first session, a small group of LEA representatives provided input on the discussion questions that are featured on page two of this item (e.g., What are the primary goals and purposes of the new accountability system?). Based on this discussion, the following suggestions emerged:

- Clarify the audience and intended use of data, metrics, performance standards, and expectations of improvement
- Use multidimensional and cascading metrics that include local and state data on district, school, and subgroups
- Distinguish leading indicators (e.g., provide early signals of progress) from lagging indicators (e.g., provide results and confirm long-term trends)
- Allow for flexibility on the leading indicators (e.g., engagement) and consistency on the lagging indicators (e.g., graduation rates)
- Provide ongoing opportunities for users to suggest enhancements and revisions on the different phases of the development of the evaluation rubrics
- Identify standards and reference points for each state priority and clarify the basis for setting these standards and reference points
- Link the evaluation rubrics to the larger accountability system that supports continuous learning and best practices through state-local and peer partnerships

Over the next many months, wider public and stakeholder engagement, including representatives from the list below, will be convened and invited to contribute additional information on the transition to a new accountability system. Similar to the stakeholder engagement process that was provided for the Local Control Funding Formula (LCFF) regulations and rubric development, a series of public discussions and opportunities to provide feedback will be scheduled in addition to the upcoming SBE meetings (please see Attachment 4).

The key stakeholders to contribute to this process will include but are not limited to the following:

- Educators and Practitioners
- Parents/Family/Community
- Students
- Researchers
- Policymakers
- Equity Coalition Partners

- Education Administration Coalition
- Postsecondary, Business, and Workforce Partners
- Charter School Leadership
- District Leadership
- County Leadership

As outlined in the March 2015 item, the Board requested that a range of information, examples, feedback, and research be considered in developing a New Accountability System Framework and Implementation Plan, and that varied topics related to this work be discussed at each Board meeting. Additionally, the Board requested that staff develop a set of Draft Guiding Principles to help inform the Board's decisions.

Staff reviewed Public Schools Accountability Act (PSAA) Advisory Committee recommendations, LCFF design principles, evaluation rubric design process principles, research shared at the March 2015 Board Meeting, and other related information, to develop an initial draft set of accountability guiding principles for Board consideration. These guiding principles will be further strengthened based on Board feedback.

Draft Guiding Principles

Articulate the state's expectations for districts, charter schools and county offices of education.

Promote a broad understanding of the specific goals that need to be met at each level of the educational system.

Foster equity.

Create support structures, including technical assistance for districts and schools, to promote success for all students regardless of background, primary language, or socioeconomic status.

Continue to disaggregate data by student subgroup for both reporting and accountability purposes.

Provide useful information that helps parents, districts, charter schools, county offices of education and policymakers make important decisions.

Assist and engage parents, educators and policymakers through regular communication and transparent, timely reporting of data so they can take action appropriate to their roles.

Build capacity and increase support for districts, charter schools and county offices.

Seek to build capacity at all levels by reinforcing the importance of sound teaching and learning practices and providing necessary support to help schools reach their goals.

Create multiple ways to celebrate district and school success based on state identified and locally designated metrics. Intervene in persistently underperforming districts to build capacity along a continuum of increasing

support and attention through state and regional mechanisms of support. Ensure there are services and skills necessary to meet the needs of the students and families they serve.

Encourage continuous improvement focused on student-level outcomes, using multiple measures for state and local priorities.

Focus on ongoing improvement of student outcomes, including college- and career-readiness, using multiple measures that reflect both status and growth. This means, in part, making determinations based on some version of the following two foundational questions:

- How well is this school/district performing?
- Is the school/district improving?

Tie accountability determinations to multiple measures of student progress, based on the state priorities, integrating data from various forms of assessment, some of which will be locally-determined. Balance validity and reliability demands with the ability to clearly and simply explain results to stakeholders, including the use of a multiple measures dashboard.

Promote system-wide integration and innovation.

Purposely and effectively integrate each accountability system component, including groups and technologies, creating a coherent, effective and efficient support structure for districts, charter schools and county offices of education.

Recognizing that there is a new context for accountability in the state, the coming years will provide new insights at all levels of the educational system. To that end, it is important to encourage continued learning, innovation, and improvements related to the accountability system as a whole, core elements of the system, and the impact of the system on individual schools and districts.

Public input will continue to be collected through the spring and summer months on ideas for accountability design. A summary of feedback, along with examples of emerging systems from states and districts, will be synthesized and shared to help inform the design of California's system. A proposed framework and implementation plan that includes a comprehensive design architecture with specifications reflecting information and input from prior meetings will be presented to the SBE at the 2015 November meeting.

California's new accountability system will build on the foundations of LCFF, the Local Control and Accountability Plan (LCAP), along with the Annual Update, the Evaluation Rubrics, and the California Collaborative for Educational Excellence (CCEE) support structure. It is anticipated that the new accountability framework and implementation plan will support a systems approach to continuous learning and improvement, equity, and transparency. Support from state and local leadership will be required to implement this framework.

4-24-15 [State Board of Education]

Transition to a New Accountability System: Developing System Coherence to Support Continuous Improvement

California is in the midst of unprecedented changes including the adoption of new academic content standards, a new system of assessments, and a new educational funding system that aligns local budgets and resource allocations with local goals and state priorities to improve student outcomes. The changes share in common an orientation towards supporting student success as evidenced by college and career readiness. Given the scope and dimensions of these changes, it is clear that a new paradigm for accountability must also be developed to support deeper levels of student learning, and encourage continuous improvement across the educational system, with an emphasis on equity, transparency and performance.

The State Board of Education (SBE) will hear an update on the implementation of the Local Control Funding Formula (LCFF) and concepts that may be integrated into a new accountability system at each of the next several SBE meetings. As part of these regular updates, researchers, policy experts, and local practitioners will be invited to present their work to help inform the concepts for a proposed framework and implementation plan for the new accountability system. Staff from the SBE and the California Department of Education (CDE) will continue to request suggestions from all education stakeholders to ensure that a wide range of examples, research, and policy perspectives will be shared with the SBE, stakeholders, and members of the public.

Two experts on education policy and research, Drs. Linda Darling-Hammond and David Conley, have written extensively on accountability and more recently have proposed aspects of system coherence that the SBE may want to consider as the conversations on the new accountability system evolve.

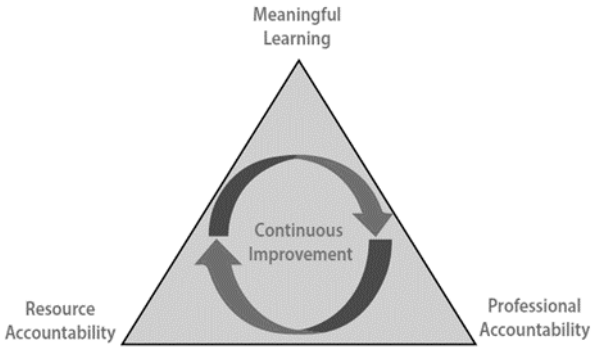
Dr. Linda Darling-Hammond, the Charles E. Ducommun Professor of Education at Stanford University, will present on the key elements of a new accountability system that are necessary to support continuous improvement. Her recent paper with David Plank (2015) emphasizes the interrelationship among specific accountability mechanisms (http://www.edpolicyinca.org/publications/supporting-continuous-improvement-californias-education-system).

> "California's new accountability system originated in the radical decentralization of power and authority from Sacramento to local schools and their communities brought about by the Legislature's adoption of the LCFF in 2013." (pg. 7 from Darling-Hammond and Plank, 2015)

It is through this decentralization that a new conceptual framework is presented. As noted in Figure 1 below, political accountability, professional accountability, and performance accountability or meaningful learning are interrelated and support continuous learning. Political accountability is operationalized through the Local Control and Accountability Plan (LCAP) to ensure that resources are effectively allocated to support the educational needs of the local community. Professional accountability is evidenced through effective licensure,

accreditation, and professional development to support educators with high quality training for providing students with the best educational experience. Finally, performance accountability, or meaningful learning, is the monitoring of performance of schools/districts across the LCFF state priorities, plus other local priorities. This kind of unified long-term strategy could enable California to move successfully from a compliance-driven system to one that is capable of system learning and continuous improvement.

Figure 1: Key Elements of an Accountability System (Darling-Hammond and Plank, 2015)



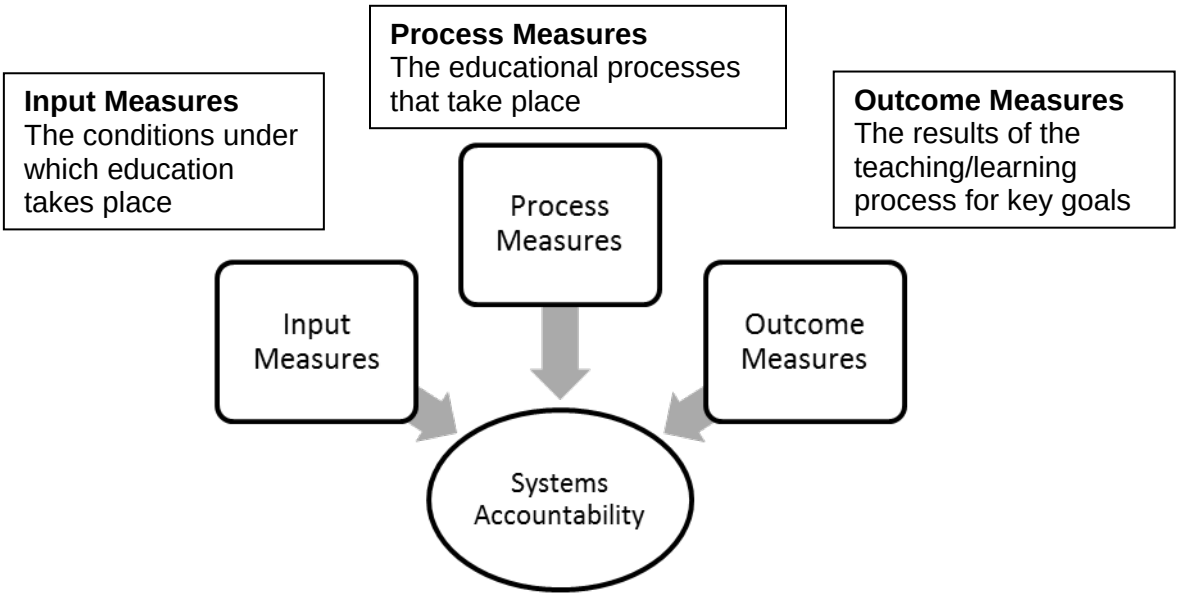
Dr. David Conley, founder and president of EdImagine Strategy Group and Professor of Education at the University of Oregon, will present on the elements of a systems approach to improvement. As noted on page 40 in his final report to the Public Schools Accountability Act (PSAA) Advisory Committee (Conley et al., 2014) (http://www.cde.ca.gov/ta/ac/pa/documents/psaadec14item05ho2.doc):

> "Without a measure of coherence, it is almost certain that accountability in California will become unwieldy and unmanageable in complexity and result in educators retreating to a compliance-based follow-the-rules mentality. This type of thinking rarely, if ever, leads to significant improvements in schooling. The net effect will be to defeat what should be one of the primary purposes of accountability, namely, to improve educational practices in ways that result in enhanced student learning outcomes."

To support a coherent flow and framework, Conley (2015) recommends the notion of context (input), process, and outcome as a way to consider the state priority areas to incorporate as a framework for implementing systems that are focused on improvement. When developing the LCAP and thinking about the larger context of accountability from the perspective of coherence, he suggests that a balance of input, process, and outcome are considered. As presented in Figure 2 below, input measures, or the conditions under which education takes place, reflect conditions of learning, such as access to instructional materials. Process measures, or the educational processes that take place, reflect processes such as engagement and school climate. Finally, outcome measures are the results of the teaching and learning process for key goals, such as standardized test performance and graduation rates. Therefore, to adopt a systems

approach to improvement, LEAs should consider if the whole LCAP is equal to or greater than the sum of parts or is it just a series of disconnected activities? LCAPs are likely to evolve over time as LEAs focus on important goals, actions and services that improve student outcomes, linking both local and state priorities and measures of success.

Figure 2: Elements of a Systems Approach to Improvement (Conley, 2015 presentation at PACE "Beyond the API")



Public Schools Accountability Act (PSAA) Advisory Committee

On September 26, 2012 the Governor signed Senate Bill (SB) 1458 (Chapter 577, Statutes of 2012) to authorize the PSAA Advisory Committee to augment the existing state accountability system known as the Academic Performance Index (API). The intent of the Legislature was to change the state's system of public school accountability to be more closely aligned with both the public's expectations of public education and the workforce needs of the state's economy. Based on the legislation, the PSAA was charged with changing the API so that no more than 60 percent of the index is based on assessment results, and the remaining 40 percent encompass other indicators such as graduation data and student preparedness for college and career.

To determine what measures (e.g., college and career indicator [CCI]) should be included in this new accountability index, the CDE has been meeting with the PSAA Advisory Committee and the Technical Design Group (TDG). To further support this information-gathering and decision-making process, the CDE contracted with the Educational Policy Improvement Center (EPIC) to conduct analyses of six different types or clusters of potential measures of college and career preparedness, presented in a series of white papers and a final summary report (note the final report is referenced on page 2 of this attachment).

Future work of the PSAA Advisory Committee that could align to the LCFF state priorities includes the summary of these data simulations to inform the SBE on the potential consequences of selecting and using certain college and career readiness metrics for accountability purposes. For example, simulations that have been completed to date on Career Technical Education (CTE) sequences or programs of study that are consistent with EC Section 52060 (C) could be further explored. The EPIC report noted in the CTE field, a range of assessments that can be used to assess career and academic readiness. Specific to skill-based assessments that measure occupation-specific skills (e.g., WorkKeys, NOCTI Job Ready and Pathway Assessments, A*S*K for Business, Skills Connect) and performance-based assessments that measure the demonstrations of skills and application of knowledge to novel tasks (College and Work Ready Assessment, National Academy Foundation portfolio, and some industry credential assessments). Further exploration on these career readiness measures is necessary to determine if these measures should be state defined or locally determined. Finally, the PSAA Advisory Committee will be able to assist with providing information that allows for a better understanding of using Smarter Balanced test scores to measure growth in the context of the LCFF evaluation rubrics.

State Board of Education Accountability System Planning Considerations

In a state as large and diverse as California, instituting educational change is a complex undertaking. The LCFF purposely does not prescribe a top-down, state-centered, compliance approach. The vision is to refocus the educational system on improving instructional outcomes, aligning local budgets and resource allocations with local goals and state priorities to improve student learning, and allowing the state to provide the support needed to drive continuous improvement. The system is intended to be simple, transparent and easily understood by educators, parents and the public.

The changes being made through LCFF represent a major overhaul in the way the state provides meaningful and sustained support to improve outcomes for all students. LCFF links transparency and accountability directly to the local budgeting process by requiring counties, school districts and charter schools to adopt LCAPs. When properly implemented, LCFF and LCAP can drive continuous improvement in all schools and for all students. The LCAP is designed to enhance allocation of resources, integrating locally approved goals with school district budgets that align with and, in some districts augment, the state’s educational priorities.

It is the intent of the SBE that California’s new accountability system will build on the foundations of LCFF and LCAP, along with the Annual Update, the Evaluation Rubrics and the California Collaborative for Educational Excellence (CCEE) support structure. The new system will provide transparency of decision-making processes in support of student achievement and outcomes. It will focus on a broader set of outcomes than in the past and it will need to differentiate the performance of schools and districts in reliable and meaningful ways so they receive appropriate support and assistance.

Central to the development of a new accountability system is providing well-timed, accessible and actionable data for use by educators, parents, community members and policymakers, so that district and school leaders focus on significant areas in need of improvement. As more system components are developed and become operational

over the next several years, a central goal of accountability should be to increase district and school capacity and drive continuous improvement in the long-term. It is increasingly clear that a new paradigm for accountability must also be developed to connect instructional practices to local improvements and to statewide accountability processes.

The SBE and CDE staff members are working with researchers, practitioners, and stakeholders to engage in a design process that informs a Framework and Implementation Plan for a comprehensive and coherent California accountability system. This work will support a phased in transition to the new accountability system and function as a safeguard against unintended consequences as the state pursues a multiple measures approach that is comprehensive, coherent, and provides meaningful and reliable information to support continuous learning. Attachment 4 provides an outline of anticipated topics on accountability system development that will be explored and discussed at future SBE meetings.

4-24-15 [State Board of Education]

Next Steps for Development and Continued Public Engagement

Following is an outline of anticipated topics for future State Board of Education (SBE) meetings. The SBE and California Department of Education (CDE) will continue to work with the California Comprehensive Center at WestEd to convene informational meetings to gather information to help inform the presentations and public discussions at each upcoming SBE meeting. The information that is shared will culminate in the creation of Transition to a New Accountability System Framework and Implementation Plan.

California's new accountability system will build on the foundations of the Local Control Funding Formula (LCFF) and the Local Control and Accountability Plan (LCAP), along with the Annual Update, the Evaluation Rubrics and the California Collaborative for Educational Excellence (CCEE) support structure. Each part of the emerging system will support the overall goals of improved student performance for all California students.

The state priorities provide the foundation for an innovative accountability system that includes multiple measures of student, school, and district success. As more system components are developed and become operational over the next several years, the goals of the system will continue to focus on increasing district and school capacity and drive continuous improvement in the long-term.

SBE Meeting	Focus Area
March 11-12, 2015	System Elements – Updates regarding the evaluation rubrics and determination of multiple measures with discussion of the relationship between statewide and local measures and processes that combine to form the emerging state accountability system.
May 6-7, 2015	System Coherence – Review and reflections of research related to designing accountability systems that provide measurements and feedback to support college and career readiness. Basic design specifications will be described as part of the research. Revised draft of LCFF Evaluation Rubric with proposed performance standards and expectations for improvement.
July 8-9, 2015	Examples – Review and reflections of emerging systems from states and districts that provide learning and evidence that can inform the design of California's system. Demonstration of LCFF Evaluation Rubric online system.
September 2-3, 2015	Feedback and Input – Public input will be sought during the spring and summer to gather information and ideas for the accountability design. A summary of this input and considerations for design will be synthesized and shared. Final version of the LCFF Evaluation Rubric will be presented to the SBE.

November 4-5, 2015	**Framework and Implementation Plan** – Comprehensive design architecture with specifications reflecting information and input from prior meetings and feedback will be presented.
January 2016	Considerations for Establishing a Definition of College and Career Readiness – What knowledge, skills, and dispositions necessary for lifelong success in the 21st century, and what are the implications for state policy?
March 2016	Aligning Systems of Assessment and Accountability – Consider what assessments and other measures of student learning will be considered toward accountability determinations and what local flexibility needs to be in place.
May 2016	Calculating Student Growth – Considerations for ensuring locally designed assessments are fair, valid and reliable.
July 2016 forward	Prioritizing sets of indicators for annual determinations of school and district performance.

4-24-15 [State Board of Education]

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

Education Code Section 52064.5.
(a) On or before October 1, 2015, 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 expectation for improvement in regard to each of the state priorities described in subdivision (d) of Section 52060.

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 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.

(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, 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 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 and 2014–15 school years only, with 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.

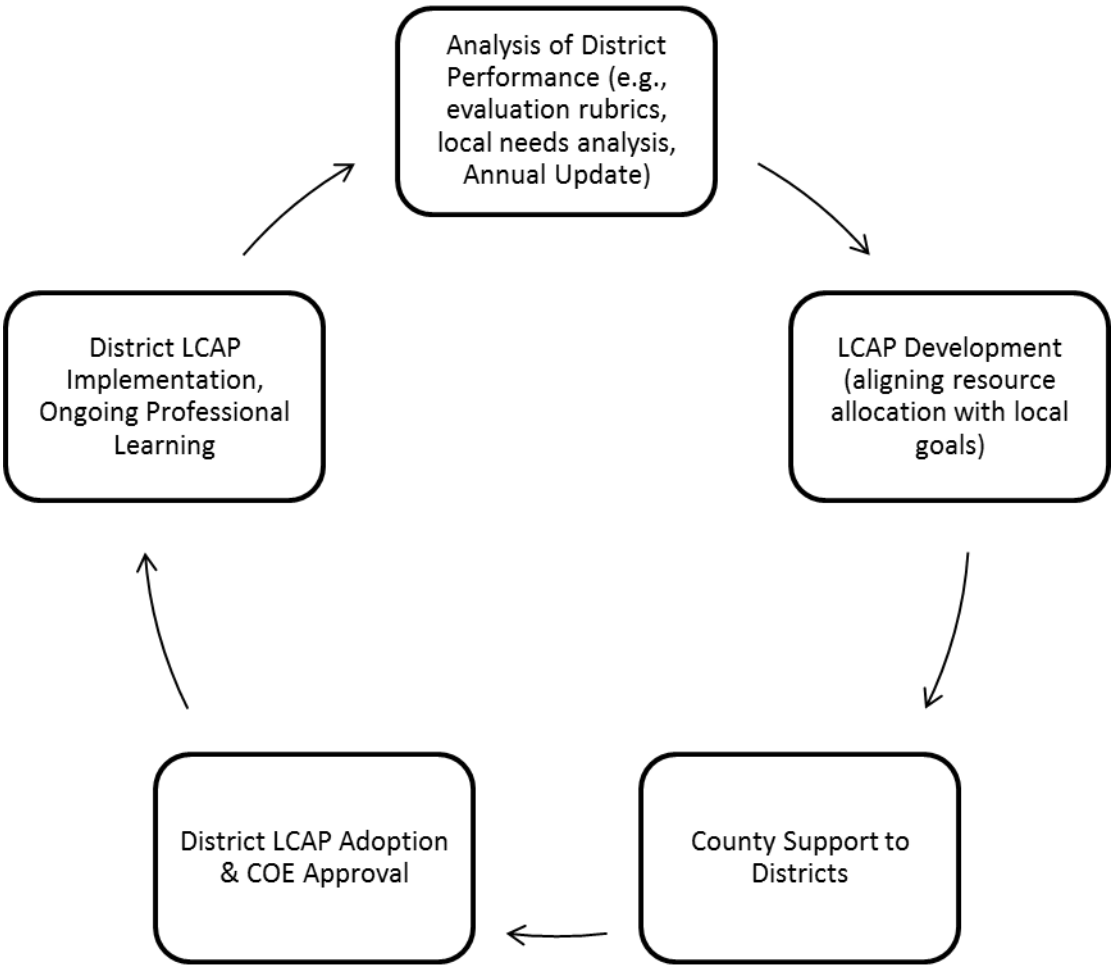
Local Control Funding Formula: Evaluation Rubrics

Background

The vision of the Local Control Funding Formula (LCFF) is to refocus the educational system on improving student outcomes. LCFF works to align local budgets and resource allocations with local goals and state priorities to improve student learning, and allows the state to provide the support needed to drive continuous improvement. The system is intended to be simple, transparent and easily understood by educators, parents, and the public.

Local Educational Agencies (LEAs) are required to adopt Local Control and Accountability Plans (LCAPs) that prioritize goals, actions, and decisions at the local level. LCAPs must be aligned and consistent towards ensuring all students are ready for college and career, based on the needs of students and the local context and community. LEAs develop and implement the LCAPs based on state and local priorities and beginning in 2015, LEAs will also complete annual updates to the LCAPs. The annual updates provide a point of reflection to assess progress towards goals, future adjustments, and use of funds/resource alignment to achieve state and local priorities.

Figure 1. District Example of LCAP Planning, Development, and Evaluation



LEAs should be commended for the successful implementation of LCFF. Studies have shown that the first full year of implementation has yielded substantial progress towards this vision as well as collaborative efforts at every level of the public school funding and education system. While much work remains to be done, LEAs have begun to build the foundation for meaningful and sustained support to improve learning for all students, based around the LCFF design principles of student-focused, equity and transparency, and improving student outcomes.

California's new accountability system will build on the foundations of LCFF, the LCAP, along with the Annual Update, the Evaluation Rubrics, and the California Collaborative for Educational Excellence (CCEE) support structure.

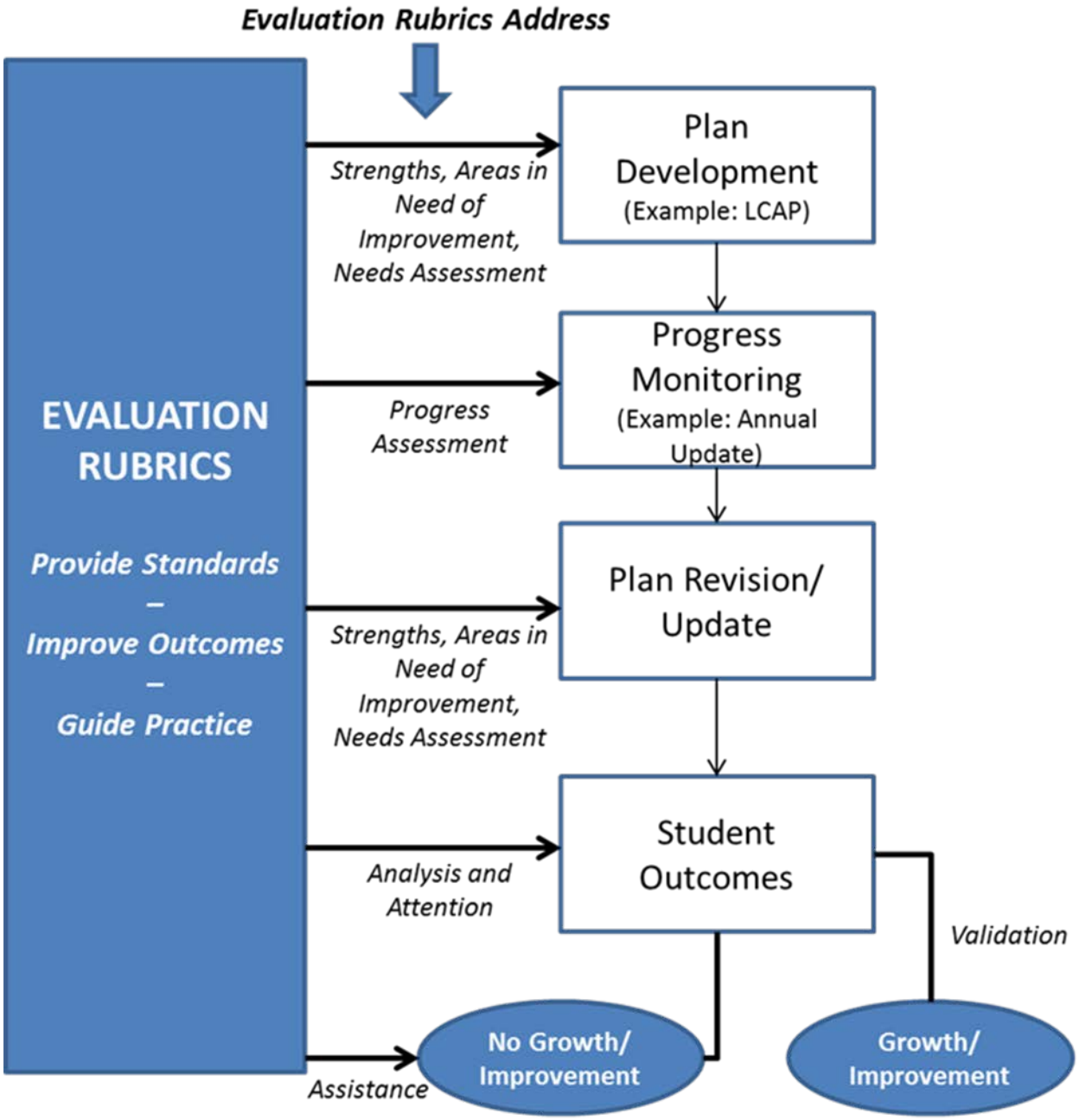
Under LCFF, the first level of accountability rests with local stakeholders, elected district and county boards of education, charter governing boards, and district administration and teachers through the development, implementation, and monitoring of LCAPs. The county superintendent of schools, as the intermediate agent between the state and the districts, is responsible for the oversight of the LCAP process in his or her county. Through the combined statutes of Assembly Bill (AB) 1200, which created the Fiscal Crisis and Management Assistance Team (FCMAT), and LCFF, the county superintendent of schools is responsible for a combination of fiscal and academic assistance that includes progressive interventions to school districts when needed.

Similar expectations of local accountability, planning, and oversight, apply to county offices of education developing their own LCAPs for the fiscal and academic review and assistance provided by the California Department of Education (CDE).

In addition, charter schools comply with a process that consistent with charter statutes details the regular oversight responsibilities provided by charter authorizers. For charter schools, the charter authorizer reviews the LCAP as part of the authorizer's regular oversight of school performance and budget.

The development of the evaluation rubrics is situated in this larger context of LCFF implementation. Statute requires county superintendents, the Superintendent of Public Instruction (SPI), and the newly created California Collaborative for Educational Excellence (CCEE) to use the evaluation rubrics to determine whether districts need technical assistance, support and/or intervention. A continuously improving educational system is grounded in the concept of collective and reciprocal accountability – everyone must be responsible for the aspects of educational quality that is in their sphere of influence, "from the Capitol to the classroom." (Darling-Hammond and Plank, 2015)

Figure 2. Relationship Between Evaluation Rubrics, Local Control and Accountability Plan, and Annual Update.



The multi-tiered systems of support and assistance envisioned by LCFF and the use of the LCFF evaluation rubrics are informed by a new theory of action or set of assumptions that tightly connect each of the state priorities to student performance, replacing the existing theory of action that measuring and reporting results alone will generate better results. Governing boards, leaders, educators, staff and community members must also have the capacity and tools needed to improve student achievement results.

Overview of the Local Control Funding Formula Evaluation Rubrics

The evaluation rubrics are an integral part of the LCFF performance and accountability system. Once developed, the rubrics will serve as tools to ensure LEAs are able to align resources to implement strategies that result in meaningful student outcomes. The rubrics will also direct attention to areas in need of additional support to meet the adopted standards for district and school performance relative to the state priorities.

California *Education Code (EC)* Section 52064.5 requires that the State Board of Education (SBE) adopt evaluation rubrics on or before October 1, 2015. The evaluation rubrics are to (1) assist local educational agencies (LEA) in evaluating their strengths, weaknesses, and areas that require improvement; (2) assist county superintendents of schools in identifying LEAs in need of technical assistance and focusing technical assistance; and (3) assist the Superintendent of Public Instruction in identifying districts for which intervention is warranted.

In March 2015, the SBE reviewed draft evaluation rubrics and provided comments to guide ongoing development efforts (http://www.cde.ca.gov/be/ag/ag/yr15/documents/mar15item06a3rev.pdf). The March version of the evaluation rubrics transitioned the SBE and members of the public from a concept to a concrete example of what the rubrics should include to measure strengths and weaknesses. There was consensus among the SBE members that the evaluation rubrics should support growth and improvement. Furthermore, that performance standards are important to provide a reference point for improvement, but that standards should not create a target that if not achieved, results in punitive consequences. Rather, the SBE requested that the notion of performance standards be grounded in the objectives of supporting continuous improvement, equity, and transparency as the next draft of the evaluation rubrics is developed.

Since the SBE's March meeting, WestEd has engaged stakeholders through regional input sessions. In addition, the Rubric Design Group, which is comprised of educational leaders representing school districts, charter schools, and county offices of education, and schools, was asked to help process feedback to construct options to develop "standards for school district and individual school site performance, and expectations for improvement" that are part of an evaluation rubric that provides a "holistic, multidimensional school district and school performance" [*EC* 52064.5(b-c)].

A primary goal for the May SBE meeting is to request feedback and direction from the SBE regarding an approach to identifying performance standards for the evaluation rubrics as described in this attachment. Feedback and direction received as part of this item will be used to guide the development of a final draft of the evaluation rubrics that will be initially brought before the SBE in July 2015, with expectations for action at the September 2015 meeting.

Stakeholder Input

Based on the feedback from the SBE, WestEd organized and facilitated a process to gather input from experts and stakeholders regarding the draft of the evaluation rubrics from March 26 – April 2. These regional input sessions provided the third opportunity for members of the public and education stakeholders to provide feedback on the draft rubrics. A total of 113 individuals attended an input session. Participants included district, county, charter, and school leaders; teachers; students; parents; and community and state-level advocacy groups. Students actively participated in the Santa Clara location.

Location	Number Attending
Orange County Department of Education	35
Kern County Superintendent of Schools	13
Ventura County Office of Education	14
Monterey County Office of Education	6
Riverside County Office of Education	14
Sacramento County Office of Education	17
Santa Clara County Office of Education	14

An additional 35 individuals representing state and regional associations and agencies provided input through a policy stakeholder input session. In addition, input was also gathered from small school districts, charter schools and county offices of education leaders.

At each session, participants were invited to provide feedback on three critical questions related to developing standards for the evaluation rubrics. These questions were:

- **What? – Scope**: For what metrics can, or may there be, statewide and/or local reference points?

- **How? – Methodology:** How will the performance standards/reference points be established?

- **Why? – Productivity:** How will the performance standards/reference points support and place emphasis on improvement and growth?

A summary of the feedback shared can be found at http://lcff.wested.org/regional-stakeholder-input-summary-marchapril-2015/ . The feedback reflected a range of ideas that included acknowledgment of the challenge that the rubrics include performance standards that draw attention to success and needs without setting a punitive tone. In addition, the sessions provided an opportunity to explore options for creating meaningful performance standards given that only some data pertaining to the metrics is available statewide while some metrics require local definition and collection.

Summary of Major Changes to the Draft Evaluation Rubrics

Based on the feedback provided by the regional input sessions, policy stakeholders, and Rubric Design Group members, the following major changes are proposed to the March 2015 draft evaluation rubrics:

- Simplify the evaluation rubrics to include only the data analysis section and shift the content related to outcome and practice reflection to complementary tools and resources.

- Further develop standards of performance for each priority area for schools and districts.

- Reflect a multidimensional approach to performance standards by creating displays and analysis for (1) outcomes relative to statewide and local performance reference points, (2) progress measured by statewide and local metrics, and (3) progress for subgroups.

- Use, to the extent possible, same or similar data files currently used in the School Accountability Report Card (SARC) to support alignment and reduce duplication.

Additional changes to the LCFF evaluation rubrics are provided in Appendix A.

Performance Standards – Proposed Change to Support Growth and Improvement

The California *EC* Section 52064.5 specifies that the rubrics shall provide standards for school district and individual school site performance and expectations for improvement in regard to the LCFF state priorities. For the purposes of the LCFF evaluation rubrics, the following definitions are proposed:

- A performance standard is defined as an expectation for growth on the metrics under the LCFF state priorities at the school, LEA, and subgroup levels;

- A reference point is a numeric value derived from the distribution of statewide or local data, that represents a rigorous performance goal; and

- A metric is a system of measurement that is used to evaluate performance under the LCFF state priorities.

Staff from the SBE and CDE, in consultation with WestEd will research possible methods for defining and calculating reference points. Specifically, an analysis of current state data and the identification of reference points adopted by other states along with the basis for setting these reference points (e.g., best practices, data simulations and recommended policy and research) will be reviewed by subject matter

experts and stakeholders. Specific statewide reference points will be presented to the SBE in July 2015 for feedback.

For purposes of discussion and feedback from the SBE, the following is a proposed conceptual model that builds on the March draft for how the LEA and school level performance standards and expectations for improvement would be implemented:

1. ***Evaluating Outcomes Relative to Performance Reference Points:*** To assist LEAs in evaluating their strengths, weaknesses, and areas that require improvement, the rubrics will assess performance at the LEA, school and subgroup levels using a combination of statewide and local performance metrics and reference points.

   In priority areas such as pupil achievement where *Education Code* defines specific performance metrics, the rubrics will identify statewide reference points for those metrics if they use uniform statewide data definitions and statewide data is available. The reference points will be set to a percentile of the distribution of statewide performance data unless there are existing requirements for a higher level of performance, in which case statewide data is not a prerequisite for establishing a statewide reference point. For instance, current state law requires that 100% of teachers are appropriately assigned (an input measure), and therefore, the reference point would be 100%.

   In priority areas where the statute does not define a pupil outcome or achievement metric, or the metrics do not use uniform data definitions, such as implementation of state standards, the state performance standard will require that LEAs use local metrics established and identified in their LCAPs that meet the general requirements described in statute for the rubrics. The anticipated metric selection tool that is proposed in conjunction with rubrics will provide vetted options for LEAs to consider. LEAs will then determine and identify related local performance reference points that represent rigorous goals in the rubrics.

   Where there are defined metrics under a priority that use uniform data definitions, but no statewide data available, LEAs will determine and identify related local performance reference points that represent rigorous goals in the rubrics.

2. ***Standards for Performance and Improvement:*** The evaluation rubrics will include data with color/symbol-based indicators to visually communicate progress on statewide and locally-determined metrics. Consistent with what was proposed in the March draft of the evaluation rubrics, the following color/symbol-based indicators are presented for discussion purposes:

   - ***Green –*** Represents progress based on a to be determined (TBD) amount of growth from prior year AND progressive improvement over two or more years.

- ***Yellow –*** Represents an area in need of further consideration based on a TBD amount of growth from prior year OR progressive improvement over 2 or more years.

- ***Red –*** Represents an area in need of improvement based on a TBD amount of limited to no growth from prior year NOR progressive improvement over 2 or more years.

- ***Blue –*** Represents an area of strength based on current performance meeting or exceeding a proposed state or locally determined reference point.

- ***Gray-*** Represents that the metric does not apply for the given LEA.

The data and displays for which a color/symbol-based indicator is applied will be determined based on data that is included in the evaluation rubric. In cases where data are collected and reported by the state through existing data systems, such as the California Longitudinal Pupil Achievement Data System (CALPADS) or reported through the online reporting tools such as DataQuest or the School Accountability Report Card (SARC), such data can be prepopulated into the evaluation rubrics.

Where statewide definitions do not exist or statewide data is not collected, generally it will be necessary to refer to locally defined, collected, and reported data. To the extent possible, statewide data will be prepopulated, but local data may be added and prepopulated data can be corrected by the LEA to support accuracy and completeness. The inclusion of state and local data allow for multiple dimensions to the performance standards to support focus on reasonable growth/improvement and equitable outcomes.

At the March 2015 meeting, the SBE received an overview of the data metrics and data availability as specified in *EC* Section 52060 (d). This overview classified the LCFF priorities as input, process, or outcome measures, and designated the priorities collected by the state at the LEA, subgroup, and school level (e.g., high school graduation is an outcome measure collected by the state at the LEA, subgroup, and school level).

Table 1 below is an expanded view of the potential LCFF priority metrics, including the proposed reference point and the data source. This table is organized by outcome measures, followed by process and input measures. As noted earlier, in cases where there are uniform data definitions and the state collects data, there will be proposed statewide reference points. In the absence of state defined and collected data, LEAs are encouraged to use locally determined metrics to establish local reference points to complement state performance standards.

Table 1. Proposed Statewide and Locally-Determined Performance Standards and Reference Points

Priority Area (#)	Input	Process	Outcome	Metric	Proposed Statewide Reference Point	Proposed Locally-Determined Reference Point	Data Source
Pupil Achievement (4)							
			X	For all LEAs- Statewide assessments administered pursuant to the California Assessment Student Performance Program (CAASPP)	X		CDE
			X	Academic Performance Index (API)	X NA for 2014-15		CDE
			X	For secondary - % of graduates with UC/CSU required coursework (A-G requirements)	X		CDE
			X	For secondary- % of graduates with career technical education (CTE) sequences or programs that align with the CTE model practice standards	X		CDE/ Local
			X	For all LEAs - % of English learners making progress towards English proficiency (AMAO 2)	X		CDE
			X	For all LEAs- % of English learners reclassified as English proficient (AMAO 3)	X		CDE
			X	For secondary- % of 11th and 12th grade students enrolled in at least one Advanced Placement, International Baccalaureate, or dual credit course % of students with a score of 3 or higher on an AP exam	X		CDE/ Local
			X	For secondary - % of grade 11 students Assessment at Achievement Level 3 or higher designated as college ready on the Early Assessment Program (EAP)	X		CDE/ CSU

Priority Area (#)	Input	Process	Outcome	Metric	Proposed Statewide Reference Point	Proposed Locally-Determined Reference Point	Data Source
Other Pupil Outcomes (8)							
			X	Pupil outcomes in core subject areas	X		CDE/ Local
School Climate (6)							
			X	Suspension rate	X		CDE/ Local
			X	Expulsion rate	X		CDE/ Local
		X		Locally determined measurement of pupils, parents, and teachers on the sense of safety and school connectedness	X		Local/ Healthy Kids Survey or Local Survey
Pupil Engagement (5)							
			X	% of middle school students dropping out	X		CDE
			X	% of high school students dropping out (cohort)	X		CDE
			X	% of high school students graduating (cohort)	X		CDE
		X		% attendance/ attendance rate		X	CDE/ Local
		X		% of students chronically absent from school		X	Local
Parental Involvement (3)							
		X		Locally determined measurement of parental involvement		X	Local
		X		Locally determined measurement of efforts made to seek parent input in making decisions for school district and each individual schoolsite		X	Local
		X		Locally determined measurement of how district promotes parent participation in programs for unduplicated pupils and individuals with exceptional needs		X	Local

Priority Area (#)	Input	Process	Outcome	Metric	Proposed Statewide Reference Point	Proposed Locally-Determined Reference Point	Data Source
Course Access (7)							
		X		Course access in core academic areas		X	Local
Implementation of State Standards (2)							
		X		Locally determined measurement of implementation of state academic content and performance standards		X	Local
		X		Locally determined measurement of how programs and services enable ELs to access common core standards and ELD standards and show performance progress		X	Local
Basic (1)							
	X			% of Teachers appropriately assigned	X		SARC
	X			% of Teachers fully credentialed for subject area	X		SARC
	X			% of Teachers fully credentialed for students they are teaching	X		SARC
	X			% of Students with sufficient instructional materials	X		SARC
	X			% of Schools with facilities in “good repair”	X		SARC

The Second and Third Purposes of the LCFF Evaluation Rubrics: Helping Identify Where Technical Assistance or Intervention is Needed

State law requires that the evaluation rubrics serve three purposes. As discussed above, the evaluation rubrics are to be used by LEAs in evaluating strengths and weaknesses and as part of the continuous improvement process. The rubrics also are to be used to identify those LEAs in need of technical assistance and, ultimately, those LEAs in need of intervention.

During the input sessions and meetings of the Rubric Design Group (RDG), questions arose about the technical assistance aspect of the rubrics and how LEAs will be

identified as needing technical assistance. For example, attendees asked how many "red" indicators would lead to technical assistance.

A summary of the statutory provisions regarding technical assistance and intervention is below, followed by some options for how the rubrics might indicate assistance or intervention is needed.

Technical Assistance

For school districts, *EC* Section 52071 specifies that the County Superintendent shall provide technical assistance, using the evaluation rubrics, to any district that "fails to improve pupil achievement across more than one state priority… for one or more pupil subgroup identified pursuant to Section 52052."

For county offices of education, *EC* Section 52071.5 specifies that the SPI shall provide technical assistance, using the evaluation rubrics, to any county office that "fails to improve pupil achievement in regard to more than one state priority…for one or more pupil subgroups identified pursuant to Section 52052."

For charter schools, *EC* Section 47607.3 specifies that the chartering authority shall provide technical assistance, using the evaluation rubrics, to the charter school if the 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."

The technical assistance may include, among other things, any of the following:
(1) Identification of LEA strengths and weaknesses in regard to the applicable state priorities, including a review of effective, evidence-based programs that apply to the LEA's goals;
(2) Assignment of an academic expert or team of academic experts to assist the LEA in identifying and implementing effective programs designed to improve the outcomes for all pupil subgroups identified in *EC* Section 52052;
(3) Solicitation of another LEA to act as a partner to the LEA in need of technical assistance; and
(4) Request that the SPI assign the CCEE to provide advice and assistance to the LEA (or in the case of the SPI, assign the CCEE to advise and assist the COE).

Intervention

For school districts, *EC* Section 52072 specifies that the SPI may, with the approval of the SBE, identify school districts in need of intervention if a district meets both of the following criteria:

(1) The school district "did not improve the outcomes" for three or more pupil subgroups identified pursuant to *EC* 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 CCEE has provided advice and assistance to the school district pursuant to *EC* Section 52071 and submits either of the following findings to the SPI:

(A) That the school district has failed, or is unable, to implement the recommendations of the CCEE.

(B) That the inadequate performance of the school district, based upon the evaluation rubrics, is either so persistent or acute as to require intervention by the SPI.

A parallel set of conditions is set forth for possible revocation of a charter school. (*Education Code* Section 47607.3)

How the Rubrics Might Indicate Assistance or Intervention is Needed

Notably, the technical assistance and intervention statutes focus on whether an LEA has improved pupil achievement and outcomes. The evaluation rubrics statute, in contrast, emphasizes "a holistic, multidimensional assessment" of performance that includes LEA and school-level performance standards and expectations for improvement in regard to *all* of the state priorities.

Over the next month, WestEd will reconvene the Rubric Design Group (RDG) and policy stakeholder committees to discuss the how the evaluation rubrics should appropriately indicate a need for technical assistance and intervention. For example, stakeholders will be asked for feedback regarding which priorities, metrics, or reference points are appropriate to consider in making these determinations, taking into account that not all the state priorities include achievement or outcome metrics.

Table 1 above provides an overview of the LCFF priorities and organizes the metrics by outcome measures, followed by process and input measures. Consistent with the theme of system coherence detailed in Attachment 2 and the technical assistance and intervention statutes, any determination that an LEA did not improve pupil achievement or outcomes for a pupil subgroup in regard to a state priority must rely on the metrics that measure pupil achievement or outcomes.

Among the options the SBE may wish to consider for using such metrics to determine that assistance or intervention is needed are the following:

(1) Failure to improve pupil achievement and outcomes for a pupil subgroup for a given priority would be indicated by a lack of growth (red indicators) on a specific number or percentage of state-defined achievement/outcome metrics under that priority;

(2) Failure to improve pupil achievement and outcomes for a pupil subgroup for a given priority would be indicated by a lack of growth (red indicators) on a specific number or percentage of state-defined **and** locally-defined achievement/outcome metrics under that priority; or
(3) Failure to improve pupil achievement and outcomes for a pupil subgroup for a given priority would be indicated by a lack of growth on a specific number or percentage of state-defined **and** locally-defined achievement/outcome metrics under that priority with additional weights for some of the metrics.

As the SBE weighs such options, it may consider how any technical assistance required by statute is situated in the broader context of accountability and system coherence, including the LCAP and Annual Update processes that are intended to ensure LEAs are able to align resources to implement strategies that result in meaningful student outcomes. The evaluation rubrics and supporting best practice guides will also direct LEA attention to areas in need of additional LEA-level support and resources to meet the adopted standards for district and school performance relative to the state priorities.

The evaluation rubrics will provide information for the LEAs to consider whether current goals address areas of need based on areas of strengths and areas requiring growth at the district, school, and subgroup levels. It may also be used by the LEA and/or a potential technical assistance provider to identify areas where action is needed that was not identified in current improvement plans or that was identified for which current strategies are not evidencing improvement. Technical assistance may also take the form of proactive, early assistance where the LEA requests technical assistance or a COE offers technical assistance. As the COE reviews the LCAP and Annual Updates from LEAs it may decide to review the evaluation rubrics for insights regarding whether spending regulations and sufficiency standards are met based on described activities and outcomes as captured in the evaluation rubrics. In all cases, the objective of technical assistance is to support growth and improvement, which are clearly identified and supported by the evaluation rubrics.

Appendix A: Additional Changes to the LCFF Evaluation Rubrics

Online Evaluation Rubric Development

To support transparency and meaningful analysis of state and local priority outcomes the evaluation rubrics will exist online. The SBE and CDE have asked the federally funded California Comprehensive Center at WestEd to assist with the development of a preliminary version of the online evaluation rubrics that would be available following the SBE's adoption of the evaluation rubrics in September 2015. As noted in the March 2015 SBE item related to the evaluation rubrics, there will be a need to update the evaluation rubric content and website as state-level assessment data and the accountability system fully develops.

An inventory of data elements required for the evaluation rubrics compared against those included in the SARC. Based on this analysis it was determined that the current

SARC dataset provides a reasonable starting point that may be augmented to address the data requirements foreseen for the evaluation rubrics. Given the relationship to between the data needed for the evaluation rubrics and SARC, the California Comprehensive Center engaged San Joaquin County Office of Education, the developer of the online SARC, as a strategic development partner. As a result of this partnership the online evaluation rubrics will take advantage of existing SARC design features and functionality such as sign-on capabilities, chart and display options, and local data entry/upload. CDE is working to compile data currently collected through CALPADS to augment the existing SARC files. This includes, but is not limited to data that are not reported in SARC such as A-G participation, Advanced Placement test participation and passage, attendance rates, and foster youth and students with disabilities subgroup data.

A test version of the online evaluation rubrics that meets state accessibility requirements will be available prior to the July 2015 meeting for user testing and feedback.

Will there be Changes to the Evaluation Rubrics?

The initial evaluation rubrics will be adopted in September 2015 but will continue to evolve and improve over time to ensure they align with developments in California's accountability system, accommodate state and local data availability, and reflect learning from implementation experiences under LCFF. Following are proposed phases for the improvement and maturation of the evaluation rubrics:

	Phase 1 (Fall 2015)	**Phase 2 (Fall 2016, est.)**	**Phase 3 (Fall 2017, est.)**
Data Analysis	• Basic data display with all available state maintained data for metrics at the LEA, student subgroup, and school levels with ability to add local metrics to supplement available state data. LEAs must include metrics for all state priorities. • Data metric selection tool to facilitate section of local data metrics to fully address state priorities and locally identified priorities.	• Improve data display to add visual references for growth and performance relative to state and locally determined metrics, in cases where such data is available. • If needed, update data metric selection tool to include expansion and/or refined criteria for suggestions. • If needed, update data display to align with state accountability metrics (e.g., add or highlight metrics).	• If needed, update data metric selection tool to include expansion and/or refined criteria for suggestions. • If needed, update data display for changes in state-level data availability and/or changes needed to align with state accountability processes.

Other Areas of Feedback and Proposed Changes to the LCFF Evaluation Rubrics

In addition to receiving feedback and proposing changes related to standards, there were several other areas of feedback around which changes to the draft are proposed. Following is a brief description of the feedback and proposed change to the evaluation rubrics.

Comment	**Proposed Change**
A range of comments were provided regarding the appropriateness, connection to data, and usefulness of the Outcome Analysis and Practice Analysis sections. There were specific concerns regarding the complexity of using the rubrics with three components (data, outcome, and practice analysis) and redundancy with the LCAP and Annual Update.	Focus the evaluation rubrics on data analysis by shifting the outcome analysis and practice analysis from elements of the rubrics to complementary resources. Revise the outcome analysis to become "Outcome Reflection Tool" based on input received from stakeholders. Include a range of self-assessment tools to support effective practice including the existing practice analysis tool plus other tools developed to support effective planning, implementation, and support for all students.
The selection of local data metrics are important and information to identify and use local data is needed. It would be helpful if possible to suggest where local data can be found.	As noted in the draft evaluation rubrics, a Data Metric Selection Tool will be created with a wide range of suggested local metrics that takes into account local data availability and use practices. Based on the feedback, the data metric selection tool will add suggestions of where local data may be found (e.g., student information systems, state or regional reports, etc.). In addition, the online evaluation rubrics will include the ability to add local data.
In some cases it is difficult to identify data metrics and an explanation of the changes to a particular area would be helpful.	Add the ability for LEAs to add comments to any priority area or metric.
Attention to subgroups must be explicit and clear in the evaluation rubrics.	The standards apply equally to all subgroups.
The evaluation rubrics need to bring attention to Foster Youth, Students with Disabilities, and Parent Engagement.	State standards have been added to include explicit attention at the subgroup level to foster youth and students with disabilities. With regard to Parent Engagement, several metrics based on local data are proposed for inclusion in the evaluation rubrics.

Suspension and expulsion data are important, but local policies affect data and it can be hard to judge whether a change in the rates is a sign of improvement or decline.	Suspension and expulsion data will be included in the evaluation rubric and prepopulated with state reported data. However, given the concerns regarding data assessment, additional research is needed to determine if the performance reference points will be set at the state or local level using the Data Metric Selection Tool.
The state priorities and identified metrics are overwhelming related to high school. Metrics that focus on elementary and intermediate grades are needed.	Additional metrics based on local data will be proposed for inclusion in the evaluation rubrics using the Data Metric Selection Tool.
State standards include science and should be reflected in the metrics.	Additional metrics based on local data will be proposed for inclusion in the evaluation rubrics using the Data Metric Selection Tool.

LCFF Evaluation Rubrics Practice Guides and Other Complementary Resources

Practice Guides are under development to complement the evaluation rubrics. The practice guides provides information for LEAs to use when assessing, developing, or revising plans to impact outcomes in the state priority areas of Conditions for Learning, Pupil Outcomes, and Engagement. Within the guide are instructions on data analysis and goal development, as well as research and evidence-based actions and services that provide LEAs with specific strategies to improve outcomes. Also included in the guide are specific considerations for promoting equity, supporting individual school sites, and addressing the needs of low income, English Learner, and foster youth populations.

The information included in the practice guides drawn from resources that have undergone a rigorous review process to ensure that they represent current, research-based practices that have proven success in the field. The primary source for the practice guides come from practice guides developed by the Institute for Education Sciences (IES), which is a part of the National Center for Education Evaluation and Regional Assistance, a division of the United States Department of Education. The IES guides draw on the best available evidence and expertise to develop recommendations that address challenges encountered in the field of education. Each IES guide is written by a panel of experts and then vetted through a thorough peer review process. Links to the IES practice guides are embedded within this document. In addition, practice guides also include resources that CDE developed or identified resources such as the Family Engagement Framework, curriculum frameworks, and Quality Schooling Framework.

Following is a sample table of content for the Pupil Outcome Practice Guide:

1. Introduction

2. Domain and Priority Areas – explains the state priorities addressed in the practice guide

3. Description of Metrics – provides an overview and explanation of LCFF metrics and options for equity focused metrics

4. Strategies and Recommended Practices – organized by recommended practices including specific strategies as available for grade levels, English learners, foster youth, students with disabilities, and other subgroups.

4-24-15 [State Board of Education]

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 11

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
California State Plan for the Workforce Investment Act, Title II: Adult Education and Family Literacy Act: Extension and Transition to Workforce Innovation and Opportunity Act, 2015–16.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

The Workforce Investment Act (WIA), Title II: Adult Education and Family Literacy Act (AEFLA) make funds available to California adult education providers for the purpose of offering literacy education to adults. Each state receiving an allocation under the AEFLA is required to submit a state plan for the use of the funds to the U.S. Department of Education (ED). As a requirement of the extension of the AEFLA and transition to the Workforce Investment and Opportunity Act (WIOA), the California Department of Education (CDE) must negotiate student performance measures for the 2015–16 program year with the Office of Career, Technical, and Adult Education (OCTAE), which occurred on April 17, 2015. The OCTAE encourages states to propose performance goals that demonstrate continuous improvement and set high expectations for local programs. The performance goals are included in Chapter 6, Section 6.3 of the California State Plan (CSP) (Attachment 1, pages 22–24).

Student performance of the WIA, Title II for AEFLA eligible adults is measured through completion of federally defined Educational Functioning Levels (EFL). Performance data are collected and summarized in California through the Comprehensive Adult Student Assessment System. Student progress is reported to the OCTAE of the ED using standards set by the federal National Reporting System. The AEFLA performance measures include literacy level improvement, advancement or completion of EFLs, placement in postsecondary education, entrance into employment, and retention of employment.

In 2013–14, the CDE served 305,182 adult students under the WIA, Title II: AEFLA grant. Of those students served, 12,072 attained a secondary school credential or its equivalent. Additionally, students achieved a total of 375,647 learning gains, which is an increase of 505 from 2012–13. In 2014–15, the CDE received $86,696,471 of AEFLA grant funds, which were awarded to 199 agencies, including local school districts, county offices of education, community colleges, community-based organizations, and libraries.

The CSP has been revised in accordance with the ED's transition year guidance document (Attachment 3). The following are the new required subsections of the CSP that have been revised:

- 1.1 Revising a State Plan
- 2.3 Assurance for Unified Plans Only
- 4.1 Descriptions of Allowable Activities
- 4.3 Descriptions of New Organizational Arrangements and Changes
- 6.3 Levels of Performance
- 7.1 Applications for Section 231/225 Grants
- 8.1 Description of Activities
- 8.2 Governor's Comments
- 10.2 State Unified Plan
- 13.2 Description of Permissible Activities

The following are new sections required of the CSP:

- 14.0 English Literacy/Civics (EL/Civics)
- 15.0 Description of Joint Planning and Coordination for Unified Plan Only
- 16.0 Description of Activities under Section 427 of the General Education Provisions Act (GEPA)
- 17.0 One-Stop Participation

The CSP also includes updated adult education information in its relevant sections, such as current student demographic and program information.

The 2015–16 year will be the last extension of the WIA and the transition year to the WIOA. During this transition year, the OCTAE requires the CDE to revise the CSP to address how the state will plan for and incorporate requirements of the WIOA, including a single unified state plan and an implementation plan of integrated English Literacy and Civics Education (Attachment 2). In response to the WIOA requirements, the CDE is engaged in the state's WIOA Implementation Work Group, which was established by the California Workforce Investment Board in September 2014 to ensure that California's implementation of the new law reflects state strategies and aligns resources accordingly. The work group includes the following representatives:

- Department of Education
- Board of Education
- Chancellor's Office
- Employment Training Panel
- Department of Social Services
- Department of Rehabilitation
- Local Stakeholders

The WIOA Implementation Work Group is in the process of developing the WIOA performance measures and multi-agency metrics, developing policy, catalyzing systems alignment and regional collaboration, and determining any needed governance changes. The unified state plan is due to the ED in April 2016.

RECOMMENDATION

The CDE recommends that the SBE approve the CSP for the WIA, Title II: AEFLA for 2015–16 (which includes the proposed performance goals and transition plan to WIOA).

BRIEF HISTORY OF KEY ISSUES`

The WIA, Title II: AEFLA law required eligible state agencies to prepare five-year state plans consistent with the OCTAE Guide for the Development of a State Plan under AEFLA. The SBE adopted the initial submission of the CSP (1999–2004) for the WIA, Title II: AEFLA in March 1999. One-year extensions have been provided by the ED since 2004.

As an eligible state agency, the CDE has submitted revised annual performance goals in the CSP to the ED. The revisions enable the ED to extend the plans for one year and make allotments of federal adult education funds on July 1 of the upcoming program year.

The WIOA was signed into law by President Obama on July 22, 2014, and goes into effect on July 1, 2016. This Act reauthorizes the AEFLA with several major revisions. The key elements of the WIOA are as follows:

1. Program Alignment
    - Unifies strategic planning across core programs
    - Enhances role of State and Local Workforce Development Boards in developing and implementing a Unified State Plan
2. Increased Accountability
    - Establishes common measures across core programs
    - Increases accountability and transparency through reporting and evaluations
3. Enhanced Service Delivery
    - Promotes engagement of employers and alignment of education and training activities through career pathways
    - Strengthens partnerships and investments in one-stop delivery system

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has approved annual revisions to the CSP. The most recent approval was in March 2014, when the SBE approved the 2014–15 performance goals and a one-year extension of the CSP (through June 30, 2015).

FISCAL ANALYSIS (AS APPROPRIATE)

This is a one-year extension and transition of the existing provisions of the CSP of the WIA with revisions pertaining to the planning for and incorporation of the WIOA. The extension is required for California to continue to receive funding through the AEFLA. No state funding is required or requested. Failure to approve the CSP revision may result in the loss or delay of an estimated amount of $86 million in federal WIA, Title II: AEFLA grant funds for 2015–16.

ATTACHMENT(S)

Attachment 1: California State Plan Transition Year 2015–16 (55 Pages): Adult Education and Family Literacy Act (Title II of the Workforce Investment Act of 1998 to Title II of the Workforce Innovation and Opportunity Act of 2014). A copy of the California State Plan 2014–15 is available via the World Wide Web at http://www.cde.ca.gov/sp/ae/ir/documents/stateplan1415.doc.

Attachment 2: Program Memorandum from Johan Uvin, Acting Assistant Secretary, Office of Vocational and Adult Education, U.S. Department of Education (1 Page).

Attachment 3: Guide for the Development of a State Plan Under the Adult Education and Family Literacy Act (Transition Year Guidance: Title II of the Workforce Investment Act of 1998 to Title II of the Workforce Innovation and Opportunity Act of 2014) (26 Pages).

California State Plan Transition Year 2015–16

Adult Education and Family Literacy Act

Title II of the Workforce Investment Act of 1998

(transition to)

Title II of the Workforce Innovation and Opportunity Act of 2014

DRAFT

California Department of Education
1430 N Street, Suite 4202
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April 1, 2015

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1.0 Introduction

1.1 Revising a State Plan

On July 22, 2014, the President signed into law the Workforce Innovation and Opportunity Act (WIOA), which reauthorizes the Adult Education and Family Literacy Act (AEFLA) of 1998–2004. As a result of this reauthorization, states are required to submit a plan to transition from the Workforce Investment Act (WIA) that previously authorized AEFLA to the new WIOA. As the state agency designated by the Governor to manage this program, the California Department of Education (CDE) is required to submit any revisions in the California State Plan (CSP), including performance targets, and the transition activities necessary to prepare for the full implementation of WIOA in 2016–17. The established performance targets must exceed the actual performance for the 2014 year. This revised CSP must be submitted to the U.S. Department of Education (ED) no later than April 1, 2015.

The ED distributed a revised *Guide for the Development of a State Plan under the Adult Education and Family Literacy Act*. This includes the "Transition Year Guidance: Title II of the Workforce Investment Act of 1998 to Title II of the Workforce Innovation and Opportunity Act of 2014." The CDE's CSP follows this guidance in its revision of the required and pertinent sections. The revision contained in this document includes updated sections of the state's original plan and current program information. Additionally, the CSP has been updated to include existing adult education information, such as current student demographic and program information. The CDE is required to submit a new WIOA state plan to the ED by April 2016.

The following are the new subsections of the CSP:

- 1.1 Revising a State Plan
- 2.3 Assurance for Unified Plans Only
- 4.1 Descriptions of Allowable Activities
- 4.3 Descriptions of New Organizational Arrangements and Changes
- 6.3 Levels of Performance
- 7.1 Applications for Section 231/225 Grants
- 8.1 Description of Activities
- 8.2 Governor's Comments
- 10.2 State Unified Plan
- 13.2 Description of Permissible Activities

The following are new sections as required of the CSP:

- 14.0 English Literacy and Civics Education (EL/Civics)
- 15.0 Description of Joint Planning and Coordination for Unified Plan Only
- 16.0 Description of Activities under Section 427 of the General Education Provisions Act (GEPA)
- 17.0 One-Stop Participation

1.2 California Department of Education Organization

CDE Leadership

State Superintendent of Public Instruction
Tom Torlakson

Interim Chief of Staff
Glen Price

Deputy Superintendent, Instruction and Learning Support Branch
Lupita Cortez Alcalá

Director, Career and College Transition Division
Russell Weikle

Administrator, Adult Education Office
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Amukela Gwebu	David Stang	Cynthia Crowl
Carmen Martinez-Calderon	Irene Castorena-Krueger	Gina Wong
Catherine Peacock	Myra Young	Janet Morrison
Chiem-Seng Yaangh	Shadidi Sia-Maat	Laura Cropper
Clifford Moss	Vicki Prater	Mary Molina
Diane Hurley	Rich Berry	Melissa Spero

Current Leadership Project Contractors:

Comprehensive Adult Student Assessment System (CASAS)
Outreach and Technical Assistance Network (OTAN)
California Adult Literacy Professional Development Project (CALPRO)

Agency Partners:

Local School Districts
County Offices of Education
Community Colleges
Public Libraries
Community-Based Organizations
California Department of Corrections and Rehabilitation

1.3 Preface

The CDE's adult education system builds upon the goals and principles that have guided the development of adult education programs over the past 155 years.

The mission of the California Department of Education Adult Education system is to advance California's economic, workforce development and societal goals by preparing adult learners for college, career, and civic responsibility.

- Preparation for college is the development of the literacy and numeracy skills necessary to transition to non-remedial coursework in a variety of postsecondary settings, including on-the-job training, industry certification programs, apprenticeships, the military, two and four year college and university programs, and high-level technical schools.

- Preparation for career is the development of the literacy, numeracy, and technical skills, as well as foundational workplace readiness skills, necessary to transition to apprenticeships or other on-the-job training, gain and retain employment, and advance in a career pathway.

- Preparation for civic responsibility is the development of literacy skills that enable students to understand their responsibilities and benefit from the rights of civic life.

Adult education is at a historic crossroads. By moving proactively, California continues to create an educational system that meets the needs of the ever-changing adult learner and positively affects our state's economy. In addition, the adult education programs constantly focus on expanding and improving. Technology, for example, is used to provide individuals awareness of the learning opportunities available and to streamline the processes of enrollment and participation. Technology also provides alternative approaches to teaching to ensure that education is appropriate to adults and easily accessed by individuals with varying needs. The expanded uses of technology allows adult education courses to be provided at convenient times, utilizing instructional technologies such as interactive Web sites and computer assisted education programs. Technology based tutoring in conjunction with on-the-job training is offered to assist students to rapidly obtain successful transitions to postsecondary programs and employment.

Proper assessment and data collection assists agencies to ensure that the adult population has the education and skills to be successful in a competitive economy. Procedures for collecting and processing data serve the needs of students and schools as well as meet compliance requirements. Student achievement and program data guide program improvement efforts to ensure maximum return on the state's investment in adult education. Data also guides periodic reassessment and prioritization of instructional programs so that the content of adult education remains attuned to state and local needs. For those who administer and teach adult education programs, WIA supplemental funds have been used to enhance and expand professional development.

The WIOA continues the goals and objectives established in AEFLA by strengthening the literacy skills of adults and helping to create stronger partnerships with the workforce development agencies in California. Collaborative planning among public and private stakeholders facilitates needed changes and establishes adult education as a critical pillar within California's education system. This plan proposes a new commitment and a focused effort to improve adult education services to meet the unique needs of the adult learner. However, it does not propose a radical restructuring of existing educational institutions and programs, only a more integrated and coordinated effort among the providers of the adult education delivery system.

The activities proposed in this plan build upon existing partnerships and encourage the establishment of new partnerships among adult education providers. These changes are intended to improve the knowledge and skills of adult learners but will require commitment, responsiveness, and dedication on the part of adult educators. The intent is a more engaged and informed citizen and the promise of a better workforce for business. This can only be achieved through greater cooperation, commitment, and support from the entire adult education community.

2.0 Eligible Agency Certifications and Assurances

Section 221(1) of WIOA requires the State to develop, submit, and implement the State Plan, and Section 224(b)(5), (6), and (8) require assurances specific to the State Plan content.

The AEFLA was enacted August 7, 1998, as Title II of the *WIA of 1998 (Public Law 105-220)* and the CDE submitted the original five-year CSP to be effective until June 30, 2004. The CDE has subsequently submitted annual renewals of the CSP to the ED and an extension of the CSP has been granted each year. The CSP serves as an agreement between our state and the federal government under the AEFLA, that the federal funds are administered in accordance with applicable federal laws and regulations.

The CDE hereby submits its revised CSP extension to be effective until June 30, 2016. The CDE assures that this plan serves as an agreement between state and federal governments under the AEFLA and acts as the basis for the transition from WIA to the implementation of WIOA. This plan will be administered in accordance with applicable federal laws and regulations, including the following certifications and assurances.

2.1 Certifications (EDGAR 76.104, Certifications and Assurances)

Education Department General Administrative Regulations (34 *CFR* Part 76.104)

1. The Plan is submitted by the eligible State agency.

2. The State agency has authority under State law to perform the functions of the State under the program.

3. The State legally may carry out each provision of the Plan.

4. All provisions of the Plan are consistent with State law.

5. A State officer, specified by title in the certification, has authority under State law to receive, hold, and disburse Federal funds made available under the Plan.

6. The State officer who submits the Plan, specified by the title in the certification, has authority to submit the Plan.

7. The agency that submits the Plan has adopted or otherwise formally approved the Plan.

8. The Plan is the basis for State operation and administration of the program.

2.2 Assurances (Section 224[b], [5], [6], and [8])

Workforce Investment Act of 1998 (Public Law 105-220), Section 224(b), (5), (6), (8)

1. The eligible agency will award not less than one grant to an eligible provider who offers flexible schedules and necessary support services (such as child care and transportation) to enable individuals, including individuals with disabilities, or individuals with other special needs, to participate in adult education and literacy activities. The eligible provider shall attempt to coordinate with support services that are not provided under this subtitle prior to using funds for adult education and literacy activities provided under this subtitle for support services.

2. Funds received under this subtitle will not be expended for any purpose other than for activities under this subtitle.

3. The eligible agency will expend the funds under this subtitle only in a manner consistent with fiscal requirements in Section 241.

Section 241 Administrative Provisions

EDGAR 2 *CFR* Part 200 requires the state (grantee) to ensure that agencies (sub-grantees) are using federal awards for authorized activities in compliance with the laws, regulations, and provisions of contracts or grant agreements expended for adult education and literacy activities.

1. Supplement Not Supplant: Funds made available for adult education and literacy activities under this subtitle shall supplement and not supplant other state or local public funds expended for adult education and literacy activities.

2. Maintenance of Effort:

   A. In General

      (1) Determination. An eligible agency may receive funds under this subtitle for any fiscal year if the Secretary finds that the fiscal effort per student or the aggregate expenditures of such eligible agency for adult education and literacy activities, in the second preceding fiscal year, was not less than 90 percent of the fiscal effort per student or the aggregate expenditures of such eligible agency for adult education and literacy activities, in the third preceding fiscal year.

      (2) Proportionate reduction. Subject to paragraphs (2), (3), and (4), for any fiscal year with respect to which the Secretary determines under subparagraph (A) that the fiscal effort or the aggregate expenditures of an eligible agency for the preceding program year were less than such effort or expenditures for the second preceding program year, the Secretary—
         (a) shall determine the percentage decreases in such effort or in such expenditures, and
         (b) shall decrease the payment made under this subtitle for such

program year to the agency for adult education and literacy activities by the lesser of such percentages.

B. Computation. In computing the fiscal effort and aggregate expenditures under paragraph (1), the Secretary shall exclude capital expenditures and special one-time project costs.

C. Decrease in federal support. If the amount made available for adult education and literacy activities under this subtitle for a fiscal year is less than the amount made available for adult education and literacy activities under this subtitle for the preceding fiscal year, then the fiscal effort per student and the aggregate expenditures of an eligible agency required in order to avoid a reduction under paragraph (1)(B) shall be decreased by the same percentage as the percentage decrease in the amount so made available.

D. Waiver. The Secretary may waive the requirements of this subsection for one fiscal year only, if the Secretary determines that a waiver would be equitable due to exceptional or uncontrollable circumstances, such as a natural disaster or an unforeseen and precipitous decline in the financial resources of the State or outlying area of the eligible agency. If the Secretary grants a waiver under the preceding sentence for a fiscal year, the level of effort required under paragraph (1) shall not be reduced in the subsequent fiscal year because of the waiver.

2.3 Assurance for Unified Plans Only (Title V—General Provisions Section 501[c][3][B])

1. An assurance that the methods included an opportunity for the entities responsible for planning or administering such programs and activities to review and comment on all portions of the unified plan.

California Department of Education
(State Agency)

1430 N Street
Sacramento, CA 95814
(Address)

By:_____
(Signature of Agency Head)

State Superintendent of Public Instruction
(Title)

_____
(Date)

3.0 Needs Assessment

Section 224 (b) (1) of the Adult Education and Family Literacy Act requires: "An objective assessment of the needs of individuals in the State or outlying area for adult education and literacy activities, including individuals most in need or hardest to serve."

This chapter provides a broad overview of key populations that will require services from California's adult education system and the capacity of adult education programs to provide these services.

3.1 Individuals Most in Need

The population of California is projected to increase to 39.6 million by 2020 (U.S. Department of Finance, 2010 Census Data). The largest percentage of increase will come from an increase in the birth rate among immigrant families. Estimating future need for adult education services requires consideration of several key factors.

According to the U.S. Department of Education (2013), California has 6.1 million adults without a high school diploma and 3.5 million adults who do not speak English well or at all. As such, the state faces a critical shortage of skilled individuals for the workforce. This population will need adult basic education, English language instruction, and other workforce development in order to meet the growing needs of the state's economy. These adults need access to affordable education and training opportunities to bridge employment barriers.

3.2 Populations

The *Adult Education and Family Literacy Act* identifies five key population groups, each with unique educational needs. The identified populations are:

1. Low-income Adult Learners Who Are Educationally Disadvantaged

   The term "disadvantaged" encompasses many definitions. The CSP defines the term "educationally disadvantaged adult" to mean an adult who (1) demonstrates basic skills deficiency or scores below the eighth grade level on a generally accepted standardized test; or (2) has been placed in the lowest or beginning level of an adult education program when that program does not use grade level equivalencies as a measure of a student's basic skills.

   - Lacking a high school diploma

     According to the U.S. Department of Education (2013), sixteen percent of California's adult population lacks a high school diploma as opposed to 12 percent nationwide. Over 6 million California adults lack a high school diploma or a high school equivalency certificate. Of this number, 84 percent are between 19–54 years old and unemployed. Sixty-nine percent of the 2012–13 AEFLA students were aged 19-44.

- Low Income Adult Learners

  According to the U.S. Census Bureau in *2009–2013 5-Year American Community Survey*, California adults age 25 and over with less than high school education earned $19,122; those with high school diploma earned $27,952; with those some college or associate's degree earned $36,901; and those with bachelor's degree earned $55,262. As indicated, California adult workers lacking a high school diploma earn 32 percent less than high school graduates and 49 percent less than those with some college or associate degrees.

2. Individuals with Disabilities

   Reports vary from the many studies conducted by private, state, and federal agencies on the number of individuals with disabilities in need of adult education services. Cornell University (2012) in *2012 Disability Status Report California* examined the US Census Bureau's American Community Survey (ACS) on individuals with disability in California. Some of the important facts about this working-age people (ages 21 to 64) with disabilities include:

   - The employment rate was 32.2 percent.
   - The percentage of those working full-time/full-year was 19.1 percent.
   - The poverty rate was 26.8 percent.
   - The education attainment with only a high school diploma or equivalent was 25.8 percent; those with only some college or an associate degree was 33.2 percent; and those with a bachelor's degree or more was 14.1 percent.

   Furthermore, it is estimate is that 15 percent of the adult education core population (out of school, 18 and older, and having less than a high school diploma) has some form of disability. Studies also indicate that over 50 percent of native English speakers enrolled in adult programs have a serious learning disability. There is also evidence that indicates a strong relationship between individuals with any disability and poverty. The 2010 census data show that 89 percent of disabled out-of-school individuals with less than a four-year degree or diploma are at or below 150 percent of the poverty level. It is also documented that 75 percent of unemployed adults have reading and writing deficiencies. Given the correlation between low levels of educational attainment and an individual's disability, it is likely that disabled persons seeking adult education services will require intensive individualized services—in both accommodations and instructional interventions.

3. Single Parents and Displaced Homemakers

   Displaced homemakers are individuals who have been providing unpaid services to family members and are now unemployed or underemployed and experiencing difficulty in obtaining or upgrading employment. The assessment of the basic skills of incoming clients needing public assistance indicates that the majority required basic skills instruction before entering technical training or employment. California has been identified as having the highest poverty rate in the country with well over one million welfare cases of which the majority are single women Adult Immigrants

4. Individuals With Multiple Barriers to Educational Enhancement, Including Individuals With limited English Proficiency

   California annually leads the country in the total number of immigrants in the nation. According to the US Census Bureau in *2009–2013 American Community Survey 5-Year Estimates*, California's total population is 23,790,341. Of this population, 42.7 percent are foreign-born residents and 52.9 percent are not U.S. citizen. With immigration reform part of the national agenda, California must serve this population with citizenship preparation classes most often offered through adult education. In addition, more than 3.5 million California adults do not speak English well. In 2012–2013, approximately 264,000 adult learners participated in the AEFLA English as a Second Language program, which teaches Basic English skills, citizenship, and civics education.

5. Criminal Offenders In Correctional Institutions And Other Institutionalized Individuals

   Harlow (2003) in *Education and Correctional Populations. Bureau of Justice Statistics Special Report* identified low educational achievement as being highly correlated with incarceration. This report also found that over one-third of the inmates eligible for literacy services demonstrate performance below the sixth grade level. This low literacy and lack of workplace skills limits incarcerated adults' successful reintegration into society. This contributes to high levels of recidivism, placing significant fiscal burdens on the state as well as an economic and social burden for communities. This is exacerbated in areas with high levels of poverty.

   In California, many adult in county jails are lacking the basic education, social, and job skills necessary for employment. Many prison inmates are released into the community within a few years of being incarcerated lacking these basic skills. California's AEFLA program serves both the state prison and county jail inmates. Over 34,000 inmates were officially tested and participated in the 2012–2013 AEFLA program.

4.0 Description of Adult Education and Literacy Activities

Section 224(b)(2) requires: A description of the adult education and literacy activities that will be carried out with any funds received under this subtitle.

4.1 Descriptions of Allowable Activities

Under the WIOA, the definition of ‘‘adult education and literacy activities’’ means programs, activities, and services that include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, integrated English literacy and civics education (IEL/CE), workforce preparation activities, or integrated education and training. The CDE’s CSP addresses how the state will prepare to implement these activities. The CSP includes the scope, content, and organization of local activities, and specifically addresses how the eligible agency incorporates the provision of employability skills.

The focus of adult education instruction in California will continue to be competency-based contextualized education (i.e., students are engaged in purposeful use of the language rather than learning about the language). Students can use the skills gained to achieve basic life skills, enhance employment and career opportunities, obtain citizenship, progress to career or postsecondary programs, and function in English at high cognitive levels. The programs are offered in day, evening, and weekend formats, and through distance learning. Citizenship classes offer students instruction in history, geography, and government to prepare students for the citizenship and the nationalization interview tests. California adult programs promote progression from English as a Second Language (ESL) to career education programs, once the student is proficient enough in English to be employable. Following is a brief description of the literacy programs’ goals and objectives.

Adult Basic Education

The goal of the Adult Basic Education (ABE) program is to improve students’ basic skills in language arts and mathematics. A model ABE program provides comprehensive services to meet the diverse educational needs of students and prepare them to transition to secondary education and job preparation classes.

ABE programs include literacy (reading and writing) and computational skills necessary for functioning at levels comparable to students in the first through eighth grade. Courses may be remedial for students or they may provide educational opportunities for students who speak, but do not read English. These programs are competency-based and are designed to teach the academic skills necessary for success, and to help students become more productive community members. These programs are also designed to help students develop job readiness skills, find employment, advance on the job, or enter adult secondary education classes.

English as a Second Language

Within the ESL program, students are placed in appropriate skill-level classes through assessments of general language proficiency. There are six levels of instruction: beginning literacy, beginning low, beginning high, intermediate low, intermediate high, and advanced. The assessments for progressing from one level to another measure both general language proficiency and specific competencies. The key objectives for adult education ESL are to:

- Provide stress free and comfortable learning environments in order to reduce anxiety that interferes with obtaining language fluency
- Integrate language acquisition with relevant life experiences stressing the importance of critical thinking, problem solving, and self-sufficiency
- Use proficiency standards for assessing the major accomplishments of the students
- Develop students' receptive English language skills of listening and reading comprehension
- Develop students' productive English language skills of speaking and writing
- Provide students with the ability to use English that is accurate and appropriate in a variety of academic and social settings
- Provide students with English language and citizenship instruction necessary to successfully complete the citizenship application and interview process

Vocational English as a Second Language and Vocational Adult Basic Education

Economic development initiatives and the WIOA provide the impetus to develop literacy in a workplace context. Workforce literacy programs provide post-employment support to ensure that newly employed individuals can continue to gain the necessary language skills needed to stay employed or advance in the workforce. Vocational ESL (VESL) and Vocational ABE (VABE) have as their primary goal the development of knowledge and skills enabling students to obtain, retain, or upgrade their employment status. They contain the following elements:

- Instruction in a safe and accessible environment, including workforce and employment development centers
- Content specifically related to job skill requirements
- Growth and development of employees as technological advances occur
- Coordination of community resources to supplement program resources

Adult Secondary Education

The primary goal of the Adult Secondary Education (ASE) programs is to provide a curriculum that enables adults to attain a California high school diploma or a high school equivalency. The ASE programs are performance oriented and deliver instruction through processes that facilitate, measure, and certify learning outcomes. Programs are conducted within flexible time limits, are relevant to the practical needs of adults, and teach the skills and knowledge necessary for self-sufficiency and employment. To meet the challenges of a rapidly changing society, adults must have the opportunity to learn throughout their lives. Therefore, adult education programs have the responsibility to provide programs, which focus on the continuing educational needs of adults.

English Literacy and Civics Education

English Literacy and Civics Education (EL Civics) is an important offering to California adult immigrant learners. Details of EL Civics will be discussed in Section 14. However, WIOA added the term “integrated” and defines *integrated English literacy and civics* as:

> “Education services provided to English language learners who are adults, including professionals with degrees and credentials in their native countries that enable such adults to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens in the United States. Such services shall include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation, and may include workforce training.”

4.2 Special Rule (Uses of Funds for Family Literacy)

California’s funded agencies under WIA (transitioning to WIOA) that are awarded a grant or contract under this section shall not use any funds made available under this subtitle for adult education and literacy activities for the purpose of supporting or providing programs, services, or other activities for individuals who are not individuals described in subparagraphs* (A) and (B) of Section 203(1), except that such agency may use such funds for such purpose if such programs, services, or activities are related to family literacy services. In providing family literacy services under this subtitle, an eligible provider shall attempt to coordinate with programs and services that are not assisted under this subtitle prior to using funds for adult education and literacy activities other than adult education activities (Section 231[d]).

4.3 Descriptions of New Organizational Arrangements and Changes

The CDE works collaboratively at the state and local levels by serving on boards, committees, and as partners to assist in ensuring that literacy education is a major component in the overall service provided in California. Under WIOA, there is an

increased expectation of greater coordination between state agencies responsible for adult education and workforce development activities. Local agencies providing adult education services are already collaborating with their local Workforce Investment Boards. The CDE will continue this tradition at the state level. In fact, a new level of collaboration has already begun. The CDE is meeting with the CWIB and the EDD in a collaborative way with the goal of developing a unified state plan as required by WIOA beginning in 2016–17.

In response to the WIOA requirements, the CDE is engaged in the state's WIOA Implementation Work Group, which was established by the California Workforce Investment Board in September 2014 to ensure that California's implementation of the new law reflects state strategies and aligns resources accordingly. The work group includes the following representatives:

- Department of Education
- Board of Education
- Chancellor's Office
- Employment Training Panel
- Department of Social Services
- Department of Rehabilitation
- Local Stakeholders

The WIOA Implementation Work Group is in the process of developing WIOA performance measures and multi-agency metrics, developing policy, catalyzing systems alignment and regional collaboration, and determining any needed governance changes.

5.0 Annual Evaluation of Adult Education and Literacy Activities

Section 224(b)(3) requires a description of how the eligible agency will evaluate annually the effectiveness of the adult education and literacy activities based on the performance measures described in Section 212.

The major focus of the annual evaluation will be the effectiveness of state and local providers in attaining the core indicator performance levels negotiated with the ED. The CDE will review (1) strategies, processes, and barriers to attaining the performance levels; and (2) quantitative and qualitative data to evaluate the progress and improvement of the sections 225 and 231 grant programs. The CDE will also review quantitative and qualitative data to evaluate the progress and outcomes of the EL Civics program.

5.1 Annual Evaluations

Comprehensive evaluations of the grantees are conducted annually addressing the implementation of the 12 required activities specified in sections 225 and 231. The evaluations (1) collect local provider and student performance measures, (2) determine the level of student improvement, (3) identify program quality, and (4) determine the extent to which populations specified in the CSP are served.

Results of the evaluations provide (1) relevant information about the effectiveness of adult education programs, (2) characteristics of the learners participating in the literacy programs, (3) analyses of learner gains, and (4) impact and emerging needs of local providers in meeting their identified performance standards.

Pursuant to Section 212 of the AEFLA, each agency must provide student progress measures obtained from all students who have attended at least 12 hours of instruction in programs receiving sections 225 and 231 federal supplemental funds. Documented progress of student performance measures must include at a minimum:

- literacy skill level improvements in reading, writing, and speaking the English language, problem solving, numeracy, and other literacy skills;
- placement in, retention in, or transition into postsecondary education, training, unsubsidized employment, or career advancement; and
- a secondary school diploma or its equivalent.

All agencies are required to maintain individual student records for all students who have attended 12 hours of instruction. Each record must contain (1) student identification and demographic information; (2) attendance rates; (3) years of schooling and placement level at program entry; (4) initial learning goals; (5) specified pre- and post-testing student information; (6) entry and update records; and (7) other specified information necessary.

Further Monitoring and Program Evaluation Information

As part of the CDE's Federal Program Monitoring system, the Adult Education Office has developed a monitoring instrument tracking the criteria outlined in the WIA legislation for running an effective program. The CDE monitoring instrument fully aligns with the 12 criteria in WIA and which are continued under the WIOA. In addition, analysis tools and systems have been created to evaluate fiscal, legal, and educational obtainment of student data:

1. The CDE requires all agencies to submit quarterly reports that reflect student participation levels and progress.

2. The CDE conducts an annual comprehensive qualitative program survey. This survey is required of all participating agencies and involves practitioner focus groups and interviews of both teachers and students. The results provide recommendations for state level planning and development activities, identify best practices and emerging needs, and help focus professional development and training to ensure effective instructional programs for targeted populations specified in the CSP.

3. The CDE incorporates the Core Performance Follow-up Survey system to track student outcomes in the areas of obtaining or retaining employment, as well as transitioning to postsecondary education or training. Under WIOA, the CDE will work more closely with the EDD to track and report the employment follow up required in the new legislation.

4. The CDE has multiple measures in place to ensure that agencies focus on the student populations targeted in this CSP, including:

    - adults lacking a high school diploma or its equivalency;
    - adults with low income or relying on government subsidy;
    - adult immigrants lacking English literacy proficiency;
    - adults with disabilities;
    - incarcerated adults; and
    - single parents and displaced homemakers.

6.0 Performance Measures

Section 224(b)(4) requires a description of the performance measures described in Section 212 and how such performance measures will ensure the improvement of adult education and literacy activities in the state or outlying area.

Pursuant to Section 212, the CDE established and implemented a comprehensive performance accountability system. To optimize the return on investment of federal funds, the accountability system assesses the effectiveness of eligible local providers in continuously improving their program delivery.

California adult education programs are instituting the federal College and Career Readiness Standards, and have already incorporated the Common Core standards in the high school diploma programs. California Education Code requires that the adult education high school diploma meets the same standards as the K-12 high school diploma. In addition, local educational programs will continue to provide competency based curriculum, instruction, and assessment focusing on the skills that enable learners to participate more fully within American society as citizens, workers, and family members. The CDE has developed and implemented model curriculum standards for ABE, ESL including EL Civics, and ASE.

The CDE has contracted with the CASAS to provide statewide assessments and related accountability software to accurately measure progress, mastery of skills, and competencies needed to both complete, and advance one or more Educational Functioning Levels (EFL). The CASAS also provides standardized reporting aligned to the federal National Reporting System (NRS) for Adult Education.

Each local program uses the CASAS Tracking of Programs and Students (TOPSpro® Enterprise) software to collect and report all student progress and outcome measures. It provides student, class, and program reports that enable local providers to have immediate access to the data for targeting instruction for continuous program improvement. The local data are submitted quarterly and annually to the CDE for monitoring and aggregation into state and federal reports.

6.1 Eligible Agency Performance Measures (Section 212)

Performance measures include all elements in the federal NRS reports, including enrollment, attendance hours, completion of an EFL and advancement of one or more levels, separation before completion, and persistence within a level. Additional performance measures include receipt of a secondary school diploma or its recognized equivalent, entered postsecondary education or training, entered employment, and retained employment. In accordance with Section 212, the CDE annually establishes levels of performance for each of the following core indicators:

1. Demonstrated Improvements in Literacy Skill Levels

The CDE has established literacy skill levels for ABE, ESL, and ASE that provide standardized definitions aligned with the federal EFLs. All participating agencies assess a student's literacy skill level upon entry into the program using the CDE adopted standardized assessments.

COMPREHENSIVE ADULT STUDENT ASSESSMENT SYSTEM

Standardized Assessment Instruments

Demonstrated Improvements in Literacy Skill Levels in:	Existing Standardized Assessment Instruments
Reading and Problem Solving	Reading Appraisals, Life Skills Reading, Life and Work Reading, Secondary Level Assessment for Language Arts
Numeracy	Math Appraisals, Life Skills Math, Secondary Level Assessment for Math
Writing	Functional Writing Assessment–All Levels
English Language Acquisition	Life and Work Listening, Life and Work Reading
Speaking	Citizenship Interview Test
Other Literacy Skills	Pre-Employment and Work Maturity Skills Check Lists, Government and History for Citizenship, Adult Life Skills, Providing Options for the Workplace, Education, and Rehabilitation

2. Placement In, Retention In, or Completion of Postsecondary Education, Training, or Unsubsidized Employment or Career Advancement

   Local providers are required to obtain Core Follow-Up Outcome Achievement information from their students and document the information in the TOPSpro® Enterprise system. Standard definitions and documentation procedures adhere to the NRS and are identified in the Assessment and Data Accountability Administration Manual for California. To address accurate data collection of student outcomes, the CDE will continue projects, such as the following:

   - Local Program Reporting: The CDE will build on the NRS-approved methods to improve survey strategies that local providers use to follow up on students who have left the program.

   - Data Matching: The CDE is developing policies on the use of student social security numbers to document student outcomes, such as those related to employment.

- Transitions to Postsecondary Education or Training: The CDE continues to create and provide professional development on strategies to support and improve student transitions into postsecondary education and training.

3. Attainment of a Secondary School Diploma or the Recognized Equivalent

   Participating local providers will track and report the number of learners who attained high school diplomas or passed the California State Board approved high school equivalency tests. Currently, California recognizes the following high school equivalency tests: GED®, HiSet, and TASC.

Receipt of a Secondary School Diploma or approved high school equivalency test certificates	**Existing Standardized Reporting Instruments**
High School Diploma	TOPSpro® Enterprise Certified list of high school diplomas
GED®/HiSet and TASC, the California State Board approved high school equivalency test certificates	TOPSpro® Enterprise student records Data match by CDE for approved high school equivalency tests

6.2 Optional – Additional Indicators

None at this time.

6.3 Levels of Performance

The levels of performance in the following table reflect the aggregated annual student progress and outcome data from federally funded adult education providers in California. The projected performance levels for 2015–16 have been estimated based upon the performance levels achieved in 2013–14 and projected levels for 2014–15.

Summary of California WIA, Title II NRS Core Performance Indicators for Literacy Goals from 2007–2015																
	2007–08		2008–09		2009–10		2010–11		2011–12		2012–13		2013–14		2014–15	2015–16*
Entering Educational Functional Level	**Performance Goal**	**Performance (Against all Enrollees)**	**Performance Goal**	**Performance (Against all Enrollees)**	**Performance Goal**	**Performance (Against all Enrollees)**	**Performance Goal**	**Performance (Against all Enrollees)**	**Performance Goal**	**Performance (Against all Enrollees)**	**Performance Goal**	**Performance (Against all Enrollees)**	**Performance Goal**	**Performance (Against all Enrollees)**	**Performance Goal**	**Estimated Performance Goal**
	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%
ABE Beginning Literacy	25.0	26.4	28.0	30.7	27.0	31.8	32.0	44.7	33.0	47.5	46.0	55.7	48.0	58.2	**57.0**	**58.0**
ABE Beginning Basic	43.0	39.0	43.0	39.5	41.0	46.7	41.0	52.7	48.0	56.1	54.0	53.7	57.0	56.2	**55.0**	**56.0**
ABE Intermediate Low	36.0	35.3	36.0	39.4	37.0	45.5	40.0	48.8	47.0	50.7	50.0	49.0	52.0	48.7	**50.0**	**50.0**
ABE Intermediate High	31.0	25.6	29.0	27.1	26.0	30.7	28.0	32.7	32.0	33.4	34.0	32.6	34.0	31.4	**34.0**	**32.0**
ASE Low	25.0	16.9	22.0	19.0	19.0	31.7	20.0	32.6	33.0	34.9	34.0	33.5	36.0	40.2	**35.0**	**41.0**
ASE High	**--**	25.2	--	26.9	--	24.3	--	28.3	--	29.5	--	29.1	--	49.4	--	--
ESL Beginning Literacy	41.0	41.6	42.0	43.0	43.0	61.6	44.0	61.6	63.0	63.8	63.0	62.3	65.0	59.2	**64.0**	**60.0**
ESL Low Beginning	35.0	31.1	35.0	34.1	33.0	62.1	35.0	63.0	63.0	65.1	64.0	64.1	66.0	63.8	**65.0**	**65.0**
ESL High Beginning	36.0	47.2	48.0	49.3	48.0	58.2	50.0	61.0	59.0	61.4	62.0	60.3	62.0	60.4	**61.0**	**61.0**
ESL Intermediate Low	44.0	44.2	44.0	45.8	46.0	51.8	47.0	53.4	53.0	53.7	54.0	52.2	55.0	53.3	**53.0**	**54.0**
ESL Intermediate High	44.0	41.6	43.0	43.1	43.0	47.4	44.0	48.2	48.0	49.5	49.0	47.6	51.0	48.7	**50.0**	**50.0**
ESL Advanced	23.0	19.8	22.0	20.5	21.0	22.4	21.0	22.6	23.0	23.1	24.0	23.2	24.0	24.2	**26.0**	**25.0**

	2007–08		2008–09		2009–10		2010–11		2011–12		2012–13		2013–14		2014–15	2015–16*
Entering Educational Functional Level	**Performance Goal**	**Performance (Against all Enrollees)**	**Performance Goal**	**Performance (Against all Enrollees)**	**Performance Goal**	**Performance (Against all Enrollees)**	**Performance Goal**	**Performance (Against all Enrollees)**	**Performance Goal**	**Performance (Against all Enrollees)**	**Performance Goal**	**Performance (Against all Enrollees)**	**Performance Goal**	**Performance (Against all Enrollees)**	**Performance Goal**	**Estimated Performance Goal**
GED/HS Completion	30.0	36.2	35.0	39.2	38.0	38.8	40.0	41.2	40.0	42.0	42.0	52.2	43.0	57.3	**53.0**	**54.0**
Entered Employment	53.0	56.9	53.0	53.4	59.0	44.0	59.0	44.6	45.0	47.3	45.0	44.9	48.0	51.1	**46.0**	**51.0**
Retained Employment	91.0	92.9	91.0	92.0	95.0	90.8	95.0	93.1	95.0	94.3	60.0	96.5	95.0	88**	**98.0**	**89****
Entered Postsecondary Education or Training	57.0	42.4	60.0	41.7	44.0	43.1	44.0	46.6	44.0	40.8	45.0	42.1	42.0	46.7	**42.0**	**47.0**

*Numbers in this column will be negotiated with the OCTAE, based on 2013–14 final performance.
**Incomplete Data.
--No goal is set for the ASE High by OCTAE.

6.4 Factors (Section 212[b][3][A][IV])

California serves large numbers of students who are most in need, including low-skilled adults, immigrants with low literacy skills in their native language as well as in English, institutionalized adults, low-income adults, migrant workers, and adults who are unemployed or underemployed in hourly, minimum wage jobs. Consequently, student progress and outcome data in California indicate significant differences in levels of performance based on individual student factors. These factors include (a) the initial literacy skill level upon entry into the program, (b) literacy levels of limited English proficient students in their home language, (c) the number of years of education completed before entering the adult education program, (d) learning and developmental disabilities, and (e) other demographic and socioeconomic variables.

Service delivery factors also affect local performance such as the intensity and duration of the instructional program; convenience and accessibility of the instructional program; and the ability of the local program to address specific student persistence issues in California's varied regions, from densely populated urban areas to extremely remote rural locations. In addition, some learners may not be able to attend an instructional program on a regular basis due to conflicts with scheduling. Consequently, the performance measures must address diverse needs and abilities, length of participation, initial skill levels at program entry, and use multiple student performance measures.

Based on student and service delivery factors, the CDE has identified expected levels of performance for each of the core indicators provided for ABE, ASE and ESL, which incorporates EL Civics programs. The goals and performance chart above shows the last seven years of data and clearly indicates substantial overall progress on students' learning gains. Local providers continue to serve and evaluate the least educated and most in need using performance measures established by the state.

Further Information

The CDE incentivizes local agency performance by using a "pay-for-performance" system. Local agencies earn payment points, which translate into grant award funding. In the 2013–14 program year, the CDE updated the payment point system to align with the federal NRS measures, by recognizing payment points for completing an NRS EFL, advancing one or more levels, attaining a high school diploma or high school equivalency certificate, entering or retaining employment, and entering postsecondary education or training. Local agencies with EL Civics grants may also gain payment points when students pass the Citizenship Interview Test, the Government and History Test, or pass up to two California developed additional assessments under Civic Participation literacy objectives.

The CDE annually submits to the ED a report on the progress of California in achieving the stated NRS performance measures. The report includes the demographic factors of the populations served, educational gains and attendance, and level completion and movement to higher instructional levels. Levels of performance achieved for other core indicators include student outcomes related to postsecondary education, training, unsubsidized employment or career advancement, and receipt of a high school diploma or approved high school equivalency test certificate.

7.0 Procedures and Process of Funding Eligible Providers

Section 224(b)(7) requires a description of how the eligible agency will fund local activities in accordance with the considerations described in Section 231(e).

7.1 Applications for Section 231/225 Grants (WIA to WIOA transition)

The CDE will provide continued funding for currently funded agencies in good standing which have met all of the program requirements in 2014–15, so long as these agencies submit a reapplication for funding to continue their programs. Local providers will continue to be eligible to receive funds provided they meet the following criteria:

1. The applicant provides evidence of financial internal controls, fiscal solvency, and a sound fiscal accounting system that provides auditable cost allocations and financial records.

2. The applicant meets the certification requirements regarding lobbying; debarment, suspension, and other responsibility matters; and drug-free workplace environment. (34 *Code of Federal Regulation*s (*CFR)* Part 82, 34 *CFR* Part 85, and Government-wide Requirements for Drug-free Workplace grants)

3. The applicant provides a state-prescribed pre-test and a post-test of reading and numeracy skills and collects data on student success as specified by the CDE. The applicant agrees to follow state guidelines that may be revised from year to year, with respect to accountability and data collection procedures. In addition to learning gains, student achievement is tracked and includes the number of students attaining a diploma or equivalency, job placement or retention, and entry into postsecondary education.

4. The applicant describes the projected goals of the program with respect to participant educational achievement, and how the applicant will measure and report progress in meeting its goals.

5. The applicant lists current programs, activities, and services that receive assistance from federal, state, and local sources in the area proposed to be served by the applicant.

6. The applicant describes cooperative arrangements, including arrangements with business and industry and volunteer literacy organizations that have been made to deliver services to adults.

7. The applicant describes how the program provides guidance and supportive services while not duplicating programs, services or activities made available to adults under other federal, state and local programs.

8. The applicant describes its past effectiveness in providing services, especially with respect to learning gains demonstrated by educationally disadvantaged adults.

9. The applicant describes the degree to which the applicant will coordinate and utilize other literacy and social services available in the community or institution.

10. The applicant explains its commitment to serve individuals in the community or institution that are most in need of literacy services.

11. The applicant spends not more than five percent of the grant or contract on administration, unless a different rate has been approved by the CDE.

12. The applicant provides direct and equitable access to all federal funds provided under AEFLA by ensuring that information, applications, and technical assistance are available to all eligible applicants.

7.2 Eligible Providers (Section 203[5])

Eligible providers for a grant or interagency contract are as follows:

1. A local educational agency
2. A community-based organization with demonstrated effectiveness
3. A volunteer literacy organization with demonstrated effectiveness
4. An institution of higher education
5. A public or private nonprofit agency with 501(c)3 tax exempt status
6. A library
7. A public housing authority
8. A nonprofit institution that is not described in (1) through (7) and has the ability to provide literacy services to adults and families
9. A consortium of the agencies, organizations, institutions, libraries, or authorities described in (1) through (8)
10. State agencies including the California Department of Developmental Services, the CDCR, and the California Youth Authority (CYA)
11. A prison, jail, halfway house, community-based rehabilitation center, or similar institution designed for the confinement or rehabilitation of criminal offenders`

Whenever appropriations under this program exceed the amount available in the fiscal year, the CDE will give preferences to those applicants who have demonstrated or can

demonstrate a capability to recruit and serve those individuals most in need and hardest to serve.

7.3 Notice of Availability

For 2015–16, the CDE announced the availability of funds through the CDE Web page at http://www.cde.ca.gov/fg/fo/ and the OTAN Web-based communications system, to all known eligible providers that participated in the previous fiscal year.

7.4 Process of Funding Eligible Providers for 231/225 Grants

To facilitate a smooth transition for the recipients of the 2015–16 WIA grant funds and accommodate the transitioning to WIOA, the AEFLA providers granted funds in 2014–15 will be given an opportunity to continue to receive funds through a simplified reapplication process. Only those grantees in good standing will be allowed to reapply for continued funding through this process. In 2016–17, agencies desiring to apply for a grant or contract must complete and submit a full application for funding to be developed and distributed by the CDE. The CDE will review and award grants to providers who meet all WIOA program requirements and agree to operate programs in compliance with requirements. The State allocation will be distributed to support AEFLA/WIOA objectives in the following manner:

> The CDE uses 82.5 percent of the State allocation for local assistance grants. Local assistance grants and contracts are based on the following priorities: (1) populations with greatest need and hardest to serve which includes adult learners who are performing below the eighth grade level; (2) populations performing at or above the eighth grade level, but who do not have a high school diploma or its equivalent; and (3) incarcerated adults or eligible adults residing in state hospitals who perform below the high school graduation level.

Grant applications will be approved for funding July 1 of each program year. Key benchmark dates for the application and approval process are:

2015–16 Transition Year from WIA to WIOA

a. February 1, 2015 – Request for re-application released
b. March 15, 2015 – Re-application submission deadline
c. April 2015 – Review of applications
d. May 2015 – Posting of intent to award grants to successful applicants
e. May 30, 2015 – Deadline for appeals
f. July 1, 2015 – Grant Award Notification/Grant implementation begins

7.5 Evaluation of Applications for 231/225 Grants (Section 231[e])

Grant applications and proposals must meet the requirements of Section 231(e) and Chapter 7, Section 7.1 of this CSP. In addition, grant reviewers will determine if the applicant agency is able to comply with all of the following:

1. Local providers must establish measurable and meaningful goals for participants. The measurable performance levels for participant outcomes, including levels of literacy achieved, connect to challenging state performance levels for literacy proficiency.

2. Local providers must demonstrate past effectiveness in improving the literacy skills of adults and families, based on the performance measures established under Section 212 by the agency. Eligible providers must meet or exceed these performance measures, especially with respect to those adults with the lowest levels of literacy. Student goals and skill attainment must be tracked and reported to the CDE on a regular basis.

3. Local providers must demonstrate a commitment to serving the most in need, including students who are low income or have minimal literacy skills. The program offerings must reflect the needs of the local community or institution in terms of literacy and basic skills needs. This commitment can be demonstrated by an analysis of community or institution demographics as compared to the types of programs offered.

4. Local providers must provide instruction that is of sufficient intensity and duration to achieve substantial learning gains. Providers must describe the pressing need of target groups that require effective and intense literacy competencies and literacy based pre-employment skills when assessing priorities.

5. Local providers must select literacy and adult education practices that are based upon a solid foundation of research and effective educational practices.

6. Local providers must make effective use of technology, including computers, in the delivery of adult education and literacy services. The CDE will request providers to describe how technology, including the use of computers, is used to enhance instructional strategies in approved programs. Agencies must incorporate basic computer literacy instruction, along with computer assisted and distance learning programs.

7. Local providers must use real-life learning contexts to ensure that students will possess the required skills to compete in a global economy and exercise the rights and responsibilities of citizenship.

8. The training and experience of local providers' program instructors, counselors, and administrators must meet high standards. The CDE requires eligible applicants demonstrate that staff possess the necessary expertise to serve the target student population. Staff must possess knowledge and cultural sensitivity toward all populations in order to develop effective instructional strategies.

9. Local providers must effectively coordinate community resources and establish strong linkages to elementary and secondary schools, postsecondary institutions, one-stop centers, job training programs, and social service agencies. Providers

must demonstrate the capacity to link low-income students with needed programs and services. Collaborations such as these will expand the ability of providers to ensure services.

10. Local providers must maintain flexible scheduling and support services, including child care and transportation, to enable students to attend and complete programs. Providers must offer flexibility in selecting site locations and schedules to accommodate working adults. The CDE will give priority to eligible applicants who offer flexible schedules, child care, transportation, and other supportive services. Support services such as child care and transportation may be provided directly by the agency or may be provided through collaborations with other agencies, including one-stops, social service agencies and job training agencies.

11. Local providers must maintain a high-quality management information system (MIS) that has the capacity to report client outcomes and to monitor program performance against state performance measures.

12. Local providers must be able to demonstrate a need for English literacy programs in the local community or institution. The need in the local community or institution for additional English literacy programs, as identified by local needs assessments or demographic studies, must support the expenditure for federal funds.

7.6 Special Rule (Local Administrative Expenditures)(Section 223[c])

The CDE limits local providers to a five percent cap on administrative costs. However, the AEFLA allows the CDE to negotiate with local providers allowing them to exceed the five percent limit if necessary for administrative costs—specified in Section 233(a)(2). This is restricted to planning, administration, personnel development**,** and interagency coordination. The CDE will negotiate on a case-by-case basis with any local provider who requests an increase in the allowable administrative cost above the five percent limit only for agencies who serve fewer than 100 adults, or who can demonstrate a compelling need for higher administrative costs. For these providers, additional funding may be allocated to cover planning, administration, personnel development, and interagency coordination.

8.0 Public Participation and Comment

Section 224(b)(9) requires a description of the process that will be used for public participation and comment with respect to the State Plan.

8.1 Description of Activities

As a transition year, the CDE is conducting a reapplication for the existing sub grantees.

The plan for public participation and comment as part of the new WIOA implementation began in 2014 as each form of information was released from the ED. Internal CDE meetings began immediately. Training for staff on the EDGAR changes, and preparation to train the field have been scheduled for the spring of 2015. Initial meetings with statewide stakeholders including community colleges, CWIB, and other state level departments have begun. The Governor's WIOA Implementation Work Group has already established three groups to deal with various dimensions of WIOA.

The CDE's AEO has made presentations soliciting input at adult education conferences sponsored by all three major adult education organizations. These include ACSA (Association of California School Administrators), CCAE (California Council for Adult Education) and CAEAA (California Adult Education Administrators' Association).

The CDE's AEO also has established a field information and communication exchange group called the Field Partnership Team (FPT). The team is made up of representative from each region, representatives from each adult education organization, and representatives from each type of program beyond LEAs including: community colleges, community based organizations, jail programs, and library literacy programs. They serve as a conduit for information from the CDE to the field and from the field to the CDE. They will also serve as a source for a balanced public perspective for the WIOA program as it evolves.

8.2 Governor's Comments

The Governor has put together the WIOA Implementation Work Group. This was established through the California Workforce Investment Board in September 2014 to ensure that California's implementation of the new law reflects state strategies and aligns resources accordingly. The work group includes the following representatives:

- Department of Education
- Board of Education
- Chancellor's Office
- Employment Training Panel
- Department of Social Services
- Department of Rehabilitation
- Local Stakeholders

The WIOA Implementation Work Group is in the process of developing WIOA performance measures and multi-agency metrics, developing policy, catalyzing systems alignment and regional collaboration, and determining any needed governance changes. The unified state plan is slated to be completed and to the ED in April 2016.

9.0 Description of Program Strategies for Populations

Section 224(b)(10) of the Adult Education and Family Literacy Act requires a description of how the eligible agency will develop program strategies for populations that include, at a minimum, low-income students, individuals with disabilities, single parents and displaced homemakers, and individuals with multiple barriers to educational enhancement, including individuals with limited English proficiency.

9.1 Strategies for Target Populations

1. Low-income Adult Learners Who Are Educationally Disadvantaged

   Given that income is directly correlated to educational levels and the greatest need for basic education services is found among the economically disadvantaged, the CDE promotes participation in adult education programs. Adult education is the primary avenue for attaining a high school diploma or its equivalency and career technical training leading to postsecondary or certificated programs. Within programs, computer literacy is extensively used as a strategy for building bridges between the lower income individuals and the larger community. Participating agencies also work with their local one-stop center to identify current and planned collaborations with community resource agencies in the areas of employment, job training, career evaluation, income assistance, client advocacy, and related services.

2. Individuals with Disabilities

   Individuals with disabilities are defined under five main categories: individuals with cognitive disabilities (either developmental or learning disabilities), physical disabilities (orthopedic), sensory disabilities (hearing or sight disabled), medical disabilities (long-term medical conditions requiring medical support, medicines or other accommodations), or mental disorders (such as psychological and emotional disorders). Some of these individuals are integrated into regular adult education classes, while others are provided educational services in separate groupings or sites.

   Two types of educational services are provided: reasonable accommodations and targeted instructional strategies. Accommodations usually refer to modified equipment and materials, but can also include such things as physical access to programs and extended time to complete assessments or assignments. Instructional strategies may include a variety of groupings and techniques to address different learning styles.

   Learning disabilities is a general term which refers to some type of central nervous system dysfunction which interferes with the ability to acquire, store (remember) or retrieve information or skills. These disorders are often congenital and usually occur across the life span. The majority of individuals with these learning disabilities, though requiring some accommodations and special services, are enrolled in regular

adult education classes. Those individuals with mild developmental disabilities, mild conditions of autism, and many with cerebral palsy are also integrated in many adult education classes, depending on the content or subject matter, by the provision of appropriate accommodations.

In order to address individuals with disabilities, instructors should identify the needs and major student goals; analyze learning strengths through discussion, observation, informal and formal assessments; and develop adaptive strategies that support student strengths, adjust to student difficulties, and make sense to the student, given his or her context.

3. Single Parents and Displaced Homemakers

The CDE encourages adult education providers to make childcare available or collaborate with other programs or agencies to enable single parents with small children to attend classes. Participating agencies are encouraged to have social services counseling and assistance available. The CDE encourages agencies to demonstrate linkages and collaborations that ensure students receive needed services. In serving displaced homemakers, participating agencies should demonstrate the capacity to refer re-entering students for education and career counseling along with career evaluation and assessment. Use of distance learning programs and services are also a priority in working with this population. Workplace literacy programs are also a priority to ensure students receive instruction in basic employment and self-sufficiency skills needed to obtain and retain employment.

4. Individuals With Multiple Barriers to Educational Enhancement, Including Individuals With limited English Proficiency

Adults with limited English proficiency face multiple challenges to their survival and have immediate needs for English language skills. These adults require language instruction programs that incorporate real life situations within the educational curriculum. Their learning experience must enhance their ability to communicate with English speakers, learn about the cultures and customs of the United States, gain employment or improve job skills, pass citizenship tests, complete their academic education, and maintain their roles as parents and adults without having to rely on others as interpreters. The continued use of the *Crossroads Café and USA Learns* instructional videos will be a major educational tool for ESL adult students learning English.

Adult education providers use varying strategies to assist each ESL student. They develop and deliver lessons that are student-centered and respond to diverse student goals, which include preparation for employment, citizenship, parenthood, and self-sufficiency. *Model Program Standards for English-as-a-Second Language Programs* include the following instructional strategies:

- selecting content related to student goals
- providing opportunities for meaningful interaction

- using a variety of grouping strategies
- offering activities that address the various learning modalities
- integrating language and culture
- providing activities for the application of critical thinking skills
- using techniques that help implement effective instructional practices

5. Criminal Offenders In Correctional Institutions And Other Institutionalized Individuals

While not often thought of as being a major component of California's educational system, incarcerated juveniles and adults represent a significant portion of the hard-to-serve or dropout segment. The objective of the correctional education programs is to provide education and job training services linked with the goal of developing productive and responsible members of society.

Academic programs for special education, ESL, high school credit, and basic education with special emphasis on reading, writing, vocabulary, and arithmetic offer incarcerated adults an increased chance to attain the skills to successfully integrate into society. Instructional technology is increasingly incorporated in the curriculum delivery including closed circuit television and educational video programming. Professional development workshops for teachers, to encourage effective practices in the unique environment of incarcerated adults, are a focus for adult education leadership contractors.

9.2 Integrated Education and Training

Integrated Education and Training (IET) is defined as an education model that, "combines occupational skills training with adult education services to increase the educational and career advancement of participants. In programs that deliver IET, adults participate in both occupational skills training and adult education services at the same time."

Through the adult education professional development leadership contractor, modules on IET are offered as a facilitated online course. The modules take educators and agency administrators through the process of developing plans for implementing one of four instructional models. These models integrate basic skills (i.e. ESL or ABE) with technical or occupational skills instruction.

Specific objectives for the IET are 1) analyze and cite reasons for implementing IET models after reviewing various resources; 2) define key terms and components of IET models; 3) assess the degree of readiness to implement an IET model; and 4) identify which IET models are best suited for the students and identify next steps to begin to implement them. Finally, effective implementation of a comprehensive IET model requires well-planned and integrated coordination of the program structure, student support services, and classroom activities. The IET training modules provided below are

several options for agencies to choose the best method to meet their adult students' needs.

1. Co-Teaching

The co-teaching model involves skills instruction in a particular Career Technical Education (CTE) program along with basic language instruction, delivered in an integrated fashion. Team teaching and co-teaching are the main strategies used to deliver the curriculum. The language and basic skills instructor deliver literacy and language education while the CTE instructor teaches the related technical skills. After completion of the class, students are better prepared to transition to a related advanced CTE class or employment.

2. Alternating Teaching

In alternating teaching, students enroll in two different, but coordinated courses. For example, students interested in business careers might also attend a basic skills class. This class may incorporate important components of clerical jobs, such as customer service and answering the phone, etc., along with basic language or reading skills. After attending the basic skills class, students go to a technology class to learn the technical skills necessary to be successful in clerical occupations, such as using Excel, Word, PowerPoint, etc.

3. Vocational English as a Second Language and Vocational Adult Basic Education

VESL and VABE classes are intended to teach the English language through the context of a specific occupational skill. Upon completion of the class, it is intended that students will be employable and/or go to more advanced training in their chosen career pathway. For example, students with the goal of working as childcare providers might enroll in VESL or VABE classes in child development. The VESL and VABE instructors teach listening, speaking, reading, writing, grammar, and pronunciation in the context of child development. These VESL and VABE courses may include content in parenting, safety in the home, and child development content that is specifically designed to address the needs of lower level ESL students. Having completed a VESL or VABE class, the students have a better chance to be successful in the occupational training program.

4. Cluster Vocational English as a Second Language/Vocational Adult Basic Education Class

In a cluster VESL/VABE course, students enrolled in different career fields study together in a single VESL or VABE class. Total class time is optimally three to four hours. The first two hours are a VESL or VABE workplace focused class incorporating reading, writing, speaking, grammar, and pronunciation. The second two hours, students work in groups in their career fields in the same classroom. They use vocationally specific curriculum materials such as Make Your Mark In The

Restaurant Industry, or other specific teacher and agency adapted workplace materials.

10.0 Integration with Other Adult Education and Training Activities

Section 224(b)(11) of the Adult Education and Family Literacy Act states: "Describe how the adult education and literacy activities will be carried out with any funds received under this subtitle, and how they will integrate with other adult education, career development, and employment and training activities in the State or outlying area served by the eligible agency."

10.1 Description of Planned Integrated Activities

The CDE recognizes the significance of the WIOA law that facilitates the coordination of adult education, literacy, and workforce development with those of other agencies, institutions, and organizations within the state. The CDE will continue to work collaboratively with other state agencies in shaping programs for educating adult learners, preparing an effective workforce, and holding adult education and workforce preparation programs accountable for results.

The recession and legislation in California over the past few years has had a significant impact on adult education programs. This has resulted in decreased enrollments and diverse agencies struggling to serve adult students from low-income families, individuals with disabilities, single parents and displaced homemakers, and students with multiple barriers to education, including adult students with limited English proficiency. The new state budget and the WIOA law are providing an increased emphasis for collaboration and integration between state agencies offering adult education and job training services.

The CDE, in conjunction with its literacy education and workforce development partners including the California State Library, the Department of Social Services, the California Community Colleges Chancellor's Office, the CWIB, and the EDD, will identify common target populations to create a framework for coordinated and integrated services. The increasing emphasis on collaboration between state agencies is also integrated into the Governor's 2016 budget proposal.

Under WIA, the number of one-stop centers expanded and became one of the primary delivery systems for adult services at the local level. These centers include participation by adult education providers, as well as employment and welfare agencies. The educational services provided include literacy and workplace literacy, with additional support services such as job placement assistance, transportation and childcare coming from other one-stop partners. Under WIOA, this system will be expanded and become an integral part of services provided to California adults.

A joint working group, created by state law (Assembly Bill 86), is tasked with building an integrated adult education system that includes the CDE's K–12 adult education program, the community colleges and other service providers. The goal of this collaboration is to provide students with seamless pathways into postsecondary education and/or industry recognized certificates, credentials, and licenses. The CDE

staff is collaborating with community college staff in order to design a system that will improve the delivery of adult education throughout the state.

The CDE is also working to improve adult basic education and workforce literacy activities through integrated efforts with other stakeholders, such as the California EDGE (Education, Diversity, and Growth in the Economy) Campaign. California's EDGE campaign is a coalition of diverse groups—including business, labor, education and workforce organizations, and community-based organizations—whose goal is to persuade the Governor, Legislature, and other policymakers to implement a coherent and well-integrated workforce investment strategy that addresses the skill needs of employers and provides opportunities for all California residents. Core principles of EDGE include providing working adults with opportunities to advance up the skills ladder, and link workforce programs and institutions to create sequenced pathways to high wage jobs.

The CDE also has participated with CWIB in the development of the most recent five-year state plan. The adult education program administrated through the CDE is identified as a key delivery system fulfilling the goal of transitioning adults to postsecondary and into the workforce, fulfilling the objective defined in the plan as "increasing the number of adult basic education students who successfully transition to postsecondary education/ training or employment, and reduce the time students spend in remediation."

10.2 State Unified Plan

In response to the WIOA requirements the CDE, with the approval of the State Board of Education (SBE), will be submitting a transitional state plan for 2015–16. In addition, the CDE is engaged in the state's WIOA Implementation Work Group, which was established by the California Workforce Investment Board in September 2014 to ensure that California's implementation of the new law reflects state strategies and aligns resources accordingly. The work group includes the following representatives:

- Department of Education
- Board of Education
- Chancellor's Office
- Employment Training Panel
- Department of Social Services
- Department of Rehabilitation
- Local Stakeholders

The WIOA Implementation Work Group is in the process of developing WIOA performance measures and multi-agency metrics, developing policy, catalyzing systems alignment and regional collaboration, and determining any needed governance changes. The unified state plan is due to the ED in April 2016. Meanwhile, the CDE is collaborating with other state agencies to present a unified plan as part of the WIOA implementation, beginning July 2016.

Currently, the CDE is in discussion with other state agencies administering the following federal programs:

1. CTE programs at the secondary level authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C.2301 et seq.);

2. CTE programs at the postsecondary level authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C.2301 et seq.);

3. Activities authorized under WIA Title I;

4. Programs authorized under Section 6(d) of the Food Stamp Act of 1977 (7U.S.C. 2015[d]);

5. Work programs authorized under Section 6(o) of the Food Stamp Act of 1977 (7 U.S.C. 2015[o]);

6. Activities authorized under Chapter 2 of Title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.);

7. Programs authorized under the Wagner-Peyser Act (29 U.S.C. 49 et seq.);

8. Programs authorized under Title I of the Rehabilitation Act of 1973 (29 U.S.C.720 et seq.), other than Section 112 of such Act (29 U.S.C. 732);

9. Activities authorized under Chapter 41 of Title 38, United States Code;

10. Programs authorized under state unemployment compensation laws (in accordance with applicable Federal law);

11. Programs authorized under Part A of Title IV of the Social Security Act (42 U.S.C. 601 et seq.);

12. Programs authorized under Title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.);

13. Training activities carried out by the Department of Housing and Urban Development; and

14. Programs authorized under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.).

11.0 Description of the Steps to Ensure Direct and Equitable Access (Section 224[b][12])

Section 231(c) requires: Each eligible agency receiving funds under Title II shall ensure that (1) all eligible providers have direct and equitable access to apply for grants or contracts under this section; and (2) the same grant or contract announcement process and application process is used for all eligible providers in the state or outlying areas.

11.1 Description of Steps

The CDE uses developed internal processes to ensure that there is direct and equitable access to the grant funds. All currently funded providers, public adult schools listed in the current *California Public School Directory*, and all other identified eligible agencies receive a grant or contract application notification by e-mail. This includes all known community-based organizations, community colleges, libraries, literacy councils, public housing authorities, and any other provider that is eligible pursuant to Section 203(5). An announcement is posted by February on the CDE funding profile Web site at http://www.cde.ca.gov/fg/fo/af/. In addition to the general distribution of the sections 225 and/or 231 application notifications, CDE will post a notice of the availability of funding on the Web site maintained by OTAN. In addition, the CDE provides application information at conferences, workshops, and other activities attended by potential providers.

The CDE requires all eligible providers for sections 225 and/or 231 to use the same application process. This ensures that all applications are evaluated using the same rubric and scoring criteria. Statewide leadership activities are provided through contracted service providers in compliance with state contracting requirements. The CDE has also developed interagency agreements with the CDCR, Department of Developmental Services, and the CYA to provide the appropriate and necessary services for institutionalized adults.

11.2 Notice of Availability

The CDE ensures that all eligible providers have direct and equitable access to apply for grants or contracts. It also ensures that the same grant or contract announcement, application, and proposal process is used for all eligible providers. During the initial period of the grant submission process, any eligible agency that contacts CDE with an interest in participating will be provided the information needed. The CDE sends notification of availability of applications to all potential new adult education providers in the years when the Request for Application is open to new applicants. The CDE believes that these approaches meet the requirements specified in AEFLA and is satisfied that every effort is made to ensure direct and equitable access.

12.0 Programs for Corrections Education and Other Institutionalized Individuals

Section 225 requires for each fiscal year, each eligible agency to carry out corrections education or education for other institutionalized individuals using funding authorized by Section 222(a)(1). Section 222(a)(1) allows not more than 10 percent of 82.5 percent of the funding for the cost of educational programs for criminal offenders in correctional programs and for other institutionalized individuals, and Section 225(c) requires that priority be given to those individuals who are within five years of release from incarceration.

12.1 Types of Programs

The WIOA expands the use of funds for adult education programs in correctional institutions. This includes the teaching of basic literacy skills including reading, writing, speaking, and math; special education programs; secondary education credit and high school diploma or equivalency programs, and career-integrated education and training. Section 225 funds are available to local education agencies that have contracts with the local sheriff departments responsible to manage the jail programs. In addition, the CDE provides funding to the CDCR to provide programs in state correctional institutions.

In addition to the programs described in section 4.1, the institutions focus on: (1) increasing the use of computer technology to enhance instruction; (2) promoting teacher professionalism and growth through exposure to model programs; (3) developing and implementing innovative approaches to provide core curriculum instruction while students are increasing their basic skills; (4) preparing students to receive a high school diploma or its equivalent; (5) preparing students to make a successful transition to the community; (6) preparing students to gain employment.

12.2 Priority

WIOA supports educational and career advancement for incarcerated individuals. WIOA encourages states to provide a range of education and job training activities to promote successful reentry and reduce recidivism. Correctional institutions must describe in their grant application how they give priority to individuals most likely to leave the correctional institution within five years of participation in the program.

12.3 Types of Institutional Settings

There are 33 state prisons, 5 developmental centers, 4 state hospitals, and 16 youth authority institutions providing adult education programs to institutionalized adults and inmates. All 58 California counties provide education programs in county jail facilities. Other facilities such as state hospitals, rehabilitation centers, and limited retention facilities provide literacy services to inmates. These institutions often collaborate with

adult schools, public libraries, and community based organizations that also provide services to incarcerated adults.

13.0 State Leadership Activities

Section 223. State Leadership Activities In General. Each eligible agency shall use funds made available under Section 222(a)(2) for one or more adult education and literacy activities.

13.1 Description of New Required Activities

As an eligible agency, the CDE is an active member of the CWIB, a state-level board established to implement WIA. When the WIOA was enacted, the CWIB established a WIOA Implementation Work Group to address the planning, coordination, and requirements of Section 223 of WIOA. The work group also is planning how section 222(a)(2) funds can be used to develop and enhance the adult education system through the following adult education and literacy activities:

1. The alignment of adult education and literacy activities with other core programs and one-stop partners, including eligible providers, to implement the strategy identified in the unified State plan under section 102 or the combined State plan under section 103, including the development of career pathways to provide access to employment and training services for individuals in adult education and literacy activities.

The CDE, in partnership with CWIB and local providers, has implemented and aligned adult education and literacy activities with other core programs and one-stop partners. This includes the development of career pathways to provide access to employment and training services for individuals participating in adult education and literacy activities. The WIOA Implementation Work Group is in the process of developing WIOA performance measures and multi-agency metrics, developing policy, catalyzing systems' alignment and regional collaboration, and determining any needed governance changes.

2. The establishment or operation of high quality professional development programs to improve the instruction provided pursuant to local activities required under section 231(b), including instruction incorporating the essential components of reading instruction as such components relate to adults, instruction related to the specific needs of adult learners, instruction provided by volunteers or by personnel of a State or outlying area, and dissemination of information about models and promising practices related to such programs.

The CDE, as part of the leadership portion of the WIA grant, has contracted with the American Institute of Research to provide adult education focused professional development to the sub grantees. The contract is designed to deliver strategic high quality professional development programs to improve instruction. This includes an emphasis on instruction incorporating the essential components of

reading education. The professional development activities include the dissemination of information about many instructional models and promising practices to deliver adult education and workforce programs. During this transition year, the CDE will intentionally incorporate professional development activities focusing on such things as integrated education and training models with the intent to provide local providers strategies to consider as they develop their local plans to implement WIOA.

3. The provision of technical assistance to eligible providers of adult education and literacy activities receiving funds under this title, including—

(a) the development and dissemination of instructional and programmatic practices based on the most rigorous or scientifically valid research available and appropriate, in reading, writing, speaking, mathematics, English language acquisition programs, distance education, and staff training;

(b) the role of eligible providers as a one-stop partner to provide access to employment, education, and training services; and

(c) assistance in the use of technology, including for staff training, to eligible providers, especially the use of technology to improve system efficiencies.

The CDE, along with its leadership contractors continues to provide technical assistance and training to all of the local AEFLA providers in the following areas:

(a) Scientific research-based instructional and programmatic practices focused on reading, writing, speaking, mathematics, English language acquisition, distance education, and staff training.

(b) The integration of the AEFLA agencies as a one-stop partner to provide their students access to employment opportunities, job training skills and support services.

(c) The use of technology to increase program efficiency in administration, curriculum delivery, and for student mastery.

The CDE will continue to improve its technical assistance to AEFLA local providers and ensure that transition to WIOA is strategically implemented system wide and meets all relevant requirements of the Act.

4. The monitoring and evaluation of the quality of, and the improvement in, adult education and literacy activities and the dissemination of information about models and proven or promising practices within the State.

The CDE, along with its leadership contractors, has implemented a system that provides a sound monitoring and evaluation of the AEFLA programs. The CDE continues to conduct numerous training and technical assistance activities including providing models and information on proven practices within California

programs. The CDE believes in providing high quality professional development to local providers to encourage continuous improvement in teaching practices.

With the opportunity provided by the WIOA, the CDE will work with the CWIB to strategically examine the technical assistance and professional services provided to forge continuous improvement. The CDE will provide technical assistance and training to local providers to meet the new performance measurements of WIOA. The CDE will continue to provide AEFLA providers research-based, best practice trainings, and technical assistance in the use of technology, data collection, and analysis.

13.2 Description of Permissible Activities

State Leadership Activities

The CDE through contracts with three outside agencies collaborate to conduct state leadership activities. These contracts, funded through the leadership activities portion of the WIA grant, provide a variety of services to support the grantees. These services will continue as the state transitions to the WIOA. The contracts are in the areas of:

1. Assessment and Accountability
2. Technology and Distance Learning
3. Professional Development

1. Assessment and Accountability

Assessment and accountability is a key component for tracking the progress and success of the students as well as the performance of local agencies to determine if they meet the goals and objectives of the WIOA. This contractor is responsible for providing a standardized, assessment system for all levels of the ABE, ASE, and ESL programs. The contractor also collects and provides accountability data to the state. The electronic data system provides the required elements through the series of student progress assessments as well as collection of demographic and goal attainment data. Sites participating in the federal data collection efforts receive agency-specific data results and are given technical assistance on analyzing the data for local reporting and program planning purposes.

The assessment and accountability contractor is also responsible for the integration of literacy and English language instruction with occupational skills training. This includes the responsibility of promoting linkages with employers. By providing the assessments necessary to track this integration, agencies are better able to match their curriculum with the goals and objectives of the WIOA. Identifying curriculum frameworks and aligning rigorous content standards that

specify what adult learners should know and be able to do in the areas of language arts, mathematics, and English language acquisition are priorities for a successful program.

This contractor is accountable for a statewide Web-based system for both data collection and assessment delivery. The contractor is also required to provide training to funded agencies to meet grant requirements. The training includes data collection, how to analyze the previous year's data, and discussions on the implications of the data. The contractor also must provide opportunities for networking among recipients so that they can share effective accountability practices.

The contractor is required to update and keep current pre/post testing instruments, training materials, student entry/exit records, and student testing records in order to maintain relevance in the changing world of adult education and workforce development training. The contractor is also required to make enhancements to the process for collecting, aggregating, analyzing, and reporting both quantitative and qualitative program data. They must work in coordination with other contractors to identify and address needs to improve the data collection process for federally funded programs in California. Finally, they must address the special needs of various populations such as individuals with disabilities.

2. Technology and Distance Learning

One of the main objectives of the technology and distance learning contract is the implementation of technology at both the agency administration and the classroom levels. The technology and distance-learning contractor must incorporate curriculum for distance learning and provide professional development to support the use of instructional technology to deliver curriculum.

Working with the CDE, the contractor must offer Internet resources and computer assisted and Web based instruction. The contractor must also provide a robust system of telephone and onsite technical support to ensure that the optimum usage of communication technology is a priority. In addition, the contractor is responsible to facilitate trainings in the use of best practices and provide technical assistance using a variety of delivery models.

The contractor is responsible for managing California's distance learning infrastructure and expanding the ability of adult education providers to (1) communicate with each other and their adult learners through multiple methods; (2) develop a teleconferencing capability; and (3) provide capacity building services to smaller agencies providing literacy services.

The contractor must also provide instructional technology support by improving and expanding on a variety of successful activities currently occurring throughout the state. These include researching and making available current information on new and emerging technologies and educational resources. An essential part of this contract is conducting training and workshops in all aspects of planning and implementing instructional technologies in education and training. The contractor helps providers implement best practices in computer assisted and/or Web-based instruction through demonstrations, and by disseminating information on successful models. The contractor also assists the CDE in the implementation of the California Adult Education Technology and Distance Learning Plan, which is a deliverable for all WIA/WIOA agencies.

Activities designed to help expand the expertise of adult education providers to adopt distance learning in their instructional strategies is also a priority. To facilitate integrated success among education agencies, the contractor must also provide an electronic collaborative environment. This includes listservs, discussion boards and work groups, for the exchange of information about effective program models, teaching techniques, and curriculum. Piloting, implementing, evaluating, and disseminating models for learner-oriented Web sites, to encourage students to obtain the knowledge and skills necessary for employment and self-sufficiency are priority objectives. Finally, providing technical assistance, staff training, and program marketing to ensure the optimum usage of communication technology by adult education providers and learners only strengthens distance learning for optimal usage of WIA/WIOA funds.

3. Professional Development

Developing and disseminating curriculum, including curricula incorporating the essential components of adult instruction, is one of the responsibilities of the professional development contractor. Other priorities of this contract include the development of content and models for integrated education and training, and career pathways. Additionally, the development and implementation of a system to assist in the transition from adult education to post-secondary education and training, including linkages with postsecondary educational institutions or institutions of higher education is another priority. The development and piloting of strategies for improving teacher quality and retention are critical to the long-term success of adult education, and best practices in these areas are provided through this contract. The development and implementation of programs and services to meet the needs of adult learners with learning disabilities or English language learners, which may include new and promising assessment tools and strategies based on scientifically valid research, are included in the professional development activities provided to grant recipients.

All of these activities are essential components of the professional development contract in order to ensure the success of the agencies utilizing WIA/WIOA grants. These professional development activities are delivered through multiple formats including workshops, face-to-face trainings, mentoring, and online activities, such as web-based trainings, and are specifically designed and focused on improving the quality of instruction.

13.3 Collaboration

The CDE and the contractors hold quarterly meetings to coordinate all activities listed in the sections above. This is to ensure that the contractors are working together with the same goals and objectives as outlined in the WIA/WIOA legislation. Responsibilities are outlined and tasks with appropriate action plans are devised. The purpose of the quarterly meetings is to make sure that services are provided efficiently, to avoid duplication of efforts, and to offer the maximum amount of coordination across all contractors and the CDE.

Leadership contractors work in collaboration with each other to identify and provide a wide range of activities designed to assist local agencies in increasing participation rates, improve instruction, provide student resources, and promote student success. Many of the professional development training modules created by the contractors feature an online component intended to support the on-site training provided. Web based seminars are created by the individual contractor or the CDE and hosted by the technology and distance learning contractor. A direct focus on promoting networking with a variety of local agencies, in order to locate appropriate support services for students as well as coordination with the local One-Stop Career Centers is also a priority. Professional development conducted through these contracts provides maximum benefit for the WIA providers, while incurring the lowest expense.

14.0 English Literacy/Civics (EL/Civics)

Section 243 of WIOA codifies Integrated English Literacy and Civics Education (IEL/CE)

WIOA defines integrated English literacy and civics as:

> *Education services provided to English language learners who are adults, including professionals with degrees and credentials in their native countries, which enable such adults to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens in the United States. Such services shall include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation, and may include workforce training.*

During the transition year, the CDE will extend AEFLA funding to current EL Civics Education grantees to continue their existing offerings to California adult students. Additionally, the CDE will plan for the full implementation of IEL/CE beginning July 1, 2016. Below is a description of the current EL Civics Education, followed by how the CDE will plan for the full transition to IEL/CE.

A. English Literacy and Civics Education (presently in place)

California divided the EL Civics into two program focus areas, Citizenship Preparation and Civic Participation. Both program focus areas document learning gains using pretests and post-tests along with the performance-based additional assessments. In addition to pretests and post-tests, adult learners enrolled in Citizenship Preparation take the written Government and History for Citizenship test and the oral Citizenship Interview Test.

Citizenship Preparation Program

Citizenship Preparation programs have a primary focus on obtaining United States citizenship. Students benefit by learning about the United States Citizenship and Immigration Services citizenship test. In addition, the CDE has added an oral practice test. It was determined that lack of English fluency was a major obstacle for immigrants to pass the interview portion of the citizenship process. By adding the oral interview practice test, the adult learners are more comfortable and confident and better able to respond to questions.

Civic Participation Program

Civic Participation programs have a primary focus on civic involvement. Agencies conduct community and student assessments and teach the language and literacy

objectives that (1) best match their students' identified needs, and (2) will assist them in attaining mastery of a specific civic objective.

Civic objectives must meet the following criteria:

- Integrate English language and literacy instruction into civics education
- Focus on content that helps students understand the government and history of the United States; understand their rights and responsibilities as citizens; and participate effectively in the education, employment, and civic opportunities this country has to offer
- Integrate active participation of the students in community activities

The WIA agencies that had EL Civics grants back in the beginning (2001) and continued with the grant through 2006 helped create 42 language and literacy objectives within five general categories. Agencies have the opportunity to add objectives annually and presently there are 48. Detailed information and descriptions of the language and literacy objectives and entire EL Civics program can be found at https://casas.org/training-and-support/casas-peer-communities/california-accountability/el-civics. Each objective consists of a Civic Objective, Language and Literacy Objective, and an Additional Assessment Plan. This list of civic objectives offers a wide range of 30-hour courses integrated into the ESL curriculum. Agencies annually select objectives based upon a preliminary needs assessment through a survey of their students. Civic objectives are categorized into five groups:

- CE = Consumer Economics
- CR = Community Resources
- H = Health
- E = Employment
- GL = Government and Law

B. Integrated English Literacy and Civics Education (transition plan)

WIOA promotes IET with the following goals:

- Aims to provide adult education and literacy activities concurrently and contextually with workforce preparation activities and workforce training
- Targets training in occupations or clusters that assist adults in their educational and career advancement
- Codifies the IEL/CE program, previously funded through annual appropriations

- Provides instruction in literacy and English language acquisition, civic participation and the rights and responsibilities of citizens, and workforce training

- Focuses program design and goals on integrated education and training activities and coordination with local workforce systems

The EL Civics program within WIA already incorporates IEL/CE. By offering students 30- hour blocks of education within ESL classes, the program is designed as integration of practical skills encompassing civic participation activities. At present, the program offers students the knowledge and security of being comfortable in their daily lives. These programs also provide students transferable basic skills to develop into becoming competent employees and also add to the foundational skills necessary to be successful in the workplace. Coupled with more contextualized education and training programs offered within CTE courses, students obtain a well-rounded education and solid employment skills for the workplace.

As the EL Civics language and literacy objectives are modified under WIOA, the CDE will incorporate and ensure that workforce preparation is more clearly outlined. This will include a focus on skills transferable to the workplace, including self-evaluation, problem-solving, and communication skills so that lower-level English language students are equipped with transferable skills needed for employment.

15.0 Description of Joint Planning and Coordination for Unified Plan Only (Title V—General Provisions, Section 501[c][3][A])

As an active member of CWIB, the CDE has participated the joint planning and coordination of the programs and activities to be included in the WIOA unified state plan. The CWIB was established for assisting the Governor in all the functions outlined in the WIA of 1998 (Public Law 105-220). Through its broad membership, the CWIB encourages collaboration among both state and local public and private entities. This collaboration is further enhanced through its committee structure. Members of the CWIB's committees include representatives from local workforce investment areas and/or local boards, business leaders, local and state partner entities, and key stakeholders that have a stake in workforce issues. Currently, California has 49 local workforce investment boards. Many of the local adult education providers are members of these local boards and work in partnership in delivering workforce education and training programs.

CWIB approved the creation of the WIOA Implementation Work Group in September 2014. This work group will ensure that California's implementation of the new law reflects state strategies and aligns resources accordingly. The group's work includes developing WIOA performance measures and multi-agency metrics, developing policy, catalyzing systems alignment and regional collaboration, and determining any needed governance changes. The CDE is working closely with CWIB members to jointly construct the unified state plan as required by WIOA legislation.

16.0 Description of Activities under Section 427 of the General Education Provisions Act (GEPA)

Notice to Applicants for Federal Funds

The CDE provides Section 427 of the GEPA notice to AEFLA agencies to include in the application a description of the steps the applicant proposes to take to ensure equitable access to its federally assisted program for participants with special needs, including actions to be taken under Section 223, State Leadership Activities, and Section 231 grants and contracts. This notice is posted on the CDE's Web page at http://www.cde.ca.gov/fg/fo/fm/gepa.asp.

Section 427 of the GEPA affects all educational agencies submitting applications for federal funding. It requires each applicant (other than an individual person) to include in the application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its federally assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants' discretion in developing the required description.

The statute highlights six barriers that can impede equitable access or participation including an individual's: gender, race, national origin, color, disability, or age. Based on local circumstances, agencies should determine whether these or other barriers may prevent students, teachers, etc. from such access or participation in the federally funded project or activity. The description in the agency's/ application, of steps to be taken to overcome these barriers, need not be lengthy, however it must be a clear and succinct description of how the agency plans to address those barriers that are applicable to their circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing projects, applicants for federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and achieve high standards. Consistent with program requirements and its approved application, an applicant may use the federal funds awarded to it to eliminate barriers it identifies.

The CDE recognizes that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs in responding to the requirements of this provision. The following few examples illustrate how applicants may already comply with Section 427.

1. An applicant that proposes to carry out an adult literacy project serving adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.

2. An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.

3. An applicant that proposes to carry out a model science program for secondary students and is concerned that females may be less likely than males to enroll in the course, might indicate how it intends to conduct "outreach" efforts to females, to encourage their enrollment.

17.0 One-Stop Participation (Title I, Section 121[b][1] and 20 *CFR* 662.220[b][1])

The CDE understands that the responsibilities established by Title I of WIA are not secondary or subsidiary to the responsibilities and requirements established by AEFLA. The requirements of both Title I of WIA and AEFLA must be satisfied. As an eligible agency, the CDE will continue to integrate and design its programs and plan for the use of funds in a manner that will satisfy both sets of requirements.

Section 121(b) (1) of WIA and 20 *CFR* Section 662.200 and 20 *CFR* Section 662.220 identifies mandatory one-stop partner programs that have certain responsibilities with respect to the one-stop partner delivery system in each local workforce investment area designated under Section 116 of WIA. For programs under AEFLA, the entity responsible for fulfilling the one-stop participation requirements is the CDE. The eligible agency may designate one or more eligible providers in each local area to fulfill all or part of these responsibilities (20 *CFR* 662.220[b][1]). The CDE is a member of the CWIB and has provided collaborative oversight of workforce investment programs and activities, including the local workforce investment boards and their responsibilities.

The participation of the eligible agency in the one-stop delivery system (including the expenditure of Section 231 funds related to that participation) must be consistent with the provisions of AEFLA (Section 121[b][1][A][ii], 134[d][1][b] of WIA). The statewide workforce investment system is comprised of 49 local workforce investment areas (local area), each with its own business-led local workforce investment board (local board). These local boards work in conjunction with their local chief elected official to oversee the delivery of workforce services relevant to their local residents and businesses. Critical to their charge is their oversight of the local one-stop career centers, which are the hub of the statewide service delivery vehicle for workforce/education/business services. Workforce funds allocated to local boards support the job training, placement, and business services delivered through the one-stop career centers. These centers, through partnerships with other local, state, and federal agencies, education and economic development organizations provide access to jobs, skill development and business services vital to the social and economic well-being of their communities.

Each local board has its own charter, organization, and unique context. What they all share, however, is a set of central roles. Each local board provides oversight for the WIA program, acts as a catalyst to provide seamless services among various workforce programs, and provides community leadership around workforce issues. Further information about the CWIB and local boards can be found at the CWIB's Web page at http://www.cwib.ca.gov/local_boards.htm.

This is the official scanned version of Item 11 Attachment 2 from the California State Board of Education (SBE) Meeting Agenda for May 2015 posted at http://www.cde.ca.gov/be/ag/ag/yr15/agenda201505.asp

An accessible version of the contents of this document is located at http://www.cde.ca.gov/be/ag/ag/yr15/may15item11a2aav.asp

The scanned document starts following this initial page.

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF CAREER, TECHNICAL, AND ADULT EDUCATION

DEC - 5 2014

PROGRAM MEMORANDUM OCTAE/DAEL FY2015-01

TO: State Directors of Adult Education

FROM: Johan Uvin
Acting Assistant Secretary

SUBJECT: Transition of the *Adult Education and Family Literacy Act* from the *Workforce Investment Act* to the *Workforce Innovation and Opportunity Act*

The Workforce Innovation and Opportunity Act (WIOA) was signed into law by President Obama on July 22, 2014. This Act reauthorizes the Adult Education and Family Literacy Act (AEFLA) with several major revisions. The law goes into effect July 1, 2015 and includes provisions for an orderly transition from the Workforce Investment Act to WIOA during Program Year 2015, also known as the transition year. The full implementation of WIOA goes into effect July 1, 2016.

State plans are required for States to receive allotments under AEFLA, under both WIA and WIOA. Last year, the Office of Career, Technical, and Adult Education (OCTAE) approved a one-year extension of operating plans, and those extensions will expire on June 30, 2015. States need to revise existing plans in order to demonstrate how they will plan for and incorporate requirements of WIOA during the transition year. Additionally, the States and OCTAE need to agree upon new performance targets for the coming year, and the new targets must be incorporated into the existing State plans as a revision.

Please feel free to contact your area coordinator for technical assistance in meeting these requirements. We look forward to working with you.

Attachment

AAV of Item 11 Attachment 2

Accessible Alternative Version (AAV) of Item 11 Attachment 2 for the May 2015 SBE Meeting Agenda.

This page is the Accessible Alternative Version (AAV) of Item 11 Attachment 2 from the California State Board of Education (SBE) Meeting Agenda for May 2015. The scanned Item 11 Attachment 2 version is considered to be the official version of the document.

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF CAREER, TECHNICAL, AND ADULT EDUCATION

Date Stamp: December 5, 2014

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SUBJECT: Transition of the *Adult Education and Family Literacy Act from the Workforce Investment Act to the Workforce Innovation and Opportunity Act*

The Workforce Innovation and Opportunity Act (WIOA) was signed into law by President Obama on July 22, 2014. This Act reauthorizes the Adult Education and Family Literacy Act (AEFLA) with several major revisions. The law goes into effect July 1, 2015 and includes provisions for an orderly transition from the Workforce Investment Act to WIOA during Program Year 2015, also known as the transition year. The full implementation of WIOA goes into effect July 1, 2016.

State plans are required for States to receive allotments under AEFLA, under both WIA and WIOA. Last year, the Office of Career, Technical, and Adult Education (OCTAE) approved a one-year extension of operating plans, and those extensions will expire on June 30, 2015. States need to revise existing plans in order to demonstrate how they will plan for and incorporate requirements of WIOA during the transition year. Additionally, the States and OCTAE need to agree upon new performance targets for the coming year, and the new targets must be incorporated into the existing State plans as a revision.

Please feel free to contact your area coordinator for technical assistance in meeting these requirements. We look forward to working with you.

Attachment

400 MARYLAND AVE. S.W., WASHINGTON, DC 20202
http://www.ed.gov

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

GUIDE FOR THE DEVELOPMENT

OF A STATE PLAN

UNDER THE

ADULT EDUCATION AND FAMILY LITERACY ACT

(TRANSITION YEAR GUIDANCE: TITLE II OF THE WORKFORCE INVESTMENT ACT OF 1998 TO TITLE II OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014)

OMB Control No. 1830-0026

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U.S. Department of Education
Office of Career, Technical, and Adult Education
Division of Adult Education and Literacy
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1.0 INTRODUCTION

Revising a State Plan

Each eligible agency receiving an adult education grant shall submit to, or have on file with the Secretary, a state plan for adult education and family literacy. On July 22, 2014 the President signed into law the Workforce Innovation and Opportunity Act (WIOA), which reauthorizes the Adult Education and Family Literacy Act (AEFLA). As a result of the new law, 2015 will be a transition year for states from the Workforce Innovation Act (WIA) that previously authorized AEFLA to WIOA. State eligible agencies that previously submitted a plan will be submitting revisions in their adult education plan for program year 2015, including transition activities necessary to prepare for the full implementation of WIOA in 2016. Also, state agencies will submit performance targets for 2015. Performance targets must exceed actual performance for the prior year. These revisions will enable the Department to extend the plans for one year, and make allotments of federal adult education funds on July 1, 2015.

To assist states in developing revisions to their plans, we are reinstating our original *Guide for the Development of a State Plan under the Adult Education and Family Literacy Act* (*Guide)*, which includes appropriate references to various sections of the Adult Education and Family Literacy Act (AEFLA), Title II of the Workforce Investment Act of 1998 or federal regulations. Submissions currently required need be only pertinent revisions, not full plans. In addition to new performance levels for program [year] for example, states receiving increases in their allotments would indicate what new state leadership activities they plan to undertake. States revising their funding formulas would outline these new formulas in their state plan revisions. These revisions are simply updated sections of the original plans. Revisions must meet requirements set for the original sections summarized below.

Transmittal

Revisions to the five-year state plan must be submitted to the Department of Education by April 1, 2015.

Please submit revisions electronically. Revisions may be transmitted in a PC-compatible format (Microsoft Word or ASCII) by electronic mail to the Area Coordinator for your region. A signed copy of each of the Assurances and Certifications found in Appendices A and B must be scanned and sent with your state plan. Please retain the forms with original signatures in your office.

Through delegated authority, the Assistant Secretary for Career, Technical, and Adult Education approves state plans.

Format of the Plan Revision

An eligible agency has discretion in establishing the format of its state plan revisions, but it must address the requirements of the current legislation and the procedures contained in this *Guide*. For example, States may send the Office of Career, Technical, and Adult Education (OCTAE) either only the revised sections, or the entire plan in which revisions have been clearly marked in Microsoft Word Track Changes format. The eligible agency must include in its plan revision an updated organizational chart (see 4.3) reflecting the line of authority from the authorized state official who is signing the plan revision to the state director of adult education.

2.0 ELIGIBLE AGENCY CERTIFICATIONS AND ASSURANCES

[States must submit new, signed copies of these documents]

2.1 Certifications

(EDGAR 76.104, Certifications and Assurances—a preprinted copy is included as Appendix A)

(1) The plan is submitted by the state agency that is eligible to submit the plan.

(2) The state agency has authority under state law to perform the functions of the state under the program.

(3) The state legally may carry out each provision of the plan.

(4) All provisions of the plan are consistent with state law.

(5) A state officer, specified by title in the certification, has authority under state law to receive, hold, and disburse federal funds made available under the plan.

(6) The state officer who submits the plan, specified by title in the certification, has authority to submit the plan.

(7) The agency that submits the plan has adopted or otherwise formally approved the plan.

(8) The plan is the basis for the state operation and administration of the program.

2.2 Assurances

(Sec. 224 (b)(5), (6), and (8))

(1) An assurance that the eligible agency will award not less than one grant to an eligible provider who offers flexible schedules and necessary support services (such as child care and transportation) to enable individuals, including individuals with disabilities, or individuals with other special needs, to participate in adult education and literacy activities, which the eligible provider shall attempt to coordinate with support services that are not provided under this subtitle prior to using funds for adult education and literacy activities provided under this subtitle for support services.

(2) An assurance that the funds received under this subtitle will not be expended for any purpose other than for activities under this subtitle.

(3) An assurance that the eligible agency will expend the funds under this subtitle only in a manner consistent with fiscal requirements in Sec. 241.

2.3 Assurance for Unified Plans Only

(Title V—General Provisions Sec. 501(c)(3)(B))

(1) An assurance that the methods included an opportunity for the entities responsible for planning or administering such programs and activities to review and comment on all portions of the unified plan.

3.0 NEEDS ASSESSMENT

(Sec. 224(b)(1))

3.1 Individuals Most in Need

An objective assessment of individuals in the state or outlying area for adult education and literacy activities. The assessment must include individuals most in need or hardest to serve.

3.2 Populations

Information on populations must include:

(1) Low-income adult learners who are educationally disadvantaged;

(2) Individuals with disabilities;

(3) Single parents and displaced homemakers;

(4) Individuals with multiple barriers to educational enhancement, including individuals with limited English proficiency; and,

(5) Criminal offenders in correctional institutions and other institutionalized individuals.

Other populations, such as homeless adults, or children who are eligible to participate in family literacy programs, may also be included in the descriptions.

The term "displaced homemaker" is defined by Sec. 101(10) of the Workforce Investment Act (WIA):

"(10) DISPLACED HOMEMAKER.—The term 'displaced homemaker' means an individual who has been providing unpaid services to family members in the home and who—

(A) has been dependent on the income of another family member but is no longer supported by that income; and,

(B) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment."

FURTHER INFORMATION

Data should serve as a basis for enabling the agency to fund programs providing:

(1) adult education and literacy services, including workplace literacy services;

(2) family literacy services; and,

(3) English literacy programs.

Information may include data obtained from local programs, the U.S. Census Bureau, secondary analyses of data sources from other agencies, or a recent needs assessment.

If possible, it is recommended that the eligible agency conduct mutual assessments (either at the state or sub-state level) with its WIA and program partners or, at a minimum, create a planning process that promotes the sharing of needs assessment information. Sharing of assessment data can create the framework for coordinated and integrated services that are to be carried out through the one-stop delivery system established by WIA.

Also, because the state, under WIA Title I, may require assessment requirements to support local plans developed by the local workforce development boards, it is recommended that the eligible agency consider localizing its needs assessment. This local assessment information could prove valuable to local providers, as they contribute to the work of local workforce boards. See also Section 9.0 of this *Guide*.

4.0 DESCRIPTION OF ADULT EDUCATION AND LITERACY ACTIVITIES

(Sec. 224(b)(2))

4.1 Descriptions of Allowable Activities

[States must address this section when revising a state plan]

Under the Workforce Innovation and Opportunity Act (WIOA), the definition of ''adult education and literacy activities'' means programs, activities, and services that include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training. The

state plan must address how the state is preparing to implement these activities using fiscal year 2015 funds.

The state plan must include as a minimum the scope, content, and organization of local activities including, if applicable, how the eligible agency incorporates the provision of employability skills.

4.2 Special Rule [Uses of Funds for Family Literacy]

Each eligible agency awarding a grant or contract under Sec. 231 must not use any funds made available under this subtitle for adult education and literacy activities for the purpose of supporting or providing programs, services, or activities for individuals who are not individuals described in subparagraphs (A) and (B) of Sec. 203(1), except that such agency may use such funds for such purpose if such programs, services, or activities are related to family literacy services. In providing family literacy services under this subtitle, an eligible provider shall attempt to coordinate with programs and services that are not assisted under this subtitle prior to using funds for adult education and literacy activities other than adult education activities (Sec. 231(d)).

4.3 Descriptions of New Organizational Arrangements and Changes

[States must include a current organizational chart.]

Describe organizational changes at the state (include organizational chart) and local levels including: the one-stop delivery system, performance reporting for eligible providers, and state leadership activities.

5.0 ANNUAL EVALUATION OF ADULT EDUCATION AND LITERACY ACTIVITIES

(Sec. 224(b)(3))

5.1 Annual Evaluations

Describe how the eligible agency will evaluate annually the effectiveness of the adult education and literacy activities, based on the performance measures in Sec. 212. Information should be provided that describes how other program reviews and evaluations of state-administered adult education programs, services, and activities under the Act will be conducted.

The Department strongly encourages states to evaluate the extent to which local programs employ scientifically based research in designing and implementing their programs, and to compare the outcomes achieved by programs implementing different instructional strategies to gain some insight into their relative effectiveness that may merit further exploration and research. States should use the information and insights gained from

these evaluations to inform their planning and allocation of resources. If an instructional strategy appears to be promising based on the results of program evaluations, the state should consider investing resources in further investigating the effectiveness of the strategy or disseminating information about its initial findings to other local programs.

Evaluation activities may include self-evaluation of program activities; assessments of progress in achieving state goals for adult education; the extent to which adult education goals for workers, the homeless, and other special populations have been met; the extent to which state adult education technology needs have been met; follow-up studies of former participants at 6-month, 12-month, and 15-month intervals; reviews of the effectiveness of teacher training; and, the use of evaluation results to determine achievement of levels of performance for each of the core indicators for the eligible agencies (see Sec. 5.0 of the *Guide*).

FURTHER INFORMATION

Describe measures, such as indicators of program quality that the state will utilize to ensure that program services and activities will take into account the findings of program reviews and evaluations.

6.0 PERFORMANCE MEASURES

(Sec. 224(b)(4))

6.1 Eligible Agency Performance Measures

(Sec. 212)

Describe a comprehensive performance accountability system, comprised of activities to assess the effectiveness of eligible agencies in achieving continuous improvement in adult education and literacy activities under this subtitle, to optimize the return on investment of federal funds in adult education and literacy activities.

The eligible agency performance measures shall at a minimum consist of the core indicators of performance described in Sec. 212(b)(2)(A):

(1) Demonstrated improvements in literacy skill levels in reading, writing, and speaking the English language, numeracy, problem- solving, English language acquisition, and other literacy skills.

(2) Placement in, retention in, or completion of, postsecondary education, training, unsubsidized employment, or career advancement.

(3) Receipt of a secondary school diploma or its recognized equivalent.

6.2 Optional - Additional Indicators

An eligible agency may identify additional indicators for adult education and literacy activities authorized under this subtitle. Levels of performance shall be considered as the eligible agency adjusted levels of performance for purposes of the plan.

6.3 Levels of Performance

[States must submit proposed levels of performance]

Each eligible agency submitting a state plan revision shall establish levels of performance for adult education and literacy activities authorized under AEFLA. The levels of performance established in the revision shall at a minimum:

(1) be expressed in an objective, quantifiable, and measurable form;

(2) show the progress of the eligible agency toward continuous improvement in performance; and,

(3) exceed the actual performance level for indicators measured in the prior year.

6.4 Factors

(Sec. 212(b)(3)(A)(iv))

In preparing proposed levels of performance, the eligible agency shall take into account the following:

(1) How the levels compare with the eligible agency adjusted levels of performance established for other eligible agencies, taking into account factors including the characteristics of participants who enter the program, and the services or instruction to be provided; and,

(2) The extent to which such levels promote continuous improvement in performance on the performance measures by such eligible agency, to ensure optimal return on the investment of federal funds.

FURTHER INFORMATION

At a minimum, the eligible agency should identify and describe the process to be used to report on performance indicators common to the other programs in WIA. (If the employment and training system is not prepared to discuss this issue, the eligible agency should insert a placeholder in the plan to be completed, once plans can be developed with the other program partners.)

The eligible agency should include a description, when appropriate, of the process and procedures the state will use to develop and submit an application to compete for an incentive award.

The eligible agency should include a description, when appropriate, of the performance information that local providers must report to one-stop centers to become and remain eligible to receive various funds under WIA Title I and describe the process used to identify and report performance information the one-stop center will make available to prospective clients.

7.0 PROCEDURES FOR FUNDING ELIGIBLE PROVIDERS

(Sec. 224 (b)(7))

7.1 Applications

[States must address this section when revising a state plan]

An eligible agency must submit revisions to this section indicating if: (1) it plans to conduct a new competition under WIA in the timeframe covered by the state plan extension; (2) it plans to make new awards under WIA that are a result of a competition that was held during the timeframe covered by the previous state plan extension; or, (3) it plans to extend subgrantees from the previous year. If an eligible agency intends to conduct a competition during the timeframe covered by the state plan extension, it must describe how the eligible agency will fund local activities in accordance with the considerations contained in Sec. 231 (e). (See Sec. 224 (b)). The request for proposals must address the new adult education and literacy activities under WIOA. Each eligible provider desiring a grant or contract under AEFLA shall submit an application to the eligible agency containing information and assurances as the agency may require, including:

(1) A description of how funds awarded under AEFLA will be spent; and,

(2) A description of any cooperative arrangements the eligible provider has with other agencies, institutions, or organizations for the delivery of adult education and literacy activities. (Sec. 232).

7.2 Eligible Providers

(Sec. 203 (5))

Eligible providers for a grant or contract are:

(1) A local educational agency;

(2) A community-based organization of demonstrated effectiveness;

(3) A volunteer literacy organization of demonstrated effectiveness;

(4) An institution of higher education;

(5) A public or private nonprofit agency;

(6) A library;

(7) A public housing authority;

(8) A nonprofit institution that is not described in (1) through (7) and has the ability to provide literacy services to adults and families; and,

(9) A consortium of the agencies, organizations, institutions, libraries, or authorities described in any of items (1) through (8) (Sec. 203(5))

Community-based organizations and non-profit institutions include non-profit faith-based organizations.

7.3 Notice of Availability

Describe the process to show that public notice was given of the availability of federal funds to eligible recipients. (See Sec. 10 for information on direct and equitable access.)

7.4 Process

Describe the procedures for submitting applications to the state including approximate time frames for the notice and the receipt of applications.

7.5 Evaluation of Applications

(Sec. 231(e))

In awarding grants or contracts under this section, describe how the eligible agency shall consider:

(1) The degree to which the eligible provider will establish measurable goals;

(2) The past effectiveness of an eligible provider in improving the literacy skills of adults and families, and, after the one-year period beginning with the adoption of an eligible agency's performance measures under Sec. 212 of AEFLA, the success of an eligible provider receiving funding under this subtitle in meeting or exceeding such performance measures, especially with respect to those adults with lower levels of literacy;

(3) The commitment of the eligible provider to serve individuals in the community who are most in need of literacy services, including individuals who are low-income or have minimal literacy skills;

(4) Whether or not the program is of sufficient intensity and duration for participants to achieve substantial learning gains and uses instructional practices, such as phonemic awareness, systematic phonics, fluency, and reading comprehension that research has proven to be effective in teaching individuals to read;

(5) Whether the activities are built on a strong foundation of research and effective educational practice;

(6) Whether the activities effectively employ advances in technology, as appropriate, including the use of computers;

(7) Whether the activities provide learning in real life contexts to ensure that an individual has the skills needed to compete in the workplace and exercise the rights and responsibilities of citizenship;

(8) Whether the activities are staffed by well-trained instructors, counselors, and administrators;

(9) Whether the activities coordinate with other available resources in the community, such as establishing strong links with elementary schools and secondary schools, postsecondary educational institutions, one-stop centers, job training programs, and social service agencies;

(10) Whether the activities offer flexible schedules and support services (such as child care and transportation) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs;

(11) Whether the activities maintain a high-quality information management system that has the capacity to report participant outcomes and to monitor program performance against the eligible agency performance measures; and,

(12) Whether the local communities have a demonstrated need for additional English literacy programs (Sec. 231(e)).

7.6 Special Rule

(Sec. 223(c))

Whenever a state or outlying area implements any rule or policy relating to the administration or operation of a program authorized under AEFLA that has the effect of imposing a requirement that is not imposed under federal law (including any rule or policy based on a state or outlying area interpretation of a federal statute, regulation, or guideline), the state or outlying area shall identify, to eligible providers, the rule or policy as being state—or outlying area-imposed.

If a state agency plans to create any such rule or policy, the agency should send the Department a copy when the rule or policy is implemented.

FURTHER INFORMATION

If appropriate, the eligible agency should describe any guidance being developed jointly with the state agency responsible for WIA Title I programs, regarding the scope and implementation of the required MOUs between local formal partners and the one-stop system. For example, what will be the eligible agency's policy, if any, on the range of services and activities to be integrated at the local level; and, what types of financial arrangements will be allowable between local providers and the one-stop centers? See also Sec. 9.0.

If appropriate, the eligible agency should describe the process to be used to allocate state leadership funds to provide incentive awards to local providers for local coordination and integration with the one-stop system.

8.0 PUBLIC PARTICIPATION AND COMMENT

(Sec. 224 (b)(9))

8.1 Description of Activities

Describe the procedures and outcomes that were conducted to meet the requirement for public participation and comment on the state plan. The eligible agency should include specific information on how the various WIA agency and program partners were involved in developing the adult education state plan.

8.2 Governor's Comments

[States must submit Governor's comments with the state plan revision]

The eligible agency shall submit the state plan and any revisions of the state plan to the Governor of the state or outlying area for review and comment, and ensure that any comments regarding the state plan are submitted to the Secretary (Sec. 224(d)). Please note that the Governor's comments, if any, must be submitted to us along with your state plan revisions.

FURTHER INFORMATION

This could include consultations with other appropriate agencies, groups, and individuals that are involved in, or interested in, the development and implementation of activities assisted under AEFLA. The Department encourages states to include contacts with faith-based organizations in these consultations. Activities that may be used by state agencies include:

(1) Conducting a series of public meetings across a state;

(2) Conducting a series of interactive video conferences;

(3) Sending copies out to public locations, such as libraries, for comment;

(4) Requesting responses by Internet;

(5) Presenting local data and needs to area officials and stakeholders;

(6) Sending copies of the draft plan to agency officials for comment; and,

(7) Establishing a listserv for dialogue.

Also, the eligible agency should ensure that current state requirements for developing a state plan revision are met.

The eligible agency should include specific information on how the various WIA agency and program partners and others were involved in developing the adult education state plan.

9.0 DESCRIPTIONS OF PROGRAM STRATEGIES FOR POPULATIONS

(Sec. 224(b)(10))

9.1 Strategies

Data from needs assessments could assist the eligible agency in developing innovative approaches to serving various population cohorts, as a minimum. Include populations mentioned in Sec. 3.2 of the *Guide.*

Examples of existing strategies might include: a television series for students with limited English proficiency, such as *Crossroads Café*; expanding services to students in low-income housing projects; or, initiating GED instruction on the Internet for single parents and displaced homemakers unable to easily leave home.

FURTHER INFORMATION

Data could also be obtained from some of the other related programs involved in the planning, development, or implementation of WIA.

10.0 INTEGRATION WITH OTHER ADULT EDUCATION AND TRAINING

(Sec. 224 (b)(11))

10.1 Description of Planned Integrated Activities

A description of how the adult education and literacy activities that will be carried out with any funds received under AEFLA will be integrated with other adult education, career development, and employment and training activities in the state or outlying area served by the eligible agency (Sec. 224(b)(11)). For example, the eligible agency may wish to describe how adult education activities will be made available through the one-stop delivery system established by WIA.

10.2 State Unified Plan

Sec. 501 of WIA permits a state to submit its plan for adult education and literacy as part of a state unified plan. See Sec. 501 for details on how the adult education plan could relate to the state plan for the following programs under a unified plan:

(1) Career and technical education programs at the secondary level authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);

(2) Career and technical education programs at the postsecondary level authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);

(3) Activities authorized under WIA Title I;

(4) Programs authorized under Section 6(d) of the Food Stamp Act of 1977 (7 U.S.C. 2015(d));

(5) Work programs authorized under Section 6(o) of the Food Stamp Act of 1977 (7 U.S.C. 2015(o));

(6) Activities authorized under Chapter 2 of Title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.);

(7) Programs authorized under the Wagner-Peyser Act (29 U.S.C. 49 et seq.);

(8) Programs authorized under Title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than Sec. 112 of such Act (29 U.S.C. 732);

(9) Activities authorized under Chapter 41 of Title 38, United States Code;

(10) Programs authorized under state unemployment compensation laws (in accordance with applicable Federal law);

(11) Programs authorized under Part A of Title IV of the Social Security Act (42 U.S.C. 601 et seq.);

(12) Programs authorized under Title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.);

(13) Training activities carried out by the Department of Housing and Urban Development; and,

(14) Programs authorized under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.).

If your state will be submitting a unified plan, describe the activities that will be coordinated within your state.

11.0 DESCRIPTION OF THE STEPS TO ENSURE DIRECT AND EQUITABLE ACCESS

(Sec. 224(b)(12))

11.1 Description of Steps

Describe the steps the eligible agency will take to ensure direct and equitable access, as required in Sec. 231(c).

11.2 Notice of Availability

Describe how the state agency receiving funds under this subtitle shall ensure that—

(1) all eligible providers have direct and equitable access to apply for grants or contracts under this section; and,

(2) the same grant or contract announcement process and application process is used for all eligible providers in the state or outlying area. (Sec. 231(c)).

FURTHER INFORMATION

Describe how eligible entities will apply for: Sec. 231—local activities, Sec. 223—state leadership, and Sec. 225—corrections education and other institutionalized individuals. Include the process the agency will use to ensure public notice will be given concerning the availability of federal and state funds to eligible recipients throughout the state.

12.0 PROGRAMS FOR CORRECTIONS EDUCATION AND OTHER INSTITUTIONALIZED INDIVIDUALS

(Sec. 225)

12.1 Types of Programs

From funds made available under Sec. 222(a)(1) for a fiscal year, describe how the eligible agency shall carry out corrections education or education for other institutionalized individuals, including academic programs. Funds shall be used for the cost of educational programs for criminal offenders in correctional institutions, and for other institutionalized individuals, including academic programs for:

(1) Basic education;

(2) Special education, as determined by the eligible agency;

(3) English literacy programs; and,

(4) Secondary school credit programs;

12.2 Priority

Each eligible agency that is using assistance programs under this section to carry out a program for criminal offenders in a correctional institution shall give priority to serving individuals who are likely to leave the correctional institution within five years of participation in the program.

12.3 Types of Institutional Settings

Correctional institution means any:

(1) Prison;

(2) Jail;

(3) Reformatory;

(4) Work farm;

(5) Detention center; or,

(6) Halfway house, community-based rehabilitation center, or other similar institution designed for the confinement or rehabilitation of criminal offenders.

FURTHER INFORMATION

Describe the policies, procedures, and activities for carrying out corrections education or education for other institutionalized individuals.

Note: The eligible agency may not spend more than the 10 percent of the 82.5 percent of the state grant that must be allotted to local programs for Sec. 225 activities.

13.0 STATE LEADERSHIP ACTIVITIES

(Sec. 223(a), (b))

13.1 Description of New Required Activities

The state plan shall address the activities the state will be undertaking to meet the requirements of Section 223 of WIOA. Specifically each eligible agency shall use funds made available under section 222(a)(2) for the following adult education and literacy activities to develop or enhance the adult education system of the state or outlying area:

(1) The alignment of adult education and literacy activities with other core programs and one-stop partners, including eligible providers, to implement the strategy identified in the unified State plan under section 102 or the combined State plan under section 103, including the development of career pathways to provide access to employment and training services for individuals in adult education and literacy activities.

(2) The establishment or operation of high quality professional development programs to improve the instruction provided pursuant to local activities required under section 231(b), including instruction incorporating the essential components of reading instruction as such components relate to adults, instruction related to the specific needs of adult learners, instruction provided by volunteers or by personnel of a State or outlying area, and dissemination of information about models and promising practices related to such programs.

(3) The provision of technical assistance to eligible providers of adult education and literacy activities receiving funds under this title, including—

(a) the development and dissemination of instructional and programmatic practices based on the most rigorous or scientifically valid research available and appropriate, in reading, writing, speaking, mathematics, English language acquisition programs, distance education, and staff training;

(b) the role of eligible providers as a one-stop partner to provide access to employment, education, and training services; and

(c) assistance in the use of technology, including for staff training, to eligible providers, especially the use of technology to improve system efficiencies.

(4) The monitoring and evaluation of the quality of, and the improvement in, adult education and literacy activities and the dissemination of information about models and proven or promising practices within the State.

13.2 Description of Permissible Activities

Each eligible agency may use funds made available under section 222(a)(2) for one or more of the following adult education and literacy activities:

(1) The support of State or regional networks of literacy resource centers.

(2) The development and implementation of technology applications, translation technology, or distance education, including professional development to support the use of instructional technology.

(3) Developing and disseminating curricula, including curricula incorporating the essential components of reading instruction as such components relate to adults.

(4) Developing content and models for integrated education and training and career pathways.

(5) The provision of assistance to eligible providers in developing and implementing programs that achieve the objectives of this title and in measuring the progress of those programs in achieving such objectives, including meeting the State adjusted levels of performance described in section 116(b)(3).

(6) The development and implementation of a system to assist in the transition from adult education to postsecondary education, including linkages with postsecondary educational institutions or institutions of higher education.

(7) Integration of literacy and English language instruction with occupational skill training, including promoting linkages with employers.

(8) Activities to promote workplace adult education and literacy activities.

(9) Identifying curriculum frameworks and aligning rigorous content standards that—

(a) specify what adult learners should know and be able to do in the areas of reading and language arts, mathematics, and English language acquisition; and

(b) take into consideration the following:

(i) State adopted academic standards.

(ii) The current adult skills and literacy assessments used in the State or outlying area.

(iii) The primary indicators of performance described in section 116 of WIOA.

(iv) Standards and academic requirements for enrollment in nonremedial, for-credit courses in postsecondary educational institutions or institutions of higher education supported by the State or outlying area.

(v) Where appropriate, the content of occupational and industry skill standards widely used by business and industry in the State or outlying area.

(10) Developing and piloting of strategies for improving teacher quality and retention.

(11) The development and implementation of programs and services to meet the needs of adult learners with learning disabilities or English language learners, which may include new and promising assessment tools and strategies that are based on scientifically valid research, where appropriate, and identify the needs and capture the gains of such students at the lowest achievement levels.

(12) Outreach to instructors, students, and employers.

(13) Other activities of statewide significance that promote the purpose of this title.

13.3 Collaboration

In carrying out this section, eligible agencies shall collaborate where possible, and avoid duplicating efforts, in order to maximize the impact of the activities described in subsection (a).

14.0 ENGLISH LITERACY/CIVICS (EL/CIVICS)

[States must address this section when revising a state plan]

Section 243 of WIOA codifies Integrated English Literacy and Civics Education (IEL/CE). During the transition year, States must verify whether or not they are extending current EL/Civics grantees or running a new competition under WIA. States must also describe how they are planning for the full implementation of IEL/CE beginning July 1, 2016.

15.0 DESCRIPTION OF JOINT PLANNING AND COORDINATION FOR UNIFIED PLAN ONLY

(Title V—General Provisions, Sec. 501(c)(3)(A))

Information should contain a description of the methods used for joint planning and coordination of the programs and activities included in the unified plan.

16.0 DESCRIPTION OF ACTIVITIES UNDER SECTION 427 OF THE GENERAL EDUCATION PROVISIONS ACT (GEPA).

This section must include information describing the steps the applicant proposes to take to ensure equitable access to, and participation in, its federally assisted program for students, teachers, and other beneficiaries with special needs. Information should describe the steps such applicant proposes to take to ensure equitable access to, and equitable participation in, the project or activity to be conducted with such assistance by addressing the special needs of students, teachers, and other program beneficiaries in order to overcome barriers to equitable participation, including barriers based on gender, race, color, national origin, disability, and age. As a minimum, two matters must be addressed: (1) Actions the eligible agency will take under Sec. 223—State Leadership Activities, and (2) Actions applicable under Sec. 231—Grants and Contracts for Eligible Providers.

17.0 ONE-STOP PARTICIPATION

(Title I, Sec. 121(b)(1) and 20 CFR 662.220(b)(1))

The Department wishes to emphasize that the responsibilities established by Title I of WIA are not secondary or subsidiary to the responsibilities and requirements established by AEFLA.

The requirements of both Title I of WIA and AEFLA must be satisfied. Eligible agencies must design their programs and plan for the use of funds in a manner that will enable them to satisfy both sets of requirements. Sec. 121(b)(1) of WIA and 20 CFR Sec. 662.200 and 20 CFR Sec. 662.220 identify mandatory one-stop partner programs that have certain responsibilities with respect to the one-stop partner delivery system in each local workforce investment area designated under Sec. 116 of WIA. For programs under AEFLA, the entity responsible for fulfilling the One-Stop participation requirements is the state eligible agency. The eligible agency may designate one or more eligible providers in each local area to fulfill all or part of these responsibilities (20 CFR 662.220(b)(1)).

The participation of the eligible agency in the one-stop delivery system (including the expenditure of Sec. 231 funds related to that participation) must be consistent with the provisions of AEFLA (Secs. 121(b)(1)(A)(ii), 134(d)(1)(b) of WIA). Include a description of the applicable provisions for AEFLA in one-stop delivery systems in the state plan. See Program Memorandum OVAE 99-14 for additional information.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 45 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is to obtain or retain a benefit, as required by Section 224 of Public Law 105-220, from the Workforce Investment Act of 1998 and by Section 224 of Public Law 113-128 of the Workforce Innovation and Opportunity Act of 2014. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20210-4537 or email ICDocketMgr@ed.gov and reference the OMB Control Number 1830-0026. Note: Please do not return the completed State Plan Revision to this address.

APPENDIX A

AEFLA Eligible Agency Certifications and Assurances (form version – Sec. 2 of this *Guide*)

APPENDIX B

Other Grant Forms

SF 424 Form – Application Form for Federal Assistance (Core Form)
http://www2.ed.gov/fund/grant/apply/appforms/appforms.html

SF424B - Assurances – Non-Construction Programs
http://www2.ed.gov/fund/grant/apply/appforms/appforms.html

Grants.gov - Certification Regarding Lobbying
http://www2.ed.gov/fund/grant/apply/appforms/appforms.html

SF LLL Form – Disclosure of Lobbying Activities (required, only if applicable)
http://www.whitehouse.gov/sites/default/files/omb/assets/omb/grants/sflllin.pdf

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 12

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Elementary and Secondary Education Act: Supplemental Educational Services Providers: Approval and/or Denials of Applicants Based on Appeal for the 2015–17 State Board of Education Approved Supplemental Educational Services Provider List.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

Section 1116(e)(4)(C) of the Elementary and Secondary Education Act (ESEA) requires the state educational agency (SEA) to develop and maintain a list of approved Supplemental Educational Services (SES) providers to provide services to eligible students.

RECOMMENDATION

The California Department of Education (CDE) recommends the State Board of Education (SBE) approve providers for a two-year period beginning July 1, 2015, through June 30, 2017.

The summary list of providers recommended for approval based on appeals is provided as Attachment 1. The summary list of providers not recommended for approval based on appeal is provided as Attachment 2. The summary list of providers deemed inadequate that failed to submit an appeal is provided as Attachment 3.

BRIEF HISTORY OF KEY ISSUES

Title I, Part A Section 1116(e)(1) and (4) of the ESEA requires an SES provider be approved by the SEA before offering tutoring services to low-income students attending schools advancing to Program Improvement (PI) Year 2 and beyond. The CDE has established and maintained a list of SBE approved SES providers since June 2003.

This item will approve SES providers for the 2015–17 school years.

The Request for Applications (RFA) for the 2015–17 SES cycle was released on September 19, 2014, with the applications due on October 30, 2014. For this cycle, the CDE hosted three separate Readers' Conferences that were held in December, January, and again in March 2015.

The Readers' Conference held in December included reading all complete applications; these applications were approved by the SBE in March 2015.

After concerns from the field and stakeholders that the SES review process was too rigorous, the CDE eliminated several of the screening requirements, including but not limited to, signatures on reference letters, proof of a business license, budgets, and formatting discrepancies. A second Readers' Conference was held in January 2015 to focus on the content of approximately 30 more applicants. The outcome of the January Readers' Conference is reflected in the attachments and the CDE recommendations.

In March 2015, a third Readers conference was convened to help review an additional 68 applications that originally were deemed incomplete. The results of the March Readers' Conference will be presented to the SBE in July 2015.

The table below provides the timeline and subjects for the 2015–17 SES cycle SBE items:

March 2015 Item	May 2015 Item	July 2015 Item
Approvals from December Readers' Conference	Approvals from January Readers' Conference	Approvals from March Readers' Conference
	Approvals based on Appeals from December Readers' Conference	Approvals based on Appeal from January Readers' Conference
	Denials based on Appeal from December Readers' Conference	Denials based on Appeal from January Readers' Conference
		Approvals based on Appeals from March Readers' Conference
		Denials based on Appeal from March Readers' Conference

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At its March 2015 meeting, the SBE approved providers, including local educational agencies (LEAs) and PI LEAs, to provide services beginning July 1, 2015, through June 30, 2017. (http://www.cde.ca.gov/be/ag/ag/yr15/documents/mar15item07.doc)

At its January 2015 meeting, the SBE removed the providers recommended for removal from the approved provider list for failure to submit their Accountability Report. (http://www.cde.ca.gov/be/ag/ag/yr15/documents/jan15item08.doc)

At its May 2014 meeting, the SBE approved additional providers, including PI LEAs, to provide services beginning July 1, 2014, through June 30, 2016. (http://www.cde.ca.gov/be/ag/ag/yr14/documents/may14item21.doc)

At its March 2014 meeting, the SBE approved providers, including PI LEAs, to provide services beginning July 1, 2014, through June 30, 2016. (http://www.cde.ca.gov/be/ag/ag/yr14/documents/mar14item25.doc)

At its January 2014 meeting, the SBE removed the providers recommended for removal from the approved provider list for failure to submit their Accountability Report. (http://www.cde.ca.gov/be/ag/ag/yr14/documents/jan14item10.doc)

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact to the state.

ATTACHMENT(S)

Attachment 1: California Department of Education Recommended 2015–17 Supplemental Educational Services Provider Applicant List Based on Appeal (1 Page)

Attachment 2: California Department of Education 2015–17 Supplemental Educational Services List of Appellants Not Recommended for Approval Based on Appeal (2 Pages)

Attachment 3: California Department of Education 2015–17 Supplemental Educational Services List of Appellants Deemed Inadequate that Failed to Submit an Appeal (2 Pages)

California Department of Education Recommended 2015–17 Supplemental Educational Services Provider Applicant List Based on Appeal

The X indicates the subjects and type that will be served by the providers.

Provider Name	English-Language Arts (ELA)	Math	Science	English Learners (EL)	Students with Disabilities (SWD)	Online	Type of Entity
!!! Apple iPad & Android Tablet Tutoring !!!	X	X		X	X		For-Profit Entity
!!! 1 A 1 Tutoria Tablet Computer !!!	X	X		X	X		For-Profit Entity
5 Star Tutors (Little Rock, AR)	X	X		X			For-Profit Entity
Basic Educational Services Team, Inc.	X	X		X	X		For-Profit Entity
Empowerment Learning Services, LLC	X	X		X	X		For-Profit Entity
Tutor Works, Inc.	X	X		X	X		For-Profit Entity

California Department of Education 2015–17 Supplemental Educational Services
List of Appellants Not Recommended for Approval Based on Appeal

Provider Name	Initial Reading: Elements Not Met	Appeal Review: Elements Not Met
! Alpha! Innovation Through Education	3.1, 3.3, 3.5	3.1, 3.3, 3.5
! Math Wiz	3.4, 3.5, 4.3, 4.5	4.3, 4.5
Ace It! Tutoring Powered by Sylvan Learning (Zoglin Inc.)	3.6d	3.6d
Amazing A Academics	1.1	1.1
Applied Scholastics International	1.1, 1.2, 3.1, 3.2, 3.5, 4.1	1.1, 1.2, 3.1, 3.2, 3.5, 4.1
Arithmetic Solutions	4.1, 4.3	4.3
Arrowhead Tutors, Inc.	1.2, 2.4b, 4.1, 4.2, 4.5, 4.6	2.4b, 4.1, 4.2, 4.5, 4.6
Asian Youth Center	2.2a, 2.2b, 2.4a, 2.4b	2.4a, 2.4b
Brain Hurricane, LLC	2.4a, 2.4b, 3.2, 4.3, 4.5	2.4a, 2.4b, 4.3
Bridge of Knowledge LLC dba Sylvan Learning Center - Glendale	4.1, 4.3	4.1, 4.3
Bridge of Knowledge LLC dba Sylvan Learning Center - Sherman Oaks	4.1, 4.3	4.1, 4.3
Center for Fathers and Families	1.1	1.1
Great Expectations College Prep	2.2a, 2.2c, 2.2d, 2.4a, 2.4b, 2.5, 3.1, 3.2, 3.3, 3.4, 3.5, 4.5, 4.6	2.2a, 2.2c, 2.2d, 2.4a, 2.4b, 2.5, 3.1, 3.2, 3.3, 3.4, 3.5, 4.5, 4.6
Higher Ground Program	1.1	1.1
ICES Education LLC	1.1, 1.2, Temporary Quality Assessment	1.1, Temporary Quality Assessment
Kumon of Palmdale, East	4.3, 4.6	4.3, 4.6
Leading Edge Learning Center, LLC	4.3	4.3
Learn with iPads LLC	3.2, 4.1, 4.3, 4.5	3.2, 4.3
Let Us! @ Leo’s Place	1.1	1.1
Let Us! dba Education Today	1.1	1.1
Let Us! Inc.	1.1	1.1

Provider Name	Initial Reading: Elements Not Met	Appeal Review: Elements Not Met
Pearson Learning Center	4.6	4.6
Preferred Choice	2.2c, 2.4a, 4.1, 4.3	2.2c, 2.4a, 4.1, 4.3
Reach LLC, dba REACH Professional In-Home Tutoring	2.2b, 3.1	2.2b, 3.1
RSB Education	4.1, 4.5	4.1, 4.5
Studentnest, Inc. dba Studentnest.com	4.1, 4.3	4.1, 4.3
Success in Reading, Math, and Music	1.1, 1.2, 3.3, 4.2, 4.3	1.1, 1.2, 3.3, 4.2, 4.3
Sylvan Learning Center operated by the Southern California Learning Corporation	4.2, 4.3	4.2, 4.3
Tutorific!	2.2b, 2.2d, 3.4, 3.5, 4.3	2.2d, 3.4, 3.5, 4.3
Vision 2000 Educational Foundation	1.1	1.1
Whole Systems Learning	1.1, 2.2a	1.1, 2.2a

California Department of Education 2015–17 Supplemental Educational Services List of Appellants Deemed Inadequate that Failed to Submit an Appeal

Provider Name	Initial Reading: Elements Not Met
ABSi Consultants/ dba Maestros Tutoring Services	3.1, 3.3, 3.5, 4.1, 4.3, 4.6
Ambleside LLC dba Education Enrichment Services	1.1, 2.2a, 3.2, 3.4, 3.5
Another Level Learning, Inc.	2.2d, 3.4, 3.6b, 3.6c, 3.6d, 4.1
At Ease Tutoring, Inc.	4.5
Attain Success	4.1
Catapult Learning West, LLC (dba Catapult Learning)	1.1, 1.2
Children's Empowerment, Inc.	2.2a, 2.2d, 3.1, 3.3, 3.4, 4.1, 4.3, 4.4
Day Kem Step Up Tutoring Center	2.2a, 2.2b, 2.2d, 3.1, 4.1, 4.3
Drumming for Your Life Institute	1.1, 2.2b, 2.2c, 3.1, 3.2, 3.4, 3.5, 4.1
Educate Online Learning, LLC	3.1, 3.2, 3.4, 3.5, 3.6c, 4.3, 4.6
Expect Success Tutoring, LLC	2.2b, 2.2c, 3.3, 4.3, 4.5, 4.6
First Institute Training & Management, Inc.	4.1, 4.5
Gateway Educational Services	1.2, 2.2c, 2.2d, 4.3
KidCare International	1.1, 1.2, 2.2a, 2.2d, 3.1
Kids Campus	2.2a, 2.2c, 2.2d, 3.2, 3.4
New Horizon Foster Care Agency Inc. dba New Horizons Tutoring	1.1, 1.2, 3.1, 3.3, 4.1, 4.2, 4.3
PQ Academia Corporation, dba Sylvan Learning Center in Encinitas	2.2c, 3.1, 3.2, 4.3
Project IMPACT	2.2c, 2.4b, 3.1
R.T. Fisher Educational Enterprises, Inc. dba The Quad	1.2, 2.2b, 2.2c, 3.3, 3.5, 4.3
Reading Partners	2.2b, 2.2d, 2.4a, 2.4b, 4.3, 4.4, 4.5

Provider Name	Initial Reading: Elements Not Met
Sun Learning Center, LLC dba Sun Tutoring	4.6
Sylvan Learning Beverly Hills, Operated by Starwin Corp.	1.2, 4.2, 4.3, 4.6
Tutor Zone	1.2, 2.2d, 3.1, 3.4, 4.3, 4.5, 4.6
World Centered Outreach	2.2b, 3.4

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 13

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Elementary and Secondary Education Act, Section 9401 Waiver Request for Supplemental Educational Services.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

The State Board of Education (SBE) authorized the California Department of Education (CDE) to request a waiver of the provisions of Section 1116(e) of the Elementary and Secondary Education Act (ESEA) for Supplemental Educational Services (SES) from the U.S. Department of Education (ED). The CDE is requesting a four-year waiver from the requirements relating to SES commencing in the 2015–16 school year. This waiver would allow local educational agencies (LEAs) that have Title I schools in Program Improvement (PI), to use funds currently set aside for SES to provide extended day intervention strategies for students who are academically deficient in the areas of mathematics, English-language arts (ELA), and/or science.

Extended day intervention strategies would be administered by the LEA and approved by the CDE. These services would be offered to low income students attending a Title I school in PI Year 2 and beyond, the same population currently being served in SES programs. Extended day intervention strategies may be offered before school, after school, intersession, and/or during summer school. All instruction may be provided by a highly qualified teacher and/or tutor that is employed by the LEA that is administering the extended day intervention strategies.

If granted the waiver to use funds previously set aside for SES on extended day intervention strategies, all LEAs will be required to reserve 20 percent of their Title I, Part A allocation. LEAs may continue to set aside an amount equivalent to 5 percent for choice-related transportation. Funds in the amount of 5 percent for choice-related transportation would come from the 20 percent set aside that is being used to allocate funds for extended day intervention strategies.

RECOMMENDATION

The CDE recommends the SBE approve the attached waiver request to the ED to waive the provisions of Section 1116(e) of the ESEA to allow LEAs that have Title I schools in PI to provide extended day intervention strategies to low income students who are

academically deficient in ELA, mathematics, and/or science using SES set aside funds. The CDE also recommends that the SBE give authority to the SBE President to make technical changes to the waiver before it is submitted to the ED, as deemed necessary. See Attachment 1.

BRIEF HISTORY OF KEY ISSUES

Title I, Part A of the ESEA requires that eligible students attending Title I schools that have not met adequate yearly progress achievement targets for three years be provided with opportunities and choices to ensure they receive the academic assistance they need. SES provides extra academic assistance to eligible students from low income families who are attending Title I schools that are in PI Year 2 and beyond. The goal of SES is to increase low income students' academic achievement in mathematics, ELA, and/or science.

During the 2011–12, 2012–13, and 2013–14 school years, LEAs have spent approximately $507,454,271 on SES with little evidence of improved academic achievement by students who participated in the program. The CDE has received complaints and concerns from LEAs, providers, parents/guardians, and employees of providers regarding inappropriate practices of SES providers that include falsifying enrollment, attendance, and invoice documents; students not receiving services; parents/guardians and teachers not receiving feedback on the academic progress of students; and questionable marketing practices.

If a waiver of Section 1116(e) of the ESEA for SES is granted, and LEAs with Title I schools in PI Year 2 and beyond are allowed to use funds previously set aside for SES on extended day intervention strategies, the CDE would report to the ED the following information:

- Number of low income eligible students who participated in extended day intervention strategies during the 2015–16, 2016–17, 2017–18, and 2018–19 school years.

- Overall number of eligible students not meeting or nearly meeting performance standards in ELA and mathematics during the 2016–17, 2017–18, and 2018–19 school years.

- Amount of funds expended by LEAs on extended day intervention strategies during the 2015–16, 2016–17, 2017–18, and 2018–19 school years.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The ED has granted the SBE an ESEA, Section 9401 waiver of the Title 34, *Code of Federal Regulations*, sections 200.47(b)(1)(iv)(A) and (B) for the 2009–10, 2011–12, 2012–14, 2014–16, and 2016–18 school years. This waiver allows the CDE to continue to recommend and allow LEAs identified for PI to apply and serve as SBE-approved providers of SES.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact to the state.

ATTACHMENT(S)

Attachment 1: DRAFT June 1, 2015, joint letter from Tom Torlakson, State Superintendent of Public Instruction, California Department of Education, and Michael W. Kirst, President, California State Board of Education, to Deborah Delisle, Assistant Secretary, Office of Elementary and Secondary Education, U.S. Department of Education, regarding Request for Waiver of Provisions of Section 1116(e) of the Elementary and Secondary Education Act Requirement for Supplemental Educational Services (6 Pages)

CALIFORNIA DEPARTMENT OF EDUCATION **CALIFORNIA STATE BOARD OF EDUCATION**
TOM TORLAKSON, State Superintendent of Public Instruction **MICHAEL W. KIRST,** President
916-319-0800 1430 N Street Sacramento, CA 95814-5901 916-319-0827

DRAFT June 1, 2015

Deborah Delisle, Assistant Secretary
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Subject: Request for Waiver of Provisions of Section 1116(e) of the Elementary and Secondary Education Act Requirement for Supplemental Educational Services

Dear Assistant Secretary Delisle:

On behalf of all local educational agencies (LEAs) in California, the California State Board of Education (SBE) and the California Department of Education (CDE) are requesting a four-year waiver of the provisions of Section 1116(e) of the Elementary and Secondary Education Act (ESEA) requirement for Supplemental Educational Services (SES) commencing in the 2015–16 school year.

SES funds are utilized for additional academic instruction that is provided outside of the regular school day and designed to increase the academic achievement of students attending Title I schools in Program Improvement (PI) Year 2 and beyond. LEAs that have Title I schools in PI Year 2 or beyond must spend an amount equal to 20 percent of their total Title I, Part A allocation on SES, choice-related transportation, or a combination of both (Title 34, *Code of Federal Regulations* [34 *CFR*] 200.48[a][2]).

During the 2011–12, 2012–13, and 2013–14 school years, California school districts expended approximately $507,454,271 on SES with little evidence of improved academic achievement by students who participated in the program. This issue is not unique to California—a study by Heinrich, Meyer, and Whitten (2010) found no

significant changes in student achievement after receiving SES in Milwaukee public schools.[1]

The CDE has received complaints and concerns from LEAs, providers, parents/ guardians, and employees of providers regarding inappropropriate practices of SES providers that include falsifying enrollment, attendance, and invoice documents; students not receiving services; parents/guardians and teachers not receiving feedback on the academic progress of students; and questionable marketing practices. In addition, the U.S. Department of Education's (ED) Office of Inspector General identified numerous cases of fraud and corruption among SES providers in an audit published in October of 2013.[2]

The CDE has a rigorous oversight and audit program and has worked extremely hard to terminate SES providers when they are found in violation of any SES law or regulation, and LEAs have done the same at the local level. However, the time and effort investigating a complaint and actually terminating an SES provider can take months. In the meantime, LEAs must choose between ceasing to offer SES services or continuing with a provider, which has been shown to be problematic, especially when there may not be a large supply of SES providers in their area.

Heinrich and Burch (2012) reported that "district staff who are responsible for the administration of SES contend that their hands are tied in monitoring providers."[3] According to federal guidance, an LEA may not ask a state-approved provider to meet additional requirements. And even when an LEA wishes to terminate an unsatisfactory provider, its ability to do so can be strictly limited when that provider is state-approved.

Given these issues, SES offered by non-LEA providers remain extremely costly for school districts. Research by Heinrich and Burch (2012) noted that extremely high per-pupil provider costs, especially for online programs, limited the hours of service that LEAs are able to provide to a number below what has been shown to be statistically significant in improving student academic achievement. Under the current requirements, the state educational agency (SEA) and LEAs do not have the authority to control curriculum design or hourly service rates. No correlation has been reported to show that higher fee services outperform lower cost provider services.

The SBE Waiver Request

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[1] Heinrich, C.J., Meyer, R.H., and Whitten, G. 2010. "Supplemental Education Services under No Child Left Behind: Who Signs Up, and What Do They Gain?" *Educational Evaluation and Policy Analysis* 32 (June): 273-298.

[2] http://www2.ed.gov/about/offices/list/oig/auditreports/fy2013/x42n0001.pdf

[3] Heinrich, C.J. & Burch, P. 2012. "The Implementation and Effectiveness of Supplemental Educational Services: A Review and Recommendations for Program Improvement." American Enterprise Institute for Public Policy Research for Public Policy Research.

I. Provisions to be waived

The SBE and the CDE are requesting a waiver of the requirement of Section 1116(e) of the ESEA that LEAs set aside an amount equal to 20 percent of their Title I funding to provide SES that has proven costly, ineffective, and problematic. Instead, the SBE is proposing a system by which LEAs would be required to set aside an amount up to 20 percent of their Title I funds on extended day intervention strategies administered by the LEA and approved by the CDE.

Under this waiver request, LEAs will continue to send a letter notifying parents/ guardians about a school's status in PI and may continue to offer school choice. LEAs will continue to set aside an amount equivalent to 5 percent of Title I funds for choice-related transportation (as in 34 *CFR* 200.48[a][2][iii][A]). This waiver will only allow LEAs with Title I schools in PI Year 2 and beyond the ability to use funds currently set aside for SES on extended day intervention strategies administered by an LEA and approved by the CDE. The 5 percent set aside for choice-related transportation may come from the 20 percent set aside that is being used to allocate funds for extended day intervention strategies.

II. Improving student academic achievement

Extended day intervention strategies administered by an LEA would ensure that low income students who are academically deficient in the areas of English-language arts (ELA), mathematics, and/or science enrolled in a Title I school in PI Year 2 and beyond are provided the academic assistance they need and deserve. By having extended day invention strategies offered on-site, more students would access academic assistance and teachers would receive immediate feedback on the academic progress of students receiving such services. This continuous feedback—and the improved quality of instruction—will allow our schools to increase student achievement and improve academic performance.

III. Improving quality of instruction for students

The quality of instruction would increase due to intervention strategies being facilitated and monitored by highly qualified teachers. In addition, curriculum being used would be aligned to the most recent California state standards approved by the SBE and/or the most recently adopted curriculum approved by the local governing board. The curriculum would coincide and compliment the curriculum being offered in a student's classroom because the extended day intervention strategies would be administered by the same LEA.

The SBE and the CDE believe this change would also benefit parents/guardians by eliminating transportation issues to and from an off-site SES provider because all intervention strategies would be offered at the student's school. This means parents/guardians would not be responsible for arranging or providing transportation

between a school site and an SES off-site location. Additionally, parents/guardians would not be forced to choose annually between providers that offer minimal information about the quality and long-term success of their programs.

IV. Extended day intervention will serve the same students as the current SES system program

Extended day intervention would be offered to low income eligible students who are low performing in the areas of ELA, mathematics, and/or science and are enrolled in a Title I school in PI Year 2 and beyond—the same population of students who would otherwise qualify for SES services under ESEA.

V. Quality standards and achievement goals

LEAs would be required to uphold the following standards in order to be approved by the CDE to offer extended day intervention strategies:

1. All intervention strategies will be administered by an LEA and may be offered before school, after school, intercession, and/or during summer school.

2. All activities would be monitored by a highly qualified teacher employed by the LEA that is administering the extended day interventions strategies.

3. All instruction provided during extended day intervention strategies may be offered by highly qualified teachers and/or tutors employed by the LEA that is administering the extended day intervention strategies.

4. All curriculum used during intervention strategies would be aligned to the most recent California state standards approved by the SBE and/or adopted by the local governing board.

5. LEAs must report all expenditures for extended day intervention strategies in the State's Consolidated Application and Reporting System in order to ensure fiscal integrity and allowability of expenditures.

6. LEAs must meet or make meaningful progress toward meeting annual student achievement goals in ELA, mathematics, and/or science (see below).

The annual achievement goals for extended day intervention strategies set forth by the CDE are as follows:

- The number of students in an LEA who have not met or nearly met performance standards in ELA and mathematics will decline by 1 percentage point each year in all grade spans during the 2016–17, 2017–18, and 2018–19 school years.

A waiver of the SES requirement will assist LEAs in securing improved student academic achievement by ensuring that extended day intervention strategies are of high quality, closely monitored, and cost-efficient.

If a waiver of Section 1116(e) of the ESEA for SES is granted and LEAs with Title I schools in PI Year 2 and beyond are allowed to use funds previously set aside for SES on extended day intervention strategies, the CDE would report to the ED the following information:

- Number of low income eligible students who participated in extended day intervention strategies during the 2015–16, 2016–17, 2017–18, and 2018–19 school years.

- Overall number of eligible students not meeting or nearly meeting performance standards in ELA and mathematics during the 2016–17, 2017–18, and 2018–19 school years.

- Amount of funds expended by LEA on extended day intervention strategies during the 2015–16, 2016–17, 2017–18, and 2018–19 school years.

VI. Notice and opportunity to comment has been offered to California stakeholders

Prior to submitting this waiver request, California provided all LEAs in the state with notice and a reasonable opportunity to comment on this request. California provided such notice by posting a public item on the May 2015 agenda for the SBE. Refer to Item X on the SBE Agenda for May 2015 Web page at http://www.cde.ca.gov/be/ag/ag/yr15/agenda201505.asp. The State received _ public comments regarding this issue.

The SBE and the CDE believe this waiver would be beneficial for all participating students and would improve the academic performance of low income students throughout California. The CDE and LEAs are the best qualified to implement tutoring or other supplemental academic enrichment services that are of “high-quality, research-based, and specifically designed to increase student academic achievement” (ESEA, Section 1116[e][12][C]). In addition, funds would be better utilized by allowing LEAs to administer extended day intervention strategies on campus and would reach more eligible students in need of academic assistance statewide. Allowing these programs to be administered by LEAs would increase fiscal and programmatic accountability and reduce overhead costs, leading to a more direct benefit to students.

To date, there has been 43 states and eight large school districts representing over 1 million students in California that have been granted ESEA flexibility, with the majority not providing SES. This proves there is a demand to remove the requirement of SES and substitute other interventions that are more effective for districts, schools, and students.

If you have any questions regarding this request, please contact Keric Ashley, Interim Deputy Superintendent, District, School, and Innovation Branch, by phone at 916-319-0637 or by e-mail at kashley@cde.ca.gov.

Sincerely,

Tom Torlakson
State Superintendent of Public Instruction
California Department of Education

Michael W. Kirst
President
California State Board of Education

TT/MK:ka

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 14

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
California Educator Equity Plan: Proposed Response to the U.S. Department of Education Request for a New Plan	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

The U.S. Department of Education (ED) requested in a letter dated July 7, 2014 to the Chief State School Officers that each state educational agency (SEA) submit an updated California Educator Equity Plan (EEP) in accordance with the requirements of Title I of the Elementary and Secondary Education Act (ESEA) of 1965. By June 1, 2015, as required by ESEA, each SEA must, among other things, describe the steps it will take to ensure that "poor and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers."

Per the *State Plans to Ensure Equitable Access to Excellent Educators Frequently Asked Questions* document (available at http://www2.ed.gov/programs/titleiparta/resources.html), released November 10, 2014:

> Secretary Duncan announced in July 2014 that the U.S. Department of Education (ED) would ask each State educational agency (SEA) to submit a plan describing the steps it will take to ensure that "poor and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers," as required by section 1111(b)(8)(C) of the Elementary and Secondary Education Act of 1965.

Per talking points from ED read on February 4, 2015, at the Council of Chief State School Officers Equity Planning meeting, in developing the new Educator Equity Plan, states are expected to define the following terms: inexperienced teacher, unqualified teacher, out-of-field teacher, poor student, and minority student. States may choose to define additional terms used by the SEA such as "effective" or "highly effective." States are expected to calculate equity gaps for all three statutory terms—inexperienced teacher, unqualified teacher, and out-of-field teacher—based on the State definition of

those terms. Using the most recent available data for all public elementary and secondary schools in the State (i.e., both Title I and non-Title I schools), states should calculate equity gaps between the rates at which poor children are taught by "inexperienced," "unqualified," or "out-of-field" teachers compared to the rates at which other children are taught by these teachers; and the rates at which minority children are taught by "inexperienced," "unqualified," or "out-of-field" teachers compared to the rates at which other children are taught by these teachers.

The new plan is due to the ED on June 1, 2015. This item provides a proposed response to the request from ED.

RECOMMENDATION

California Department of Education (CDE) staff recommends that the State Board of Education (SBE) approve the proposed response and plan as outlined in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

ESEA Section 1112(c)(1)(L) states the SEA is required to ensure through incentives for voluntary transfers, the provision of professional development, recruitment programs, or other effective strategies, that low-income students and minority students are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers. ESEA sections 2123(a)(4)(A) and 2123(a)(4)(B) require that local educational agencies (LEAs) develop and implement initiatives to promote the retention of high quality teachers (HQTs) and principals**,** particularly within elementary schools and secondary schools with a high percentage of low-achieving students.

The No Child Left Behind Act of 2001 (NCLB) reauthorized the ESEA of 1965 and expanded on major reforms, particularly in the areas of state academic standards, assessment, accountability, and school improvement. The largest single program in NCLB is Title I, Part A, which provides LEAs with additional resources to help improve instruction in high-poverty schools and ensure that poor and minority children have the same opportunity as other children to meet challenging state academic standards.

To increase the equitable access of HQTs for all students, the SBE approved the original State Plan for HQT in 2006. The plan was updated in 2007 and again in 2010 to meet evolving ESEA requirements. California's current Teacher Equity Plan (TEP) is available on the CDE Improving Teacher and Principal Quality Web page at http://www.cde.ca.gov/nclb/sr/tq/documents/teacherequityplan.doc.

At its January 2006 meeting, the SBE approved a monitoring process—the Compliance Monitoring, Intervention, and Sanctions (CMIS) program—with implementation beginning in June 2006. The CMIS program was developed by the CDE to monitor the status and equitable distribution of teachers in LEAs. The two primary roles of the CMIS program are to monitor LEAs for compliance with federal laws regarding HQT and to provide technical assistance to LEAs to ensure they are successful in the development

and implementation of a comprehensive plan that addresses the requirements set forth in the State Plan. The CMIS program was authorized by the Legislature in 2007 and has been included in the California State Budget since 2009.

The CMIS program is just one of several reform efforts currently underway to promote equitable access to a high quality education for all of California's students. Information regarding other key actions that support educator excellence and equity are described below. Each of these statewide efforts is designed to ensure that every California student, especially those from historically underserved populations, has access to an excellent education. Together, they serve as the basis for the new plan.

- *Greatness by Design* (*GbD*) (http://www.cde.ca.gov/eo/in/ee.asp) provides recommendations from the Educator Excellence Task Force regarding how to strengthen California's teacher and administrative corps.

- The Local Control Funding Formula (LCFF) (http://www.cde.ca.gov/fg/aa/lc/lcffoverview.asp) provides a supplemental grant equal to 20 percent of the adjusted base grant for targeted disadvantaged students. The LCFF also provides a concentration grant equal to 50 percent of the adjusted base grant for targeted students exceeding 55 percent of an LEA's enrollment.

- The *English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten Through Grade Twelve* (http://www.cde.ca.gov/ci/rl/cf/elaeldfrmwrksbeadopted.asp*)* breaks new ground by providing a blueprint for the implementation of two sets of interrelated standards, reinforcing California's commitment to ensuring the success of English learners.

Attachment 1, a proposed response to the request from ED, provides a summary of the current status of the educator excellence and equity work underway in California and suggests opportunities to build upon this work moving forward.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

September 2010: The SBE approved the revised TEP.

July 2010: The CDE provided to the SBE an ESEA update item including further information regarding the TEP update required by the State Fiscal and Stabilization Fund plan.

June 2010: The CDE provided an information memorandum to the SBE regarding the update of the TEP that detailed proposed changes.

March 2007: The CDE presented an item to the SBE to approve the proposal for the Reauthorization of the NCLB Act of 2001. The item included an outline of the NCLB requirements of specific activities ensuring that all teachers are highly qualified and that poor or minority children are not taught by inexperienced, unqualified, or out-of-field teachers at higher rates than are other children.

September 2006: The SBE directed CDE staff to revise the submitted State Plan of Activities.

July 2006: The SBE approved the State Plan for HQT. This plan detailed strategies for meeting the teacher quality requirements of the ESEA of 2001. Requirement Six of the HQT plan addressed issues specific to the equitable distribution of HQT, which is now known as the TEP.

January 2006: The SBE approved the CMIS program.

FISCAL ANALYSIS (AS APPROPRIATE)

The State currently appropriates approximately $950,000 of Title II funds each year to implement the CMIS program. The CDE anticipates that the cost for the proposed revisions may increase above the Title II funds. If it is determined that additional stakeholder meetings are needed, that cost could be $50,000 to $80,000 depending on the number of meetings held.

ATTACHMENT(S)

Attachment 1: Current Status of Educator Excellence and Equity Work in California: Proposed Response to Request from the U.S. Department of Education Regarding the Development of a New Educator Equity Plan (16 pages)

Current Status of Educator Excellence and Equity Work in California: Proposed Response to Request from the U.S. Department of Education Regarding the Development of a New Educator Equity Plan

This document responds to the U.S. Department of Education (ED) request that each state educational agency (SEA) submit a new Educator Equity Plan (EEP) in accordance with the requirements of Title I of the Elementary and Secondary Education Act (ESEA) of 1965. As required by ESEA, the plan must, among other things, describe the steps the SEA will take to ensure that "poor and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers."

As the chart below shows, California students are very ethnically diverse.

Ethnicity	Number of students	Percentage
African American not Hispanic	384,291	6.16%
American Indian or Alaska Native	38,616	0.62%
Asian	542,540	8.70%
Filipino	151,745	2.43%
Hispanic or Latino	3,321,274	53.25%
Pacific Islander	32,821	0.53%
White not Hispanic	1,559,113	25.00%
Two or More Races Not Hispanic	167,153	2.68%
None Reported	39,119	0.63%
Total	**6,236,672**	**100.00%**

Source: *CalEdFacts* 2013-14. Available on the California Department of Education (CDE) Fingertip Facts on Education in California *CalEdFacts* Web page at http://www.cde.ca.gov/ds/sd/cb/ceffingertipfacts.asp.

In addition, 55 percent of California students are eligible to receive free or reduced price meals.

Given the demographics of the state, California has long been committed to working with diverse stakeholders to provide a high quality education to all students regardless of socioeconomic status or ethnicity. The state is already implementing a number of ambitious and proactive reform efforts designed to achieve the very objectives described in the ESEA. We plan to leverage this work to recruit, prepare, and maintain a highly skilled educator workforce for the benefit of all students and to promote equitable access to an excellent education for students from historically underserved communities in particular. Implemented together, the four major reform efforts described herein provide the foundation for California's educator equity plan.

California's Teacher Equity Plan

In 2007, California revised its State Plan for No Child Left Behind: Highly Qualified Teachers (HQTs) requires LEAs to develop and implement a detailed and coherent set of specific activities to ensure that poor and minority children are not taught by inexperienced, under-qualified, or out-of-field teachers at higher rates than are other children in the district. To facilitate implementation of the State Plan, the Legislature authorized the Compliance Monitoring, Intervention, and Sanctions (CMIS) program in 2007. The CMIS program has been included in the California State Budget since 2009.

The two primary roles of CMIS are to monitor LEAs for compliance with federal laws regarding HQTs and to provide technical assistance to LEAs to ensure they are successful in the development and implementation of a comprehensive plan that addresses the requirements set forth in the State Plan.

LEAs must report the number of ESEA core courses per site and count which of those courses are taught by HQTs, which provides the basis for validating the professional qualifications and certifications of teachers, assignments, and distribution of teachers. This determines which LEAs are compliant or not and the latter are identified and brought into the CMIS program. For purposes of determining equitable distribution within a district, "poor and minority students" are currently identified as those who attend schools in which 40 percent or more of the student population are eligible for Free or Reduced Price Meals. "Schools with a high percentage of low-achieving students" are those that are in Program Improvement status.

The initial year of CMIS placement is Level A for LEAs with less than 100 percent HQTs in ESEA core academic subjects (Elementary/Multiple Subjects, Mathematics, Foundational-Level Mathematics, English/Language Arts/Reading, Biological Sciences, Chemistry, Geosciences, Physics, Science VPSS, Science Foundational, Social Science, Government, Economics, History/Geography, Drama/Theater, Visual Arts, Dance, Music, and Foreign Language) for one school year are notified that they have not had 100 percent highly qualified teachers for one year.

LEAs reporting less than 100 percent HQT in ESEA core academic subjects for two consecutive years are assigned to Level B of the CMIS program. LEAs, identified in Level B are required to create an Equitable Distribution Plan (EDP) which requires that they coordinate, evaluate, and monitor school-wide and district-wide programs and services as they relate to closing the student achievement gap through teacher and principal quality. LEAs are also required to submit a professional development needs assessment as part of the EDP. Analyzing the results of a professional development needs assessment survey is an important and necessary step before writing and implementing a systematic professional development plan.

The LEA must develop and implement policies, strategies, and practices within the EDP, to ensure:

1. Immediate solutions for ensuring all ESEA core academic classes will be taught by HQTs.

2. Immediate solutions for ensuring that poor, minority, and underperforming students have access to experienced and effective teachers through the development of board-approved policy or contract language guiding placement of Short-term Staff Permits and Provisional Intern Permits, and the equitable distribution of interns.

3. Immediate and long-term solutions to ensure retention of highly qualified, experienced, and effective staff.

4. Immediate solutions for ensuring that poor, minority, and underperforming students have access to experienced and effective administrators.

CDE staff reviews submitted EDPs for compliance and likelihood of success and provides technical assistance to LEAs to address any gaps.

Once an LEA has an approved EDP, it submits monitoring data annually to demonstrate progress toward meeting equitable distribution requirements for teachers and principals. The LEA enters the monitoring phase automatically to ensure that the EDP is implemented effectively and the LEA is demonstrating progress toward meeting equitable distribution provisions for three consecutive years. In 2009–10, the CDE began implementation of the online Equitable Distribution Monitoring System (EDMS), located at https://www2.cde.ca.gov/edms/lealogon.aspx, which monitors the LEA's progress toward meeting the equitable distribution of HQTs and principals. Additionally, the CDE uses the EDMS to monitor the LEA's use of non-credentialed (those assigned under short-term staff permits and provisional intern permits) and under-qualified (those assigned under intern credentials and local assignment options) teachers.

LEAs that report less than 100 percent HQT in ESEA core academic subjects for three consecutive years and fail Adequate Yearly Progress (AYP) for three consecutive years move into Level C of the CMIS program. These LEAs enter into an agreement with the CDE per the provisions of Section 2141(c) of the ESEA. The agreement consists of 1) a Non-Compliant Teacher Action Plan, 2) a Memorandum of Understanding that outlines agreed-upon activities regarding the use of funds to ensure all teachers become highly qualified, and 3) a Budget Agreement that reserves sufficient funds to pay for these activities. All three documents are required to be submitted to the CDE.

The CDE received commendations for the early warning and proactive technical assistance elements of the CMIS program from ED staff during a September 2014

Title II Part A monitoring visit. More information regarding the program is available on the CDE CMIS Web page at http://www.cde.ca.gov/nclb/sr/tq/tiicmis.asp.

The Local Control Funding Formula

In California's 2013–14 Budget Act, landmark legislation, the Local Control Funding Formula (LCFF) was enacted and greatly simplifies the school finance system and provides additional resources to schools serving students with greater educational needs. The changes introduced by the LCFF represent a major shift in how the state funds local educational agencies (LEAs), eliminating revenue limits and most state categorical programs. LEAs receive funding based on the demographic profile of the students they serve and gain greater flexibility to use these funds to improve student outcomes.

LEAs receive a base grant based upon average daily attendance with additional funds for students in certain grade spans. In addition, they receive a supplemental grant equal to 20 percent of the base grant based on the number of students eligible to receive free or reduced-price meals, English learners (ELs), and foster youth students, and a concentration grant equal to 50 percent of the adjusted base grant for target students exceeding 55 percent of an LEA's enrollment. LEAs have broad discretion regarding use of the base grants but are required to develop, adopt, and annually update a three-year local control accountability plan (LCAP) in which goals and evidence of how they will be met are established. The law requires LEAs to expand or improve services for high-needs students in proportion to the additional funding that these students bring to the district.

Stakeholder contributions are intrinsic to the implementation of the LCFF at both the state and local levels. Since 2013, the state has organized a series of regionally-based input sessions to provide district, county, charter, and school leaders; teachers; students; parents; and community members with an opportunity to offer local insights regarding various elements of the new funding system, as shown in Appendix A. More information regarding stakeholder input is available on the West Ed LCFF Announcements Web page at http://lcff.wested.org/category/announcements/.

Further, at the local level, each LEA must obtain parent and public input in developing, revising, and updating LCAPs. In a state as large and diverse as California, statewide root cause analyses, as recommended in the ED FAQ document, are unlikely to yield information or strategies that will be relevant or useful at the local level. However, the LCFF has put in place a requirement that LEAs regularly engage local stakeholders in the process of using data to establish goals and define the measures that will be used to monitor and evaluate progress toward these goals.

Although it is too soon to quantify the impacts of the LCFF on outcomes for economically disadvantaged students, foster youth students, and ELs, we anticipate that this renewed focus on and dedication of fiscal resources to meeting the needs of

these students will improve their academic achievement. More information regarding the LCFF is available on the CDE LCFF Overview Web page at http://www.cde.ca.gov/fg/aa/lc/lcffoverview.asp.

Greatness by Design

California educators understand the teacher in the classroom can have the largest impact on student achievement and in 2012, the CDE and the Commission on Teacher Credentialing (CTC) convened the California Educator Excellence Task Force (EETF), co-chaired by two nationally recognized education leaders: CTC Chair Dr. Linda Darling-Hammond and Superintendent Chris Steinhauser of Long Beach Unified School District. The task force was comprised of more than 50 education stakeholders—including parents, K–12 educators, postsecondary educators, researchers, and community leaders (listed in Appendix B). The EETF was charged with drafting recommended actions that could be woven together into a coherent system that would produce exceptional teachers and principals.

In September 2012, after more than six months of deliberation among EETF work groups, the task force produced a report of its recommendations: *Greatness by Design: Supporting Outstanding Teaching to Sustain a Golden State (GbD*). More information regarding the EETF and *GbD* are available on the CDE EETF Web page at http://www.cde.ca.gov/eo/in/ee.asp.

The *GbD* recommendations address a wide range of education issues in California, focusing broadly on recruitment, preparation, induction, professional learning, evaluation, and leadership. Implementation of many of the *GbD* recommendations is well underway, including the following activities:

- The CDE convened a group of educators from across the state to guide the development of the Quality Professional Learning Standards (QPLS). The QPLS identify a clear outcome for professional learning—to continuously develop educators' capacity to teach and lead so that all students learn and thrive—and seven interdependent professional learning standards that focus on data, content and pedagogy, equity, design and structure, collaboration and shared accountability, resources, and alignment and coherence. By utilizing the QPLS, educators, policymakers, education officials, and other stakeholders will share a common understanding regarding the features of high quality professional learning and how best to support it.

- The CDE is currently overseeing a promising grant project, the Resourcing Professional Learning Systems (RPLS) project, led by the University of California, Davis, and REEd Center, which is focusing on developing a generative process to help LEAs build their own instructional capacity to resource professional growth. The project is designed to inform state, regional, and local policymakers about effective strategies to help each education level focus on

specific problems of practice and identify existing, new, or repurposed resources to solve those problems.

RPLS' charge is to engage "Design Teams" in a facilitated process to develop and test their own continuous improvement plan. Regardless of where the Design Teams begin, the desired end result is the development of an integrated professional learning system and the site-based conditions needed to support and sustain that system. The project is supporting labor-management collaboration within several of the Design Teams by providing expertise and opportunities to collaborate on building their integrated professional learning systems to support professional growth and includes targeting problems of practice aligned to educator evaluation, peer assistance review, induction, leadership, and a substantive number of other practices and professional learning system components identified in *GbD*.

- The CTC adopted revised Design Standards for Teaching Performance Assessments in December 2014 and the Performance Assessment Task Group is working on related program implementation standards. The Commission took action in 2013 to require all Preliminary Administrative Services candidates to pass a performance assessment.

- The CTC adopted revised California Professional Standards for Educational Leaders (CPSEL) in February 2014. The CPSEL have been posted on the CDE Teaching and Leading Web page at http://www.cde.ca.gov/pd/ps/teachingleading.asp. Work is currently underway to update the current "Descriptions of Practice" exemplifying candidate performance at different levels along a continuum of professional practice relating to each of the CPSEL.

California's English Language Arts/English Language Development Framework

Achievement of English learners in California is a major concern as more than 40 percent of students in California speak a language other than English, and about 25 percent of the entire student population is not yet fluent in English. These 1.4 million English learners (ELs) represent a range of cultural, linguistic, and socioeconomic backgrounds; varying levels of formal schooling, proficiency in their native languages and English literacy; and a diversity of experiences in the home, school, and community. These students enter school with language abilities very different from monolingual English-speaking students.

To support the academic achievement of California's ELs, in November 2012 the SBE adopted new *California English Language Development Standards* (CA ELD Standards). The CA ELD Standards are aligned to the *California Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects* (CA CCSS for ELA/Literacy) and were designed with a dual

purpose: to guide the instruction of ELD and to supplement the CA CCSS for ELA/Literacy as well as California's other content standards.

In July 2014, the SBE adopted the *English Language Arts/English Language Development Framework for California Public Schools (Framework).* This is the first time in the nation that a state has adopted dual guidelines in one publication for both ELA and ELD. By combining both sets of standards into a coherent curriculum framework, California has made clear that its goal is to prepare all students for literacy in the 21st century.

The *Framework* provides guidance to teachers implementing the CA CCSS for ELA/Literacy as well as the CA ELD Standards, including instructional strategies and resources such as vignettes and models that teachers may use to strengthen the learning for every student. It provides guidance to schools and districts on curriculum, instructional programs, assessment, leadership, professional learning, and issues of equity and access. The *Framework* was developed by educators and literacy experts, most of whom are teachers in California classrooms. Information regarding these stakeholders is provided in Attachment C.

The *Framework* is the first comprehensive document which supports the implementation and integration of the CA CCSS for ELA/Literacy and the CA ELD Standards, reinforcing California's commitment to ensuring that California's ELs make academic progress as they also develop critical knowledge about, and proficiency using, the English language in grade-level, rigorous curriculum. It provides examples which help demonstrate the shared responsibility of all teachers, educators, and community members to work collaboratively to promote academic literacy across all content areas. The *Framework* provides guidance regarding universal access to standards-based instruction and addresses the need for differentiated instruction. This includes different types of scaffolding and strategies to identify the needs of all learners (including ELs, long term ELs, advanced learners, students with disabilities, and Standard ELs). The *Framework* provides demonstrations on the strategic use of technology as an instructional tool in the classroom and in professional learning for teachers. It also identifies the different purposes and various types of assessments with a guiding focus on the use of the formative assessment process. Finally, the *Framework* integrates and identifies ways to build requisite 21st century skills, including critical thinking, creativity and innovation, communication, and collaboration.

The CDE, in collaboration with education stakeholders across the state, has been supporting a series of events to disseminate this important document. Using guidance, examples, and instructional models from the *Framework*, the sessions help support teachers, schools, and districts to implement the CA CCSS for ELA/Literacy and the CA ELD Standards. Each day-long event begins with an introduction to the document from the primary writers, highlighting the wealth of resources and research for all educators. Every one of these events has been sold out, indicating the commitment of California's education community to the success of all students.

The *Framework* chapters and resources to support its implementation are available on the CDE SBE-Adopted ELA/ELD Framework Chapters Web page at http://www.cde.ca.gov/ci/rl/cf/elaeldfrmwrksbeadopted.asp.

Next Steps

California's proactive educator excellence and equity work aligns with the July 2014 Excellent Educators for All initiative. The importance of this work and the significant state investment; particularly in schools that receive supplemental and concentration grants based on socioeconomically disadvantaged students, English learners, and foster youth; are specifically designed to close identified equity gaps statewide. California will continue this pioneering work, build upon, and improve the success of existing efforts moving forward. For example:

- We will continue to implement the recommendations in *GbD* to support educators throughout their professional careers. *GbD* work in progress includes reinstating a loan forgiveness program for teachers who elect to serve in underserved communities and exploring the establishment of clinical training sites and urban teacher residencies to create a pipeline of teachers who are well-prepared to serve students in high-need schools.

- We intend to expand educator professional learning regarding the contents of the *Framework* to facilitate educator understanding of instructional strategies that will support the literacy of all California students.

- We plan to refine the CMIS program to shift the emphasis from highly qualified teachers for all students toward more strategic, targeted support for LEAs who have equitable distribution issues which may require different types of support or interventions.

- We will continue to engage the stakeholders who have already had an impact on the reforms currently in place.

EdTrust has stated that fewer than half of all states have separate educator equity plans on file with ED. California has a strong Educator Equity Plan. The state will continue to identify equity gaps and potential equity issues within the state as requested by ED. The CDE will work with internal and external stakeholders to analyze the gaps and issues, which may lead to revisions and updates to our plan and identifying opportunities to strengthen the current efforts in place.

Appendix A: Public Input Events for LCFF and LCAP

Date	Location	Event
July 10, 2013	California Department of Education (CDE), Sacramento Live Webcast	SBE Item 7 (Summary, timeline, and *Education Code*)
July 23, 2013	Sacramento	LCFF Implementation Working Group
August 8, 2013	Primary: Los Angeles County Office of Education (COE) Remote: San Diego COE	Regional Input Meetings
August 12, 2013	Primary: Sacramento COE Remote: Shasta COE	
August 13, 2013	Primary: Kern COE Remote: Fresno COE	
August 23, 2013	CDE, Sacramento	LCFF Implementation Working Group
September 4, 2013	CDE, Sacramento Live Webcast	SBE Item 6 (Roles, outreach, and updates)
September 19, 2013	WestEd Office, Sacramento	LCFF Implementation Working Group
September 30, 2013	South Kern	LCFF Community Forums Hosted by the California Endowment (Feedback collected at events added to public comment database organized by WestEd)
October 7, 2013	Eastern Coachella Valley	
October 9, 2013	South Sacramento	
October 21, 2013	East Oakland	
October 22, 2013	Richmond	
October 24, 2013	Southwest Merced/East Merced County	
October 28, 2013	Los Angeles	
October 29, 2013	Central Santa Ana	
November 4, 2013	East Salinas (Alisal)	
November 7, 2013	Fresno	
November 9, 2013	City Heights (San Diego)	
November 13, 2013	Del Norte & Adjacent Tribal Lands	
October 24, 2013	CDE, Sacramento	LCFF Implementation Working Group

Date	Location	Event
November 7, 2013	CDE, Sacramento Live Webcast	SBE Item 13 and 14 (guidance, updates, criteria and standards for fiscal stability, released for public comment and review: preliminary draft of LCFF expenditure of funds regulations and LCAP Template)
January 16, 2014	CDE, Sacramento Live Webcast	SBE Items 20 and 21 (Adoption of emergency regulations and commencement of rulemaking process)
February 1, 2014		45-day public comment period on LCFF regulations
March 12, 2014	CDE, Sacramento Live Webcast	SBE Items 1, 2, and 30 (updates, resources, regulations, and rulemaking process)
May 8, 2014	CDE, Sacramento Live Webcast	Items 10 and 11 (updates, resources, and California Collaborative for Educational Excellence)
July 9–10, 2014	CDE, Sacramento Live Webcast	Items 1 , 11, 16, and 17 (updates, issues, resources, and commence 15-day public comment period for regulations)
September 3–4, 2014	CDE, Sacramento Live Webcast	Items 15, 17, and 18 (regulations, updates, issues, resources, and commence 15-day public comment period for regulations)
September 15, 2014	Sacramento COE, Mather	LCFF Evaluation Rubric Input Sessions
September 16, 2014	San Mateo COE, Redwood City	
September 22, 2014	Fresno COE, Fresno	
September 22, 2014	LA COE, Downey	
September 18–19, 2014	Virtual Input Option	

Date	Location	Event
October 10, 2014	Sacramento City School District, Sacramento	Evaluation Rubrics Design Input Session, Policy Stakeholder Input
November 14, 2014	CDE, Sacramento Live Webcast	Items 13 and 14 (issues, resources, updates, rubric development, and regulations)
January 14, 2015	CDE, Sacramento	Items 4 and 5 (issues, resources, rubric development, and report to Legislature)
January 23, 2015	San Bernardino Superintendent of Schools, Rancho Cucamonga,	Evaluation Rubric Input Sessions
January 26, 2015	Sacramento COE, Mather	
January 27, 2015	Alameda COE, Hayward	
January 28, 2015	Fresno COE, Fresno	
February 5, 2015	Ashford University, San Diego	
January 23–26, 2015	Virtual Input Option	
March 11, 2015	CDE, Sacramento	Item 6 (rubric development and new accountability system)
March 26, 2015	Orange COE, Costa Mesa	Evaluation Rubric Input Sessions
March 30, 2015	Kern County Superintendent of Schools, Bakersfield	
April 1, 2015	Monterey COE, Salinas	
April 1, 2015	Riverside COE, Riverside	
April 2, 2015	Sacramento COE, Sacramento	
April 2, 2015	Santa Clara COE, San Jose	

Appendix B: Educator Excellence Task Force/*Greatness by Design* Participants

Educator Preparation		
First Name	**Organization Name/Employer**	**Role**
Paula Cordeiro	University of San Diego	Dean of the School of Leadership and Education
Linda Darling-Hammond	Stanford University School of Education	Charles Ducommun Professor or Education, Stanford University, Co-director of Redesign Network
Katie Croy	Commission on Teacher Credentialing (CTC)	Staff
Jeff Gilbert	Marrakech House at Hillsdale High School	Lead Principal
Victoria Graf	Loyola Marymount University	Professor, Director of Special Education Program
Tara Kini	Public Advocates	Staff Attorney
Meera Mani	Packard Foundation	Director
Roxanna Villasenor	Valley High School	Vice Principal
Sue Westbrook	California Federation of Teachers (CFT)	Retired - Ocean View School District
Beverly Young	California State University (CSU) System, Long Beach	CTC Commissioner & Vice Chancellor, CSU
Induction		
First Name	**Organization Name/Employer**	**Role**
Rebecca Cheung	UC Berkeley	Academic Coordinator
Cindy Gappa	Tehama County Office of Education (COE)	Induction Regional Director
Karen Sacramento	CTC	Staff
Debbie Ashmore	Musick Elementary School, Newark Unified School District (USD)	Principal
Constance Blackburn	CTC	Commissioner & Teacher
Ellen Moir	New Teacher Center	Executive Director
Sue Rich	Stanislaus COE	Assistant Superintendent
Ilene Straus	State Board of Education (SBE)	SBE Member

Professional Learning		
First Name	**Organization Name/Employer**	**Role**
Holly Jacobson	Center for the Future of Teaching and Learning - WestEd	Director
Maria Santos	Oakland USD	Deputy Superintendent
Marcia Trott	California Department of Education (CDE)	Staff
Mark Archon	Madera COE	Director
Maureen Burness	Folsom Cordova USD	Retired Administrator, Special Education
Carole Cobb	Los Angeles USD	Curriculum Designer, Program Developer, Teacher
Cynthia Grutzik	CSU Dominguez Hills	Associate Dean, School of Education
Daly Jordan-Koch	Vallejo City School District	Teacher
Doreen Osumi	Yuba City USD	Assistant Superintendent, Educational Services
David Rattray	Los Angeles Chamber of Commerce	Executive Vice President, Education & Workforce Development
Educator Evaluation		
First Name	**Organization Name/Employer**	**Role**
Martha Infante	Los Angeles Academy Middle School, LAUSD	Teacher
Chris Steinhauser	Long Beach USD	Superintendent
Erin Koepke	CDE	Staff
Matthew Alexander	June Jordan School for Equity, San Francisco USD	Principal
Donna Artukovic	PTA	Parent
Larry Ferlazzo	Burbank High School, Sacramento City USD	Teacher
Roberta Furger	PICO California	Associate Director
Senator Lowenthal	Senate	Senator
Beth Graybill	Senate	Senatorial Staff
Gary Ravani	CFT/Early Childhood/ K–12 President	President
Merrill Vargo	Pivot Learning Partners	Executive Director

Dean Vogel	CTA	President
Leadership & Career Development		
First Name	**Organization Name/Employer**	**Role**
Ken Futernick	WestEd	Director
Debbra Lindo	Emery School District	Superintendent
Lynda Nichols	CDE	Staff
Rafael Balderas	LAUSD	Principal
Carol Hansen	ABC USD	Assistant Superintendent
Kelly Kovacic	Preuss School at UC San Diego	Teacher
Kim Mecum	Fresno USD	Associate Superintendent
Francisco Rodriquez	Mira Costa College	Community College president
Page Tompkins	Reach Institute	Executive Director
Angelo Williams	California School Boards Association	Executive Director
Legislators		
First Name	**Organization Name/Employer**	**Role**
Susan Bonilla	Legislature	Assemblymember

Appendix C: ELA/ELD CFCC Approved Applicants

Applicants appointed by the State Board of Education to the English Language Arts/English Language Development (ELA/ELD) Curriculum Framework and Evaluation Criteria Committee (CFCC). The SBE officially appointed the CFCC members at its November 7–8, 2012 meeting.

Name	Employer	Position
Shervaughnna Anderson-Demiraz	University of California Los Angeles	Director of Reading Programs
Krista Aziz	Sweetwater Union High School District	Education Specialist
Robert Calfee	Stanford University, School of Education	Professor Emeritus, On Recall
Silvia Dorta-Duque De Reyes	San Diego County Office of Education	Coordinator
Alexandra Fletcher	Mayfair High School, Bellflower Unified School District	English Teacher, Department Chair
Martha Hernandez Co-Chair	Ventura County Office of Education	Director, Curriculum and Instruction
Jeanne Jelnick	Irvine Unified School District	Teacher
Donna Jordan	San Bernardino City Unified School District	Teacher
Deborah Keys	Self	Consultant
Margaret Lozano	Los Angeles Unified School District	Teacher
Shannon Maveety	Rocklin Unified School District	Teacher, Department Chair
Janice Orton	California School for the Deaf, Fremont	Middle School Literacy Teacher Specialist
Kathy Pedroza	Jurupa Unified School District	Dual Language Kindergarten Teacher
Paul Pinza	Campbell Union High School District	English teacher & ELD Chair
Madhumita (Mita) Ponce	Los Angeles Unified School District	Teacher
Carla Quinonez	Dinuba Unified School District	Sixth Grade Teacher
Michael Smith	West Ranch High School, William S. Hart High School	English Teacher

Name	Employer	Position
	District	
Charlene Stringham	Tulare County Office of Education	Student Support & Academic Services Administrator
Rebecca “Becky” Sullivan Co-Chair	Sacramento County Office of Education	Director, Professional Development ELA
Deborah Thomas	Fruitvale School District	Fourth Grade Teacher

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

WAIVER ITEM W-01

ITEM #W-01

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

☒ **General Waiver**

SUBJECT Requests by four local educational agencies to waive portions of *California Code of Regulations*, Title 5, Section 11963.6(a) and (c), relating to the submission and action on determination of funding requests regarding nonclassroom-based instruction. Waiver Numbers: Glenn County Office of Education 21-1-2015 Kings Canyon Joint Unified School District 8-2-2015 New Jerusalem Elementary School District 2-2-2015 Ravendale-Termo Elementary School District 18-2-2015	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

Four local educational agencies are requesting, on behalf of the charter schools identified in Attachment 1, that the California State Board of Education (SBE) waive portions of *California Code of Regulations*, Title 5 (5 *CCR*), Section 11963.6(a) and (c), as applicable, in order to allow the charter schools to request a non-prospective funding determination for their respective funding period.

The four charter schools each submitted a determination of funding request after the required deadline, thereby making the request retroactive. If the waivers are approved by the SBE, the charter schools may then submit the retroactive funding determination requests for consideration by the Advisory Commission on Charter Schools (ACCS) and the SBE.

Authority for Waiver: *Education Code* (*EC*) Section 33050

RECOMMENDATION

☒ **Approval** ☐ **Approval with conditions** ☐ **Denial**

The California Department of Education (CDE) recommends that the SBE approve the requests by the Glenn County Office of Education and New Jerusalem Elementary School District to waive specific portions of 5 *CCR*, Section 11963.6(a), and requests by the Ravendale-Termo Elementary School District and Kings Canyon Joint Unified School District to waive specific portions of 5 *CCR*, Section 11963.6(c), in order to allow the specified charter schools to submit determination of funding requests for the specified fiscal year. Approval of these waiver requests will also allow the SBE to

consider the requests, which are retroactive. Without the waiver, the SBE may not consider the determination of funding request and the charter school's nonclassroom-based average daily attendance (ADA) may not be funded for the affected fiscal year.

SUMMARY OF KEY ISSUES

EC sections 47612.5 and 47634.2 established the eligibility requirements for apportionment funding for charter schools that offer nonclassroom-based instruction. The statutes specify that a charter school may receive apportionment funding for nonclassroom-based instruction only if a determination of funding is made by the SBE. The CDE reviews a charter school's determination of funding request and presents it for consideration to the ACCS, pursuant to relevant 5 *CCR*.

Pursuant to 5 *CCR*, Section 11963.6(a), an approved determination of funding for a new nonclassroom-based charter school in its first year of operation must be submitted by December 1 and shall be for two fiscal years.

Pursuant to 5 *CCR*, Section 11963.6(c), any determination of funding request approved by the SBE for an existing nonclassroom-based charter school must be prospective (not for the current year) and in increments of a minimum of two years and a maximum of five years in length. In addition, the funding determination request must be submitted by February 1 of the fiscal year prior to the year the funding determination will be effective.

Each of the four charter schools submitted a determination of funding request after the required deadline, thereby making the request retroactive.

Demographic Information:

Glenn County Office of Education is requesting a waiver for Success One! which serves a student population of 89 and is located in a small city in Glenn County.

Kings Canyon Joint Unified School District is requesting a waiver for Dunlap Leadership Academy which serves a student population of 62 and is located in a rural area in Fresno County.

New Jerusalem Elementary School District is requesting a waiver for Delta Charter Online which serves a student population of 334 and is located in a rural area in San Joaquin County.

Ravendale-Termo Elementary School District is requesting a waiver for Long Valley Charter School which serves a student population of 320 and is located in a rural area in Lassen County.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* Section 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has approved similar waiver requests regarding retroactive funding determination requests for charter schools that offer nonclassroom-based instruction.

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver request will allow the SBE to consider the charter school's determination of funding request. Subsequent approval of the determination of funding request by the SBE will allow the charter school's nonclassroom-based ADA to be funded at the funding determination rate approved by the SBE for the specified fiscal year.

ATTACHMENT(S)

Attachment 1: Local Educational Agencies Requesting Waiver of Nonclassroom-Based (NCB) Funding Determination Request Deadline (1 Page)

Attachment 2: Glenn County Office of Education General Waiver Request 21-1-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Kings Canyon Joint Unified School District General Waiver Request 8-2-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: New Jerusalem Elementary School District General Waiver Request 2-2-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Ravendale-Termo Elementary School District General Waiver Request 18-2-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Local Educational Agencies Requesting Waiver of Nonclassroom-Based (NCB) Funding Determination Request Deadline

Waiver Number	Local Educational Agency (Charter Authorizer)	Charter School (Charter Number / CDS Code)	First Year of Operation	NCB Funding Determination Period of Request	Public Hearing and Local Board Approval Date	Public Hearing Advertisement	SSC/Advisory Committee Position
21-1-2015	Glenn County Office of Education	Success One! (1666 / 11-10116-0130724)	2014–15	**Requested:** July 1, 2014 to June 30, 2015 **Recommended:** July 1, 2014 to June 30, 2015	1/21/2015	Posted at four county office buildings	Glenn County Board of Education 1/21/2015 **No objections**
8-2-2015	Kings Canyon Joint Unified School District	Dunlap Leadership Academy (1074 / 10-62265-0116640)	2008–09	**Requested:** July 1, 2014 to June 30, 2016 **Recommended:** July 1, 2014 to June 30, 2015	2/10/2015	Website and posting in lobby of date of hearing and board meeting	Kings Canyon Joint Unified School District Governing Board 2/10/2015 **No objections**
2-2-2015	New Jerusalem Elementary School District	Delta Charter Online (1654 / 39-68627-0130864)	2014–15	**Requested:** July 1, 2014 to June 30, 2015 **Recommended:** July 1, 2014 to June 30, 2015	2/3/2015	School Site Office, District Office, Fire Department, and River Club	New Jerusalem Elementary School District Board of Trustee 2/3/2015 **No objections**
18-2-2015	Ravendale-Termo Elementary School District	Long Valley Charter School (1549 / 18-64162-6010763)	2013–14	**Requested:** July 1, 2014 to June 30, 2015 **Recommended:** July 1, 2014 to June 30, 2015	2/23/2015	Posted at two public buildings in District: Ravendale Post Office and Juniper Ridge Elementary School	Long Valley Charter School Board of Directors 2/17/2015 **No objections**

Created by California Department of Education
March 19, 2015

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1110116 Waiver Number: 21-1-2015 Active Year: 2015

Date In: 1/22/2015 11:33:41 AM

Local Education Agency: Glenn County Office of Education
Address: 311 South Villa Ave.
Willows, CA 95988

Start: 7/1/2014 End: 6/30/2015

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Nonclassroom-Based Funding
Ed Code Section: Title V Section 11963.6 (c)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: September 19, 2014 Determination of funding requests for nonclassroom-based charter schools for fiscal year 2014-15 New charter schools in their first year of operation in fiscal year 2014-15 must submit a determination of funding request to the CDE on or before [December 1, 2014]

Outcome Rationale: There was a quick turnover in administration and a new principal was hired for the 2014-15 school year, subsequently, the determination of funding request has not been submitted by the deadline. We request that the deadline be removed so that the funding request may be submitted, as it is now completed.

Student Population: 89

City Type: Small

Public Hearing Date: 1/21/2015
Public Hearing Advertised: Posted at four county office buildings

Local Board Approval Date: 1/21/2015

Community Council Reviewed By: Glenn County Board of Education
Community Council Reviewed Date: 1/21/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Dusty Thompson
Position: Financial Analyst
E-mail: dthompson@glenncoe.org
Telephone: 530-934-6575 x3058
Fax:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1062265 Waiver Number: 8-2-2015 Active Year: 2015

Date In: 2/13/2015 10:16:19 AM

Local Education Agency: Kings Canyon Joint Unified School District
Address: 675 West Manning Ave.
Reedley, CA 93654

Start: 7/1/2014 End: 6/30/2016

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Nonclassroom-Based Funding
Ed Code Section: 11963.6 (c)
Ed Code Authority: 33050

Ed Code or CCR to Waive: 11963.6 (c) Any determination of funding request approved by the State Board of Education for an existing nonclassroom-based charter school from the 2006-07 fiscal year forward shall be prospective (not for the current year), in increments of a minimum of two years and a maximum of five years in length. Beginning with the 2007-08 fiscal year, nonclassroom-based charter schools that had a funding determination in the prior year must submit a funding determination request by February 1 of the fiscal year prior to the year the funding determination will be effective, when a new request is required under these regulations.

Outcome Rationale: Our Nonclassroom-based funding determination was due February 1, 2014 and we submitted in January 2015 for the February 2015 deadline. Our District was a year off in submitted the paperwork and we appologize for our late submittal. Please let us know if there is anything further we need to do.

Student Population: 62

City Type: Rural

Public Hearing Date: 2/10/2015
Public Hearing Advertised: Website and posting in lobby of date of hearing and board meeting.

Local Board Approval Date: 2/10/2015

Community Council Reviewed By: School District Governing Board
Community Council Reviewed Date: 2/10/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Adele Nikkel
Position: Dir. Fiscal Services
E-mail: nikkel-a@kcusd.com
Telephone: 559-305-7028
Fax:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3968627 Waiver Number: 2-2-2015 Active Year: 2015

Date In: 2/4/2015 8:00:36 AM

Local Education Agency: New Jerusalem Elementary School District
Address: 31400 South Koster Rd.
Tracy, CA 95304

Start: 7/1/2014 End: 6/30/2015

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Nonclassroom-Based Funding
Ed Code Section: 5 *CCR* Section 11963.6(c)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: (d) (1) Notwithstanding any other provision of law and except as provided in paragraph (1) of subdivision (e), a charter school that has an approved charter may receive funding for nonclassroom-based instruction only if a determination for funding is made pursuant to Section 47634.2 by the State Board of Education. The determination for funding shall be subject to any conditions or limitations the State Board of Education may prescribe. The State Board of Education shall adopt regulations on or before February 1, 2002, that define and establish general rules governing nonclassroom-based instruction that apply to all charter schools and to the process for determining funding of nonclassroom-based instruction by charter schools offering nonclassroom-based instruction other than the nonclassroom-based instruction allowed by paragraph (1) of subdivision (e). Nonclassroom-based instruction includes, but is not limited to, independent study, home study, work study, and distance and computer-based education. In prescribing any conditions or limitations relating to the qualifications of instructional personnel, the State Board of Education shall be guided by subdivision (l) of Section 47605.

Outcome Rationale: Official State notification of the funding determination process for Delta Charter Online was not received until January 2015.

Student Population: 334

City Type: Rural

Public Hearing Date: 2/3/2015
Public Hearing Advertised: School Site Office, District Office, Fire Department, River Club

Local Board Approval Date: 2/3/2015

Community Council Reviewed By: New Jerusalem Elementary School District Board of Trustees

Community Council Reviewed Date: 2/3/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Lisa McHugh
Position: Chief Business Official
E-mail: lmchugh@sjcoe.net
Telephone: 209-740-4699 x1102
Fax: 209-830-9003

Bargaining Unit Date: 01/28/2015
Name: New Jerusalem Educators' Association
Representative: Jennifer Vick
Title: Union Representative/Teacher
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1864162 Waiver Number: 18-2-2015 Active Year: 2015

Date In: 2/24/2015 8:02:53 AM

Local Education Agency: Ravendale-Termo Elementary School District
Address: 709-855 Termo-Grasshopper Rd.
Termo, CA 96132

Start: 7/1/2014 End: 6/30/2015

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Nonclassroom-Based Funding
Ed Code Section: 11963.6(c)
Ed Code Authority: *Education Code* Section 33050 (general waiver)

Ed Code or *CCR* to Waive: *Education Code* 47634.2 and 5 *CCR* Section 11963.6(c):
Any determination of funding request approved by the State Board of Education for an existing nonclassroom-based charter school from the 2006-07 fiscal year forward shall be prospective (not for the current year), in increments of a minimum of two years and a maximum of five years in length. [Beginning with the 2007-08 fiscal year, nonclassroom-based charter schools that had a funding determination in the prior year must submit a funding determination request by February 1 of the fiscal year prior to the year the funding determination will be effective, when a new request is required under these regulations.]

Outcome Rationale: This waiver will permit Long View Charter School ("LVCS") to submit a late request for a funding determination to the CDE and be eligible for 100% funding for the next five school years to support the school's educational program and operations. The funding determination request was due to the CDE by February 1, 2015. The State Board of Education ("SBE") approved LVCS's prior funding determination as a "new school" because LVCS had a new authorizer and, therefore, a new CDS Code, at the March 13-14, 2013 SBE meeting. This determination was for 100% funding for 2 years, 2013-14 through 2014-15. LVCS erred in not submitting a timely request for a funding determination as a continuing charter school for 2015-16 because it thought that filing its 2013-14 unaudited actual report and Funding Determination Form based on the school's actual second-year budget (2014-15) required by Sept. 30, 2014 and filed with the CDE Charter Schools Office, constituted its 2015-16 funding determination request.

Student Population: 320

City Type: Rural

Public Hearing Date: 2/23/2015
Public Hearing Advertised: Posted at 2 public buildings in District: Ravendale Post Office &

Juniper Ridge Elementary School

Local Board Approval Date: 2/23/2015

Community Council Reviewed By: Long Valley Charter School Board of Directors
Community Council Reviewed Date: 2/17/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Sherri Morgan
Position: Director- Long Valley Charter School
E-mail: smorgan@longvalleycs.org
Telephone: 530-832-5507
Fax: 530-257-8246

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

WAIVER ITEM W-02

ITEM #W-02

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

☒ **General Waiver**

SUBJECT Request by **Alpaugh Unified School District** for a renewal to waive portions of California *Education Code* Section 51745.6, and *California Code of Regulations,* Title 5, Section 11704, and portions of Section 11963.4(A)(3), related to charter school independent study pupil-to-teacher ratio to allow an increase from 25:1 to a 27.5:1 pupil-to-teacher ratio at Central California Connections Academy Charter School. Waiver Number: 12-1-2015	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

Alpaugh Unified School District (USD) submitted a renewal waiver request to the State Board of Education (SBE) to increase the pupil-to-teacher ratio from 25:1 to 27.5:1 at Central California Connections Academy Charter School (CenCA). The SBE approved the previous waiver for this school on January 15, 2014.

Authority for Waiver: *Education Code (EC)* Section 33050

RECOMMENDATION

☐ **Approval** ☒ **Approval with conditions** ☐ **Denial**

The California Department of Education (CDE) recommends approval of this waiver request with conditions for a period of two years less one day. Therefore, *EC* Section 33051(b) will not apply, and the district will need to reapply if they wish to renew the waiver.

1. Alpaugh USD will spend all excess funds generated by the increased pupil-to-certificated-employee ratio on students enrolled in CenCA.

2. CenCA will provide an annual assurance report that includes average daily attendance (ADA)-to-teacher ratios, revenues, and expenditures generated at this school to the CDE.

SUMMARY OF KEY ISSUES

EC Section 51745.6 and *California Code of Regulations*, Title 5, Section 11704, and portions of Section 11963.4(A)(3), establish minimum requirements for ADA-to-teacher ratios in independent study that apply to non-classroom-based charter schools. In essence, these sections require that the ratio meet the following criteria:

- The ratio cannot exceed the equivalent ratio of ADA-to-full-time certificated employees for all other educational programs operated by the high school or USD with the largest ADA of pupils in that county.

- In a charter school, the ratio may be calculated by using a fixed ADA-to-certificated-employee ratio of 25:1, or by a ratio of less than 25 pupils per certificated employee.

Demographic Information:

CenCA is an existing virtual school in the Alpaugh USD.

Due to the small size of the school, as well as the mobility of the students in and out of the school, it is difficult to predict the actual ADA for the year, which in turn makes it difficult to forecast revenues. Despite the fact that funding has increased under the Local Control Funding Formula, there is still a predicted volatility in the fiscal situation of the school, due both to the state's changing fiscal situation as well as to the enrollment, attendance, and demographics of the student body each year. With the waiver, additional flexibility in staffing would be available which would help with both the finances of the school as well as compliance with independent study regulations for non-classroom-based charter schools.

CenCA states that an increase in the pupil-to-teacher ratio will allow cost savings while maximizing the resources that a virtual school can offer to students. Under the same terms stated in the original waiver request, Alpaugh USD has promised that, if additional revenue results from the increased ratio, it will be directed back to services which support student learning in the virtual environment, such as enhanced curricular offerings, increased test preparation services, increased remediation and intervention services for struggling students, and/or increased access to technology tools, with the ultimate goal of improving efficiency of operations while enhancing student academic performance.

The school is fully participating in the Smarter Balanced Assessment Consortium testing, which will allow further proof of the quality of the academic program in future years.

The rationale provided by CenCA for raising the ADA ratio is as follows:

- All revenues will be used to support student services such as enhanced curricular offerings, increased test preparation services, increased remediation

and interventions for struggling students, and increased access to technology tools.

- An increase in the pupil-to-teacher ratio will allow cost savings while maximizing the resources that a virtual school can offer to students.

Alpaugh USD's CenCA has a student population of 313 and is located in a rural community in Tulare County.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE approved the previous waiver for this school on January 15, 2014. This is a request for a renewal of the waiver to raise the pupil-to-teacher ratio of this charter school to 27.5:1. The requested waiver falls within the SBE Independent Study ADA-to-teacher ratio (http://www.cde.ca.gov/be/ms/po/policy01-03-apr2001.asp), which states that a waiver shall not be greater than 10 percent above the ratio that would be applicable absent the waiver and this agreed-upon new maximum ratio will be maintained under the waiver.

FISCAL ANALYSIS (AS APPROPRIATE)

The increased pupil-to-teacher ratio would result in cost savings for the charter school and increased ADA claims from the state.

ATTACHMENT(S)

Attachment 1: Summary Table of Independent Study State Board of Education Waiver (1 Page)

Attachment 2: Alpaugh Unified School District; General Waiver Request 12-1-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Central California Connections Academy Charter School Discussion of Fiscal Situation (1 Page)

Summary Table of Independent Study State Board of Education Waiver

Waiver Number	County Office of Education/ District Name, Size of District, and Previous Waiver Approval Date	Pupil-to-Teacher Ratio Requested (if waiver of California *Education Code [EC]* Section 51745.6 and *California Code of Regulations*, Title 5, Section 11704 and Portions of Section 11963.4(a)(3)	Period of Request	Renewal Waiver?	Certificated Bargaining Unit Name and Representative, Date of Action, and Position	Advisory Committee/ School Site Council Name, Date of Review, and Any Objections
12-1-2015	Alpaugh Unified School District (USD) 313 Total Students January 15, 2014	Increase from 25:1 to 27.5:1. Small online charter; no teacher will experience 27.5:1 at any given time.	**Requested:** July 1, 2015 through June 29, 2017 **Recommended:** July 1, 2015 through June 29, 2017	Yes	No Bargaining Unit	Charter School Board of Directors, Central California Connections Academy October 28, 2014 **No objections**

Conditions: (1) Alpaugh USD will spend all excess funds generated by the increased pupil-to-certificated-employee ratio on students enrolled in Central California Connections Academy Charter School (CenCA) and (2) CenCA will provide an annual assurance report that includes average daily attendance-to-teacher ratios, revenues, and expenditures generated at this school to the California Department of Education.

Created by California Department of Education
March 24, 2015

California Department of Education
WAIVER SUBMISSION - General

CD Code: 5471803 Waiver Number: 12-1-2015 Active Year: 2015

Date In: 1/19/2015 6:50:03 AM

Local Education Agency: Alpaugh Unified School District
Address: 5313 Road 39
Alpaugh, CA 93201

Start: 7/1/2015 End: 6/29/2017

Waiver Renewal: Y
Previous Waiver Number: 2-9-2013-W-01 Previous SBE Approval Date: 1/15/2014

Waiver Topic: Independent Study Program
Ed Code Title: Pupil Teacher Ratio
Ed Code Section: 51745.6 and *CCR*, Title 5, Section 11704 and portions of 11963.4(a)(3)
Ed Code Authority: 33050-33053

Ed Code or *CCR* to Waive: …and the ratio of average daily attendance for independent study pupils to full-time certificated employees responsible for independent study does not exceed a pupil-teacher ratio of [25:1] 27.5:1

Outcome Rationale: Central California Connections Academy (CenCA) provides a high quality virtual education to students in Central California. Teachers work either from home or from one of the school office locations in California, but serve students in a large geographic area using a variety of technological tools. An increase in the pupil to teacher ratio will allow cost savings while maximizing the resources that a virtual school can offer to students. Given the budget constraints caused by the state financial crisis, as well as the small size of the school, CenCA proposes to implement needed budget savings by fully utilizing such efficiencies offered by on-line education. Despite fiscal challenges, if additional revenue results from the increased ratio, it will be directed back to services which support student learning in the virtual environment, such as enhanced curricular offerings, increased test preparation services, increased remediation and intervention services for struggling students, and/or increased access to technology tools, with the ultimate goal of improving efficiency of operations while enhancing student academic performance.

Student Population: 313

City Type: Rural

Public Hearing Date: 1/15/2015
Public Hearing Advertised: Notice posted at each school and at post office

Local Board Approval Date: 1/15/2015

Community Council Reviewed By: Charter School Board of Directors
Community Council Reviewed Date: 10/28/2014
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Frances Sassin
Position: Director of Business Services
E-mail: fsassin@connectionseducation.com
Telephone: 949-306-8498
Fax: 559-713-1330

Central California Connections Academy Charter School
Waiver of cap on student-teacher ratio of 25:1 to increase to 27.5:1
Discussion of fiscal situation
March 9, 2015

Central California Connections Academy (CenCA) is a virtual charter school serving a very broad geographic area in the Central Valley. The school enrolls students from five counties and serves a diverse population from those counties. The school has grown considerably over the years that it has been in operation, but it is still relatively small, with a total student enrollment of approximately 375 students during Spring of 2015. It is also important to note that due to the unique program offered, CenCA experiences a lot of student turnover both during the year, as well as from year to year.

Due to the small size of the school, as well as the mobility of the students in and out of the school, it is difficult to predict the actual ADA for the year, which in turn makes it difficult to forecast revenues. Despite the fact that funding has increased under LCFF, there is still a predicted volatility in the fiscal situation of the school, due both to the state's changing fiscal situation, as well as to the enrollment, attendance and demographics of the student body each year. With the waiver, additional flexibility in staffing would be available which would help with both the finances of the school as well as compliance with independent study regulations for non-classroom based charter schools. As stated in the original waiver request, *"if additional revenue results from the increased ratio, it will be directed back to services which support student learning in the virtual environment, such as enhanced curricular offerings, increased test preparation services, increased remediation and intervention services for struggling students, and/or increased access to technology tools, with the ultimate goal of improving efficiency of operations while enhancing student academic performance."*

In addition, the school's LCAP goals include allocating additional resources to students for computer and Internet access, to teachers for professional development, as well as access to high quality virtual intervention programs to assist with student academic success. The school has demonstrated in the past that it serves the students of the Central Valley well and is fully participating in the SBAC testing, which will allow further proof of the quality of the academic program in future years.

Further information is available upon request from the school.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

WAIVER ITEM W-03

ITEM #W-03

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

☒ **General Waiver**

SUBJECT Request by two school districts to waive California *Education Code* Section 48352(a) and *California Code of Regulations,* Title 5, Section 4701, to remove three schools from the Open Enrollment List of "low-achieving schools" for the 2015–16 school year. Waiver Numbers: Fremont Unified School District 7-2-2015 Redlands Unified School District 15-1-2015 Redlands Unified School District 16-1-2015	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

Requests from two school districts to remove three schools from the 2015–16 Open Enrollment List. The State Board of Education (SBE) must take action to approve or deny removal of a school from the Open Enrollment List.

Authority for Waiver: *Education Code (EC)* Section 33050

RECOMMENDATION

☐ **Approval** ☒ **Approval with conditions** ☐ **Denial**

The California Department of Education (CDE) recommends approval of three waiver requests for schools on the 2015–16 Open Enrollment List (Attachment 1) that meet the criteria for the SBE Streamlined Waiver Policy (available at http://www.cde.ca.gov/re/lr/wr/documents/sbestreamlined.doc). These waivers are recommended for approval on the condition that the local educational agencies (LEAs) granted these waivers must honor any transfer requests pursuant to the Open Enrollment Act. Granting these waivers would allow the schools to have their names removed from the 2015–16 Open Enrollment List as requested by the district. These waivers do not affect the standing of any other schools on the list, as these waivers are specific to the individual schools named in the attached waivers.

SUMMARY OF KEY ISSUES

The methodology used in creating the list of 1,000 lowest achieving schools, per the statute, resulted in some higher achieving schools being placed on the list while at the same time some schools with a lower Academic Performance Index (API) were not included on the list. This was primarily due to the statutory provision that an LEA can

have no more than 10 percent of its schools on the list.

Identification as a "low-achieving" school can have a significant educational, economic, and political impact on the school community. The label of "low-achieving" does not take into account the API scores for schools whose scores have risen or are maintained closer to the higher levels of achievement. The perception that the school is "low-achieving" may cause unwarranted flight from the school community and may negatively impact fiscal issues.

Demographic Information:

Fremont Unified School District has a 2013–14 student population of 33,887 and is located in an urban area in Alameda County.

Redlands Unified School District has a 2013–14 student population of 21,233 and is located in an urban area in San Bernardino County.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

This is the second SBE meeting at which an LEA has requested a waiver for a school on the 2015–16 Open Enrollment List.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval or denial.

ATTACHMENT(S)

Attachment 1: School Districts Requesting a General Waiver from the 2015–16 Open Enrollment List (1 page).

Attachment 2: Fremont Unified School District General Waiver Request 7-2-2015 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Redlands Unified School District General Waiver Request 15-1-2015 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Redlands Unified School District General Waiver Request 16-1-2015 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

School Districts Requesting a General Waiver from the 2015–16 Open Enrollment List

Waiver #	County District School	2013 District Growth API	2013 School Growth API*		2013 API Target Met?	Met API Growth Targets (3 of last 5 yrs)	Meets SBE Waiver Policy (Yes/No)	Decile, Similar Schools Rank	Current PI Status	Position of Bargaining Unit/Date Consulted	Period of Request	Recommend for Approval (Yes/No)
7-2-2015	Alameda Fremont Unified Cabrillo Elementary	891	Schoolwide Hispanic or Latino SED English Learners	810 786 799 782	Yes No Yes No	No	Yes	5, 7	Year 1	Support 12/12/14	**Requested:** 07/01/2015 to 06/30/2017 **Recommended:** 07/01/2015 to 06/30/2016	Yes
15-1-2015	San Bernardino Redlands Unified Lugonia Elementary	832	Schoolwide Hispanic or Latino SED English Learners	809 798 804 810	Yes Yes Yes Yes	Yes	Yes	5, 9	Year 3	Support 01/12/15	**Requested:** 07/01/2015 to 06/30/2016 **Recommended:** 07/01/2015 to 06/30/2016	Yes
16-1-2015	San Bernardino Redlands Unified Victoria Elementary	832	Schoolwide Asian Hispanic or Latino SED English Learners SWD	784 875 767 783 799 648	Yes Yes Yes Yes Yes Yes	No	Yes	4, 6	Year 4	Support 01/12/15	**Requested:** 07/01/2015 to 06/30/2016 **Recommended:** 07/01/2015 to 06/30/2016	Yes

*Only student groups that are numerically significant are included in this column.
SED – Socioeconomically Disadvantaged
SWD – Students with Disabilities
Prepared by the California Department of Education
March 5, 2015

California Department of Education
WAIVER SUBMISSION - General

CD Code: 0161176 Waiver Number: 7-2-2015 Active Year: 2015

Date In: 2/12/2015 2:55:33 PM

Local Education Agency: Fremont Unified School District
Address: 4210 Technology Dr.
Fremont, CA 94537

Start: 7/1/2015 End: 6/30/2017

Waiver Renewal: Y
Previous Waiver Number: 17-12-2013-W-03 Previous SBE Approval Date: 3/12/2014

Waiver Topic: Open Enrollment
Ed Code Title: Removal From the List of LEAs
Ed Code Section: 48352(a) and *CCR* Title 5 Section 4701
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: 48352. For purposes of this article, the following definitions apply:
(a) "Low-achieving school" means any school identified by the Superintendent pursuant to the following:
(1) Excluding the schools, and taking into account the impact of the criteria in paragraph (2), the Superintendent annually shall create a list of 1,000 schools ranked by increasing API with the same ratio of elementary, middle, and high schools as existed in decile 1 in the 2008-09 school year.
(2) In constructing the list of 1,000 schools each year, the Superintendent shall ensure each of the following:
(A) A local educational agency shall not have more than 10 percent of its schools on the list. However, if the number of schools in a local educational agency is not evenly divisible by 10, the Superintendent shall round up to the next whole number of schools.
(B) Court, community, or community day schools shall not be included on the list.
(C) Charter schools shall not be included on the list.
(b) "Parent" means the natural or adoptive parent or guardian of a dependent child.
(c) "School district of enrollment" means a school district other than the school district in which the parent of a pupil resides, but in which the parent of the pupil nevertheless intends to enroll the pupil pursuant to this article.
(d) "School district of residence" means a school district in which the parent of a pupil resides and in which the pupil would otherwise be required to enroll pursuant to Section 48200.

Outcome Rationale: Fremont Unified is a high-performing district with an API of 891 in 2013. Since the implementation of the Academic Performance Index accountability system, a “high performing school” has been identified as a school with an API score close to or above 800. Schools with an API score close to or above 800 are eligible for state awards recognizing them as high achieving schools (California Distinguished School, National Blue Ribbon School, or Title I Academic Achievement Awards). Cabrillo has an API of 810 in 2013 and has earned

Distinguished School Award and the Title I Academic School Award from CDE. The school also received letters of commendation from Senator Dianne Feinstein and County Office Superintendent Sheila Jordan. Therefore, Cabrillo Elementary School should not be in the Open Enrollment school list, which is normally being viewed as a low-performing school.

Student Population: 440

City Type: Urban

Public Hearing Date: 2/11/2015
Public Hearing Advertised: Notice in a newspaper. Notice posted at school. Notice posted in the district office.

Local Board Approval Date: 2/11/2015

Community Council Reviewed By: Cabrillo SSC
Community Council Reviewed Date: 2/3/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Kathryn Ashford
Position: Director, Federal & State Programs
E-mail: kashford@fremont.k12.ca.us

Telephone: 510-659-2531 x12631
Fax: 510-659-2532

Bargaining Unit Date: 12/12/2014
Name: CSEA (California School Employees Association)
Representative: Joyce Recar
Title: President
Position: Support
Comments:

Bargaining Unit Date: 12/12/2014
Name: FUDTA (Fremont Unified School District Teachers Association)
Representative: Sherea Westra
Title: President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3667843 Waiver Number: 15-1-2015 Active Year: 2015

Date In: 1/21/2015 1:50:18 PM

Local Education Agency: Redlands Unified School District
Address: 20 West Lugonia Ave.
Redlands, CA 92374

Start: 7/1/2015 End: 6/30/2016

Waiver Renewal: Y
Previous Waiver Number: 9-12-2013-W-03 Previous SBE Approval Date: 3/12/2014

Waiver Topic: Open Enrollment
Ed Code Title: Removal From the List of LEAs
Ed Code Section: 48352(a) and *CCR* Title 5 Section 4701
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: *Education Code* 48352. For purposes of this article, the following definitions apply:

[(2) "Low achieving school" means any school identified by the Superintendent pursuant to the following:

(1) Excluding the schools, and taking into account the impact of the criteria in paragraph (2), the Superintendent annually shall create a list of the 1,000 school ranked by increasing API with the same ratio of elementary, middle, and high schools as existed in decile 1 in 2008-09 school year.

(2) In constructing the list of 1,000 schools each year, the Superintendent shall ensure each of the following:

(A) A local educational agency shall not have more than 10 percent of its schools on the list. However, if the number of schools in the local education agency is not evenly divisible by 10, the Superintendent shall round up to the next whole number of schools.
(B) Court, community, or community day schools shall not be included on the list.
(C) Charter schools shall not be included on the list.]

Title 5 *CCR* 4701. Identification of Open Enrollment Schools.

[(a) The State Superintendent of Public Instruction (SSPI) shall annually construct a list of 1,000 schools for the Open Enrollment Act that maintains the same ratio of elementary, middle, and high schools as existed in decile 1 of the 2009 Base Academic Performance Index (API) file and retains only “10 percent” of a local educational agency’s (LEA’s) schools pursuant to the following methodology:

(1) the list of 1,000 schools shall include 687 elementary schools, 165 middle schools, and 148

high schools;

(2) the list of 1,000 schools shall exclude the following:
(A) schools that are court, community, or community day schools;
(B) schools that are charter Schools;
(C) schools that are closed; and
(D) schools that have fewer than 100 valid test scores.

(3) an LEA shall have on the list no more that 10 percent of its total number of schools that are not closed. However, when that total number of schools is not evenly divisible by 10, the 10 percent number of the LEA's schools shall be rounded up to the next whole number; and

(4) to produce the final list of 1,000 schools, the SSPI shall apply the following process:
(A) create a pool of schools;
1. For the purpose of constructing the Open Enrollment Schools List for transfer during the 2010-11 school year, this pool shall be created by selecting all schools from the 2009 Base API file.]

Outcome Rationale: Redlands Unified Schools District (RUSD,) with a district-wide API ranking of 832, is requesting to remove Lugonia Elementary from the Open Enrollment List. Lugonia Elementary has an API of 809, and has improved their API score by 210 points in 12 years. This impressive gain is the largest increase of any of our schools since the inception of the API. In addition, the school continues to make gains school-wide, as well as in their significant sub-groups. For the 2013-14 school year, Lugonia was only 1 of 3 schools who made all AYP targets for all subgroups through Safe Harbor. Redlands Unified is providing Lugonia with significant supplementary fiscal, curricular, professional development, and technology support. Placing Lugonia Elementary School on the list, when they are not one of the 1,000 lowest performing schools in the state, creates a stigma of negativity that impacts students, staff, and community morale; in addition, to having a significant educational, economic, and political impact on the school, and it's community. By removing Lugonia Elementary School from the Open Enrollment List, the school will maintain the same sense of pride and momentum of high academic achievement for all their students that all schools in RUSD enjoy.

Student Population: 621

City Type: Urban

Public Hearing Date: 1/20/2015
Public Hearing Advertised: flyers posted at school site, public library, main post office, district web site

Local Board Approval Date: 1/20/2015

Community Council Reviewed By: Lugonia SSC
Community Council Reviewed Date: 12/18/2014
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Julie Swan
Position: Director, School Improvement & Profes Development
E-mail: julie_swan@redlands.k12.ca.us
Telephone: 909-307-5300 x6766
Fax:

Bargaining Unit Date: 01/12/2015
Name: Redlands Teacher Association
Representative: Maria Clark
Title: President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3667843 Waiver Number: 16-1-2015 Active Year: 2015

Date In: 1/21/2015 2:06:30 PM

Local Education Agency: Redlands Unified School District
Address: 20 West Lugonia Ave.
Redlands, CA 92374

Start: 7/1/2015 End: 6/30/2016

Waiver Renewal: Y
Previous Waiver Number: 10-12-2013-W-03 Previous SBE Approval Date: 3/12/2014

Waiver Topic: Open Enrollment
Ed Code Title: Removal From the List of LEAs
Ed Code Section: 48352(a) and *CCR* Title 5 Section 4701
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: *Education Code* 48352. For purposes of this article, the following definitions apply:

[(2) "Low achieving school" means any school identified by the Superintendent pursuant to the following:

(1) Excluding the schools, and taking into account the impact of the criteria in paragraph (2), the Superintendent annually shall create a list of the 1,000 school ranked by increasing API with the same ratio of elementary, middle, and high schools as existed in decile 1 in 2008-09 school year.

(2) In constructing the list of 1,000 schools each year, the Superintendent shall ensure each of the following:

(A) A local educational agency shall not have more than 10 percent of its schools on the list. However, if the number of schools in the local education agency is not evenly divisible by 10, the Superintendent shall round up to the next whole number of schools.
(B) Court, community, or community day schools shall not be included on the list.
(C) Charter schools shall not be included on the list.]

Title 5 *CCR* 4701. Identification of Open Enrollment Schools.

[(a) The State Superintendent of Public Instruction (SSPI) shall annually construct a list of 1,000 schools for the Open Enrollment Act that maintains the same ratio of elementary, middle, and high schools as existed in decile 1 of the 2009 Base Academic Performance Index (API) file and retains only “10 percent” of a local educational agency’s (LEA’s) schools pursuant to the following methodology:

(1) the list of 1,000 schools shall include 687 elementary schools, 165 middle schools, and 148

high schools;

(2) the list of 1,000 schools shall exclude the following:
(A) schools that are court, community, or community day schools;
(B) schools that are charter Schools;
(C) schools that are closed; and
(D) schools that have fewer than 100 valid test scores.

(3) an LEA shall have on the list no more that 10 percent of its total number of schools that are not closed. However, when that total number of schools is not evenly divisible by 10, the 10 percent number of the LEA's schools shall be rounded up to the next whole number; and

(4) to produce the final list of 1,000 schools, the SSPI shall apply the following process:
(A) create a pool of schools;
1. For the purpose of constructing the Open Enrollment Schools List for transfer during the 2010-11 school year, this pool shall be created by selecting all schools from the 2009 Base API file.]

Outcome Rationale: Redlands Unified Schools District (RUSD,) with a district-wide API ranking of 832, is requesting to remove Victoria Elementary from the Open Enrollment List. Victoria Elementary has an API of 784, and has improved their API score by 130 points in 12 years. This gain is due in large part to the commitment of the staff and school community to provide the best learning environment for their diverse student population and to the districts' highest (92%) Free & Reduced lunch site.

Redlands Unified is providing Victoria with significant supplemental, fiscal, curricular, professional development, and technology support. Placing Victoria Elementary School on the list, when they are not one of the 1,000 lowest performing schools in the state, creates a stigma of negativity that impacts students, staff, and community morale; in addition, to having a significant educational, economic, and political impact on the school, and it's community. By removing Victoria Elementary School from the Open Enrollment List, the school will maintain the same sense of pride and momentum of high academic achievement for all their students that all schools in RUSD enjoy.

Student Population: 547

City Type: Urban

Public Hearing Date: 1/20/2015
Public Hearing Advertised: flyers posted at school site, public library, main post office, district web site

Local Board Approval Date: 1/20/2015

Community Council Reviewed By: Victoria SSC
Community Council Reviewed Date: 12/18/2014
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Julie Swan
Position: Director, School Improvement & Professional Develo
E-mail: julie_swan@redlands.k12.ca.us
Telephone: 909-307-5300 x6766
Fax:

Bargaining Unit Date: 01/12/2015
Name: Redlands Teacher Association
Representative: Maria Clark
Title: President
Position: Support
Comments:

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

WAIVER ITEM W-04

ITEM #W-04

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

☒ **General Waiver**

SUBJECT Request by four local educational agencies to waive *California Code of Regulations,* Title 5, Section 3043(d), which requires a minimum of 20 school days of attendance of four hours each for an extended school year (summer school) for special education students. Waiver Numbers: Chula Vista Elementary School District 6-1-2015 Kings County Office of Education 23-1-2015 Madera County Office of Education 18-12-2014 National Elementary School District 17-12-2014	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

Four local educational agencies (LEAs) request to be allowed to provide instruction in fewer than the 20 days required by law for extended school year (ESY). Each LEA proposes an alternate schedule that will allow them to provide the minimum number of hours required but in fewer days.

Authority for Waiver: *Education Code (EC)* Section 33050

RECOMMENDATION

☐ **Approval** ☒ **Approval with conditions** ☐ **Denial**

The California Department of Education recommends that the State Board of Education (SBE) approve the request from four LEAs to provide ESY services for fewer than 20 days with the condition that 60 instructional hours or more be provided to the preschool program, and 80 instructional hours or more be provided to the K-Adult program. (A minimum of 76 hours of instruction may be provided to K-Adult if a holiday is included.) Also, special education and related services offered during the extended year period must be comparable in standards, scope, and quality to the special education program offered during the regular academic year as required by *California Code of Regulations,* Title 5, (5 *CCR*), Section 3043(d).

SUMMARY OF KEY ISSUES

The Chula Vista Elementary School District proposes to provide ESY services utilizing a 14-day model over a three week period of five hours and 30 minutes per day, providing the same number of instructional hours equal to the traditional 20-day calendar,

including holidays. The Chula Vista Elementary School District believes that an increase in daily instructional time over a period of 14 days will result in educational benefit for students.

The Kings County Office of Education proposes to provide ESY services utilizing a 15-day model of five hours and 21 minutes (5.35 hours) of instruction per day (Total of 80.25 hours of instruction). This proposal provides the same number of instructional hours equal to the traditional 20-day calendar while providing continuity with the regular year's daily schedule for the students. It will result in savings in the many expenses incurred for each day of the ESY operation. It will also provide an opportunity for special education staff to participate in staff development and preparation for the next year which occurs during the summer.

The Madera County Office of Education (MCOE) proposes to provide ESY services to identified special education students with moderate to severe disabilities utilizing a 15 day, five and one-half hours per day instructional model rather than 20 days with four hours of instruction per day. Students would receive the same total number of instructional minutes in 15 days due to a longer instructional day as they would in 20 shorter days of instruction. Because a change in routine is often difficult for students with moderate to severe disabilities, the longer school day for ESY will align better with the regular school year providing more consistency in instruction for the students served. Additionally, the operation of ESY for 15 days instead of 20 will better match the district calendars on sites where MCOE classes are located allowing students more opportunities to be with their typically developing peers. Fewer ESY days will also result in substantial savings in transportation, utilities, janitorial services, and administration and clerical costs. This waiver request is a renewal. The requirements of the original waiver were met.

The National Elementary School District proposes to provide ESY services utilizing a 15-day model of five and one-half hours of instruction per day. The ESY schedule would be in effect from June 14 to July 3, 2015. This proposal aligns the district schedule with the regular academic schedule and takes into consideration that the summer break is shorter this year for all students. The students and their families have indicated a preference for an ESY schedule that is aligned to their regular schedule. Furthermore, the LEA's data shows that summer school attendance drops dramatically after the July fourth holiday. The LEA believes that the proposed schedule will circumvent the attendance issue. Historically it has been difficult for the district to hire qualified staff for the ESY program. The district feels the proposed schedule will help them to hire qualified staff because there will be a longer break before the beginning of the regular school year (approximately three weeks, as opposed to 10 days). This is the second consecutive waiver request for the district. The requirements of the original waiver were met.

For the purposes of reimbursement for average daily attendance, an ESY program:

- Must provide instruction of at least as many minutes over the shorter period as would have been provided during a typical 20-day program;

- Must be the same length of time as the school day for pupils of the same age level attending summer school in the district in which the extended year program

is provided, but not less than the minimum school day for that age unless otherwise specified in the individualized education program (IEP) to meet a pupil's unique needs; and

- Must offer special education and related services during the extended year period that are comparable in standards, scope, and quality to the special education program offered during the regular academic year

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In the past, the SBE approved waivers to allow school districts to provide the required minimum amount of instruction in fewer days during the ESY for special education students.

Extended school year is the term for the education of special education students "between the close of one academic year and the beginning of the next," similar to a summer school. It must be provided for each individual with exceptional needs whose individualized education program (IEP) requires it. LEAs may request a waiver to provide an ESY program for fewer days than the traditional model.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: Extended School Year Summary Table (2 pages)

Attachment 2: Chula Vista Elementary School District General Waiver Request 6-1-2015 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Kings County Office of Education General Waiver Request 23-1-2015 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Madera County Office of Education General Waiver Request 18-12-2014 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: National Elementary School District General Waiver Request 17-12-2014 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Extended School Year Summary Table

Waiver Number	District	Period of Request	Demographics	Local Board and Public Hearing Approval Date	Bargaining Unit, Representative Consulted, Date, and Position	Public Hearing Advertised	Advisory Committee or Site Council Consulted/ Date
6-1-2015	Chula Vista Elementary School District	**Requested** 6/23/2015 to 7/10/2015 **Recommended:** 6/23/2015 to 7/10/2015	**Student population:** 29,600 **Area:** Suburban **County:** San Diego	12/10/2014	Chula Vista Educators (CVE), Manuel Yvellez, President 11/16/2014 **Support** Chula Vista Classified Employees Organization (CVCEO), Peter Zeitler, President 11/16/2014 **Support**	Notice at the District Office	Special Education Parent Committee 10/15/2014 **No objection**
23-1-2015	Kings County Office of Education	**Requested:** 6/1/2015 to 8/1/2015 **Recommended:** 6/1/2015 to 6/26/2015	**Student population:** 291 **Area:** Rural **County:** Kings	**Local Board:** 12/10/2014 **Public Hearing:** 1/12/2015	California School Employees Association (CSEA), Rebekah Thompson, President 9/16/2014 **Support** Kings Teachers Association (KTA), Yolanda Bell, KTA Bargaining Team Representative 10/8/2014 **Support**	Newspaper, at each school, Kings County Board of Education agenda	Kings County Board of Education 12/10/2014 **No objection**

Waiver Number	District	Period of Request	Demographics	Local Board and Public Hearing Approval Date	Bargaining Unit, Representative Consulted, Date, and Position	Public Hearing Advertised	Advisory Committee or Site Council Consulted/ Date
18-12-2014	Madera County Office of Education	**Requested:** 6/1/2015 to 6/30/2015 **Recommended:** 6/1/2015 to 6/30/2015	**Student population:** 338 **Area:** Small town **County:** Madera	12/9/2014	California School Employees Association, Chapter 713, Kellie Stiles, President 11/25/2014 **Neutral** Madera County Office of Education Teachers Association, Karl Diaz, President 12/2/2014 **Neutral**	Posted at the Madera County Office of Education and three school sites	Gould Educational Center Parent Advisory Committee 12/1/2015 **No objection**
17-12-2014	National Elementary School District	**Requested:** 6/14/15 to 7/3/2015 **Recommended:** 6/14/15 to 7/3/2015	**Student population:** 5,779 **Area:** Urban **County:** San Diego	**Local Board:** 12/10/2014 **Public Hearing:** 12/5/2014	National City Elementary Teachers Association, MaryKay Rosinski, Special Education Unit Representative 11/6/2014 **Support**	Posted at all schools, District office, testing center, and library	District Advisory Committee 12/10/2014 **No Objection**

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3768023 Waiver Number: 6-1-2015 Active Year: 2015

Date In: 1/13/2015 4:31:17 PM

Local Education Agency: Chula Vista Elementary School District
Address: 84 East J St.
Chula Vista, CA 91910

Start: 6/23/2015 End: 7/10/2015

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Special Education Program
Ed Code Title: Extended School Year (Summer School)
Ed Code Section: 3043(d)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: *CCR*, Title 5, Section 3043(d), requires a minimum of 20 school days of attendance for an extended school year (summer school) for special education students.
Note: Education code does not specify the number of hours for the ESY instructional program. The number of hours provided per day is based on student IEPs and District scheduling.

Outcome Rationale: Chula Vista Elementary School District requests a waiver to modify the required Special Education extended school year from 20 days to 14 days (13 actual school days plus Holiday credit for July 3rd). There is no summer school program for general education students in the District.

Currently, our schools are on two different school calendars due to facilities modernization. The 2014-15 school year ends on June 5 for students and June 8 for teachers who are on a year-round calendar. The 2014-15 school ends June 18 for students and June 19 for teachers on the modernization calendar. During the summer, new schools will be modernized, and those that were modernized last year will return to the regular year-round calendar. This will result in a very short break for some school sites (end June 18 and resume on or about July 22).
In order to provide Extended School Year services to ALL students, we are requesting a reduced number of days, while still providing the same number of hours as would have been provided in a 20-day program (80 hours). Without it, we will be unable to provide any summer break for staff and only three days for students, resulting, we anticipate, in an inability to staff the program and a lower attendance rate for students.

Our proposal for a modified ESY is: June 23-July 10, 2015, 5 hours 45 minutes/day (80 hours). This will provide an appropriate break for staff and students, and allow us to appropriately staff the program and provide services to all students regardless of their school's calendar. Students would receive the full 80 hours of instruction. In addition, we have learned that longer school days provide greater opportunity for instructional impact, and an unintentional positive

consequence is that operating for fewer days saves operational, facilities, and transportation costs.

Student Population: 29600

City Type: Suburban

Public Hearing Date: 12/10/2014
Public Hearing Advertised: Notice at the District Office

Local Board Approval Date: 12/10/2014

Community Council Reviewed By: Speical Education Parent Committee
Community Council Reviewed Date: 10/15/2014
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Deann Jeffreys
Position: Executive Director of Pupil Services and Support
E-mail: deann.jeffreys@cvesd.org
Telephone: 619-425-9600 x1701
Fax: 619-425-2704

Bargaining Unit Date: 11/16/2014
Name: Chula Vista Educators(CVE) and Chula Vista Classified Employees Organization (CVCEO)
Representative: Manuel Yvellez (CVE) and Peter Zeitler (CVCEO)
Title: Presidents
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1610165 Waiver Number: 23-1-2015 Active Year: 2015

Date In: 1/23/2015 10:14:00 AM

Local Education Agency: Kings County Office of Education
Address: 1144 West Lacey Blvd.
Hanford, CA 93230

Start: 6/1/2015 End: 8/1/2015

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Special Education Program
Ed Code Title: Extended School Year (Summer School)
Ed Code Section: 5 CCR 3043 (d)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: Extended school year services shall be provided, in accordance with 34 C.F.R. section 300.106, for each individual with exceptional needs who has unique needs and requires special education and related services in excess of the regular academic year. Such individuals shall have disabilities which are likely to continue indefinitely or for a prolonged period, and interruption of the pupil's educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the pupil will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her disabling condition. The lack of clear evidence of such factors may not be used to deny an individual an extended school year program if the IEP team determines the need for such a program and includes extended school year in the IEP pursuant to subdivision (e).
[(d) An extended year program shall be provided for a minimum of 20 instructional days, including holidays.]

Outcome Rationale: The Kings County Office of Education proposes to provide Extended School Year services to identified special education students as agreed to in their IEP for fifteen (15) days at five hours and 21 minutes (5.35) hours of instruction per day (Total of 80.25 hours instruction) in place of the traditional model of twenty (20) days with four (4) hours of instruction (Total 80 hours instruction). This will provide for less of a transition in routine from the full instructional days of the regular school year to the extended school year day. Our students with moderate to severe disabilities struggle with changes in routine and this model will provide more continuity for them. Additionally, this model will result in significant savings in energy usage, utilities, transportation, janitorial, food services, administration, and clerical costs. Last, it allows our staff additional days of summer break to pursue professional development, educational goals, and to plan and prepare for the next school year.

Student Population: 291

City Type: Rural

Public Hearing Date: 1/12/2015
Public Hearing Advertised: Newspaper, Board Agenda, and posting at each site

Local Board Approval Date: 12/10/2014

Community Council Reviewed By: Kings County Board of Education
Community Council Reviewed Date: 12/10/2014
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Lisa Horne
Position: Program Director of Special Education
E-mail: Lisa.Horne@kingscoe.org
Telephone: 559-589-7092
Fax:

Bargaining Unit Date: 09/16/2014
Name: California School Employees Association
Representative: Rebekah Thompson
Title: CSEA President
Position: Support
Comments:

Bargaining Unit Date: 10/08/2014
Name: Kings Teacher Association
Representative: Yolanda Bell
Title: KTA Bargaining Team Representative
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 2010207 Waiver Number: 18-12-2014 Active Year: 2014

Date In: 12/30/2014 10:54:29 AM

Local Education Agency: Madera County Office of Education
Address: 1105 South Madera Ave.
Madera, CA 93637

Start: 6/1/2015 End: 6/30/2015

Waiver Renewal: Y
Previous Waiver Number: 30-12-2013-W-15 Previous SBE Approval Date: 3/12/2014

Waiver Topic: Special Education Program
Ed Code Title: Extended School Year (Summer School)
Ed Code Section: *CCR*, Title 5, Section 3043(d)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: [(d) An extended year program shall be provided for a minimum of 20 instructional days, including holidays.]

Outcome Rationale: The Madera County Office of Education(MCOE) proposes to provide Extended School Year (ESY) services to identified special education students utilizing a fifteen (15) day, five and one half hours of instruction model rather than the traditional model of twenty day with fours hours of instruction. Students would receiv3e the same total number of instructions minutes in 15 days due to a longer day than they would in 20 shorter days of instruction. Because a change in routine is often difficult for students with moderate/sever disabilities, the longer school day for ESY will align better with the regular school year providing more consistency instruction of high qualify and of the same scope for the students served. Additionally, the operation of ESY for 15 days instead of 20 days will better match the district calendars on sites where MCOE classes are located allowing students more opportunities to be with their typically developing peers. Fewer ESY days will also result in substantial savings in transportation, utilities, janitorial, food services, administrative and clerical costs.

Student Population: 338

City Type: Small

Public Hearing Date: 12/9/2014
Public Hearing Advertised: Posted at the Madera County Office of Education administration building, and three school sites.

Local Board Approval Date: 12/9/2014

Community Council Reviewed By: Gould Educational Center Parent Advisory Committee
Community Council Reviewed Date: 12/1/2014

Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Cheryl Mohr
Position: Director, Special Education
E-mail: cmohr@maderacoe.us
Telephone: 559-662-4669
Fax: 559-674-7468

Bargaining Unit Date: 11/25/2014
Name: California School Employees Association, Chpt 713
Representative: Kellie Stiles
Title: President
Position: Neutral
Comments:

Bargaining Unit Date: 12/02/2014
Name: Madera County Office of Education Teachers Associa
Representative: Karl Diaz
Title: President
Position: Neutral
Comments:

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 3768221 Waiver Number: 17-12-2014 Active Year: 2014

Date In: 12/23/2014 12:27:16 PM

Local Education Agency: National Elementary School District
Address: 1500 N Ave.
National City, CA 91950

Start: 6/14/2015 End: 7/3/2015

Waiver Renewal: Y
Previous Waiver Number: 110-2-2014-W-04 Previous SBE Approval Date: 5/8/2014

Waiver Topic: Special Education Program
Ed Code Title: Extended School Year (Summer School)
Ed Code Section: CCR, Title 5, Section 3043(d)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: *California Code of Regulations* (*CCR*), Title 5, Section 3043(d) requires that a District provide extended school year services (between the close of one academic year and the beginning of the next) to a student who has unique needs and requires special education and related services in excess of the regular academic year. *CCR*, Title 5 Section 3043(d) requires that the program be provided for a minimum of 20 instructional days, typically for four hours each day for a total of 80 hours of instruction.

Outcome Rationale: Students who participate in Extended School Year benefit from having consistent time of instructional day as it supports the structure of their programs, maintains educational benefit and provides a learning environment that address regression and recoupment of identified students with disabilities. The National City School District calendar provides approximately six weeks of summer break. A four week extended school year only provides families and staff two weeks summer break. Historically it has been difficult to find quality staff that are specialized to meet the instructional needs of these students and on the fourth week of instruction student attendance has historically decreased significantly. During the 2013-14 Extended School Year, of (15)-5.35 hour days enrollment stayed consistent throughout.

Student Population: 5779

City Type: Urban

Public Hearing Date: 12/05/2014
Public Hearing Advertised: Notification posted at all schools, District Office, Testing Center and Library

Local Board Approval Date: 12/10/2014
Community Council Reviewed By: District Advisory Committee

Community Council Reviewed Date: 12/10/2014
Community Council Objection: Support
Community Council Objection Explanation: N/A

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Meghann O'Connor
Position: Director of Student Support Services
E-mail: meghann.o'connor@national.k12.ca.us
Telephone: 619-336-7740
Fax: 619-336-7551

Bargaining Unit Date: November 6, 2014
Name: National City Elementary Teachers Association
Representative: MaryKay Rosinski
Title: Special Education Unit Representative
Position: Speech/Language Pathologist
Comments: Support

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

WAIVER ITEM W-05

ITEM #W-05

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

☒ **General Waiver**

SUBJECT

Request by ten local educational agencies to waive the State Testing Apportionment Information Report deadline of December 31 in the *California Code of Regulations*, Title 5, Section 11517.5(b)(1)(A), regarding the California English Language Development Test; or Title 5, Section 1225(b)(2)(A), regarding the California High School Exit Examination; or Title 5, Section 862(c)(2)(A), regarding the Standardized Testing and Reporting Program.

Waiver Numbers:

Chowchilla Union High School District 1-1-2015
Guerneville Elementary School District 3-2-2015
Lake Elsinore Unified School District 22-1-2015
Mariposa County Office of Education 19-1-2015
Mariposa County Unified School District 18-1-2015
Newman-Crows Landing Unified School District 11-1-2015
Poway Unified School District 4-2-2015
Rowland Unified School District 19-2-2015
San Marcos Unified School District 12-2-2015
Vallecitos Elementary School District 26-1-2015

☒ **Action**

☒ **Consent**

SUMMARY OF THE ISSUES

Regulations for the State Testing Apportionment Information Report, amended in 2005, include an annual deadline of December 31 for the return of the State Testing Apportionment Information Report for prior year testing. The California Department of Education (CDE) sent letters in September 2005 announcing the new deadline in regulations to every local educational agency (LEA). This deadline was enacted to speed the process of final reimbursement of testing costs to the LEAs.

The LEAs filing for this waiver request missed the December 31 deadline for requesting reimbursement for the 2012–13 and 2013–14 school years. The CDE recommends approval of these waiver requests in order to reimburse these LEAs for prior year state testing costs.

Authority for Waiver: *Education Code* (*EC*) Section 33050

RECOMMENDATION

☒ **Approval** ☐ **Approval with conditions** ☐ **Denial**
The CDE recommends that the December 31 deadline for submission of the State Testing Apportionment Information Report be waived for the districts shown on Attachment 1.

SUMMARY OF KEY ISSUES

Regulations for the State Testing Apportionment Information Report, amended in 2005, include an annual deadline of December 31 for the return of the State Testing Apportionment Information Report for prior year testing for the California English Language Development Test (CELDT), the California High School Exit Examination (CAHSEE), and the Standardized Testing and Reporting (STAR) Program. The CDE sent letters in September 2005 announcing the new deadline in regulations to every LEA. This deadline was enacted to speed the process of final reimbursement of testing costs to the LEAs.

The LEAs filing for this waiver request missed the December 31 deadline for requesting reimbursement for the 2012–13 and/or 2013–14 school years. CDE staff verified that these LEAs needed the waivers and had submitted reports after the deadline.

These LEAs are now aware of this important change in the timeline and understand that future reports must be submitted to the Assessment Development and Administration Division for reimbursement. Therefore, the CDE recommends the approval of this waiver request as required by regulation prior to final reimbursement.

Demographic Information:

Chowchilla Union High School District serves a student population of 1,016 and is located in a small city in Madera County.

Guerneville Elementary School District serves a student population of 272 and is located in a rural area of Sonoma County.

Lake Elsinore Unified School District serves a student population of 21,608 and is located in a suburban area of Riverside County.

Mariposa County Office of Education serves a student population of 28 and is located in a rural area of Mariposa County.

Mariposa County Unified School District serves a student population of 223 and is located in a rural area of Mariposa County.

Newman-Crows Landing Unified School District serves a student population of 2,999 and is located in a rural area of Stanislaus County.

Poway Unified School District serves a student population of 33,000 and is located in an urban area of San Diego County.

Rowland Unified School District serves a student population of 15,209 and is located in a suburban area of Los Angeles County.

San Marcos Unified School District serves a student population of 20,295 and is located in a suburban area of San Diego County.

Vallecitos Elementary School District for Rainbow Advanced Institute (RAI) Online Charter School serves a student population of 150 and is located in a rural area of San Diego County.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education (SBE) has approved all waiver requests since the deadline for submission of the State Testing Apportionment Information Reports was added to the *California Code of Regulations* (*CCR*), and the SBE Waiver Policy 08-#: **State Testing Apportionment Informational Report Deadline (available at** http://www.cde.ca.gov/re/lr/wr/documents/statetesting.doc**).**

FISCAL ANALYSIS (AS APPROPRIATE)

If these waivers are approved, these ten LEAs will be reimbursed for the costs of the CELDT, CAHSEE, or the STAR for the 2012–13 and/or 2013–14 school years. Total costs are indicated on Attachment 1, and the waiver requests from each LEA are included as Attachments 2 through 11.

ATTACHMENT(S)

Attachment 1: Local Educational Agencies Requesting Waiver of State Testing Apportionment Information Report Deadline — May 2015 (2 pages)

Attachment 2: Chowchilla Union High School District General Waiver Request 1-1-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Guerneville Elementary School District General Waiver Request 3-2-2015 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Lake Elsinore Unified School District General Waiver Request 22-1-2015 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Mariposa County Office of Education General Waiver Request 19-1-2015 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 6: Mariposa County Unified School District General Waiver Request 18-1-2015 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 7: Newman-Crows Landing Unified School District General Waiver Request 11-1-2015 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 8: Poway Unified School District General Waiver Request 4-2-2015 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 9: Rowland Unified School District General Waiver Request 19-2-2015 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 10: San Marcos Unified School District General Waiver Request 12-2-2015 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 11: Vallecitos Elementary School District for RAI Online Charter General Waiver Request 26-1-2015 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Local Educational Agencies Requesting Waiver of State Testing Apportionment Information Report Deadline

Waiver Number	Local Educational Agency	Period of Request	Test Report(s) Missing	Report(s) Submitted	School Year(s)	Reimbursement Amount	Union Position
1-1-2015	Chowchilla Union High School District	**Requested:** July 1, 2012 to December 31, 2012 **Recommended:** July 1, 2013 to December 31, 2013	California English Language Development Test (CELDT)	Yes	2012-13	$835.00	Support
3-2-2015	Guerneville Elementary School District	**Requested:** July 1, 2014 to December 31, 2014 **Recommended:** July 1, 2014 to December 31, 2014	CELDT	Yes	2013-14	$270.00	Support
22-1-2015	Lake Elsinore Unified School District	**Requested:** July 1, 2014 to December 31, 2014 **Recommended:** July 1, 2014 to December 31, 2014	CELDT	Yes	2013-14	$16,635.00	Support
19-1-2015	Mariposa County Office of Education	**Requested:** January 1, 2015 to March 1, 2015 **Recommended:** July 1, 2014 to December 31, 2014	California High School Exit Examination (CAHSEE)	Yes	2013-14	$84.64	Neutral
18-1-2015	Mariposa County Unified School District	**Requested:** January 1, 2015 to March 1, 2015 **Recommended:** July 1, 2014 to December 31, 2014	CAHSEE	Yes	2013-14	$670.60	Neutral

Waiver Number	Local Educational Agency	Period of Request	Test Report(s) Missing	Report(s) Submitted	School Year(s)	Reimbursement Amount	Union Position
11-1-2015	Newman-Crows Landing Unified School District	**Requested:** July 1, 2014 to December 31, 2014 **Recommended:** July 1, 2014 to December 31, 2014	CELDT	Yes	2013-14	$5,020.00	Neutral
4-2-2015	Poway Unified School District	**Requested:** July 1, 2014 to December 31, 2014 **Recommended:** July 1, 2014 to December 31, 2014	CAHSEE	Yes	2013-14	$10,410.76	Support
19-2-2015	Rowland Unified School District	**Requested:** July 1, 2014 to December 31, 2014 **Recommended:** July 1, 2014 to December 31, 2014	CELDT & CAHSEE	Yes	2013-14	$27,592.84	Neutral
12-2-2015	San Marcos Unified School District	**Requested:** July 1, 2014 to December 31, 2014 **Recommended:** July 1, 2014 to December 31, 2014	CELDT	Yes	2013-14	$21,055.00	Support
26-1-2015	Vallecitos Elementary School District for RAI Online Charter	**Requested:** July 1, 2013 to May 31, 2014 **Recommended:** July 1, 2014 to December 31, 2014	CAHSEE	Yes	2013-14	$81.00	Support

Created by California Department of Education
3/13/2015

California Department of Education
WAIVER SUBMISSION - General

CD Code: 2065201 Waiver Number: 1-1-2015 Active Year: 2015

Date In: 1/6/2015 9:45:54 AM

Local Education Agency: Chowchilla Union High School District
Address: 805 Humboldt Ave.
Chowchilla, CA 93610

Start: 7/1/2012 End: 12/31/2012

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: State Testing Apportionment Report
Ed Code Title: CELDT
Ed Code Section: *CCR* Title 5 11517.5(b)(1)(a)
Ed Code Authority: 30050

Ed Code or *CCR* to Waive: [Postmarked by December 31].

Outcome Rationale: The district is unsure is to how the Apportionment Information Report and Certification English Development Test 2012-2013 Report did not get to the correct office, as it was mailed on October 21, 2013. The district is aware of the importance of the timeline in submitting the report. The Superintendent and the Director of Special Projects and Assessment will mail certified copies in the future.

Student Population: 1016

City Type: Small

Public Hearing Date: 1/5/2015
Public Hearing Advertised: It was adverstized in three public postings.

Local Board Approval Date: 1/5/2015

Community Council Reviewed By: Chowchilla Union High School District School Board
Community Council Reviewed Date: 1/5/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Debbie Herzog
Position: Director of Special Projects and Assessments
E-mail: herzogd@chowhigh.com
Telephone: 559-665-1331 x259
Fax: 559-665-0568

Bargaining Unit Date: 12/03/2014
Name: Chowchilla High Teacher's Association, Chapter No. 126
Representative: Bryan Powell
Title: President, Chowchilla HIgh Teachers' Association
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 4970722 Waiver Number: 3-2-2015 Active Year: 2015

Date In: 2/5/2015 2:40:52 PM

Local Education Agency: Guerneville Elementary School District
Address: 14630 Armstrong Woods Rd.
Guerneville, CA 95446

Start: 7/1/2014 End: 12/31/2014

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: State Testing Apportionment Report
Ed Code Title: CELDT
Ed Code Section: *CCR* Title 5 Section 11517.5 (b)(1)(A)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: CELDT – *CCR*,[Title 5, Section 11517.5(b)(1)(A) …postmarked by December 31…]

Outcome Rationale: This certification request got lost in the piles on my desk. Once I found it, I realized I missed the deadline. The information is correct, and I have made a plan on how to avoid losing anything in the future. My EL Teacher is also going to be a reminder to me for this as well. Our EL population is growing and succeeding and I am glad we are able to test them to document this growth.

Student Population: 272

City Type: Rural

Public Hearing Date: 2/2/2015
Public Hearing Advertised: posted in three places 10 days in advance - website/pubic library /office bulletin board

Local Board Approval Date: 2/2/2015

Community Council Reviewed By: Site Council
Community Council Reviewed Date: 1/15/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Elaine Carlson
Position: Superintendent
E-mail: ecarlson@guernevilleschool.org
Telephone: 707-869-2864 x112
Fax: 707-869-3149

Bargaining Unit Date: 2/10/15
Name: Guerneivlle Schools Teacher Association
Representative: Roger Page
Title: President
Position: Support
Comments:

Bargaining Unit Date: 2/10/15
Name: California School Employees Association
Representative: Judi Whitelaw
Title: President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3375176 Waiver Number: 22-1-2015 Active Year: 2015

Date In: 1/23/2015 9:26:21 AM

Local Education Agency: Lake Elsinore Unified School District
Address: 545 Chaney St.
Lake Elsinore, CA 92530

Start: 7/1/2014 End: 12/31/2014

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: State Testing Apportionment Report
Ed Code Title: CELDT
Ed Code Section: *CCR*,Title 5, Section 11517.5(b)(1)(A).
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: 11517.5 Apportionment Information Report.
(a) Annually, each school district shall receive an Apportionment Information Report that shall include the following information for those tests administered during the previous fiscal year (July 1 through June 30):
(1) The number of pupils assessed with the CELDT as indicated by the number of answer documents submitted to and scored by the test contractor for each administration.
(2) The Department shall distribute the Reports to districts no later than November 15 following each testing window.
(b) To be eligible for apportionment payment, school district must meet the following conditions:
(1) The superintendent of each school district has certified the accuracy of the apportionment information report for tests administered during the prior fiscal year (July 1 through June 30), which is either:
[(A) Postmarked by December 31,] or
(B) If postmarked after December 31, the apportionment information report must be accompanied by a waiver request as provided by *Education Code* Section 33050. For those apportionment information reports postmarked after December 31, apportionment payment is contingent upon the availability of an appropriation for this purpose in the fiscal year in which the tests were administered.

Outcome Rationale: The submission of the CELDT Apportionment Information Report Section 11517.5 was accidentally overlooked. This waiver is necessary to support the education and instruction of our English Learners to continue to close the achievement gap.

Student Population: 21608

City Type: Suburban

Public Hearing Date: 1/22/2015

Public Hearing Advertised: Notice posted at each school

Local Board Approval Date: 1/22/2015

Community Council Reviewed By: No Council or advisory Committee(s) at the District Office
Community Council Reviewed Date: 1/22/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Alain Guevara
Position: Assistant Superintendent
E-mail: alain.guevara@leusd.k12.ca.us
Telephone: 951-253-7000 x5298
Fax: 951-253-7084

Bargaining Unit Date: 01/14/2015
Name: Lake Elsinore Teachers Association
Representative: Bill Cavanaugh
Title: President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 2210223 Waiver Number: 19-1-2015 Active Year: 2015

Date In: 1/22/2015 11:06:29 AM

Local Education Agency: Mariposa County Office of Education
Address: PO Box 8
Mariposa, CA 95338

Start: 1/1/2015 End: 3/1/2015

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: State Testing Apportionment Report
Ed Code Title: CAHSEE
Ed Code Section: *CCR* Title 5 Section 1225(b)(2)(a) Postmarked by Dec 31..
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: *CCR*, Title 5, Section 1225(b) (b) To be eligible for apportionment payment, school districts must meet the following conditions: (1) The school district has returned all secure test materials; (2) The superintendent of the school district has certified that all CAHSEEs during the prior fiscal year were administered in compliance with *California Code of Regulations*, title 5, division 1, chapter 2, subchapter 6; and (3) The superintendent of the school district has certified the accuracy of the apportionment information report for CAHSEEs administered during the prior fiscal year (July 1 through June 30), which certification is either: [(A) postmarked by December 31], or (B) if postmarked after December 31, the apportionment information report must be accompanied by a waiver request as provided by *Education Code* section 33050. For those apportionment information reports postmarked after December 31, apportionment payment is contingent upon the availability of an appropriation for this purpose in the fiscal year in which the tests were administered.

Outcome Rationale: The waiver is for the Certification of Apportionment report which was submitted after the December 31st postmark date. All tests were administered in a timely manner and no students or teachers were affected. Both the bargaining unit and the school site council were consulted as part of the waiver process.

Student Population: 28

City Type: Rural

Public Hearing Date: 1/20/2015
Public Hearing Advertised: At all regularly posted locations by Mariposa County Office of Ed and MCHS HS, which included the town post office, county courthouse, all school sites, district office, and MCUSD board room.

Local Board Approval Date: 1/20/2015

Community Council Reviewed By: Mariposa County High School School Site Council, Mariposa County Board of Trustees
Community Council Reviewed Date: 1/20/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Jaydene Johnson
Position: Testing Coordinator
E-mail: jjohnson@mariposa.k12.ca.us
Telephone: 209-742-0215
Fax:

Bargaining Unit Date: 01/12/2015
Name: Mariposa Teachers Association
Representative: Linda Dougherty-Kelly
Title: President
Position: Neutral
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 2265532 Waiver Number: 18-1-2015 Active Year: 2015

Date In: 1/22/2015 10:55:39 AM

Local Education Agency: Mariposa County Unified School District
Address: PO Box 8
Mariposa, CA 95338

Start: 1/1/2015 End: 3/1/2015

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: State Testing Apportionment Report
Ed Code Title: CAHSEE
Ed Code Section: *CCR* Title 5 Section 1225(b)(2)(a) Postmarked by Dec 31..
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: *CCR*, Title 5, Section 1225(b) (b) To be eligible for apportionment payment, school districts must meet the following conditions: (1) The school district has returned all secure test materials; (2) The superintendent of the school district has certified that all CAHSEEs during the prior fiscal year were administered in compliance with *California Code of Regulations*, title 5, division 1, chapter 2, subchapter 6; and (3) The superintendent of the school district has certified the accuracy of the apportionment information report for CAHSEEs administered during the prior fiscal year (July 1 through June 30), which certification is either: [(A) postmarked by December 31], or (B) if postmarked after December 31, the apportionment information report must be accompanied by a waiver request as provided by *Education Code* section 33050. For those apportionment information reports postmarked after December 31, apportionment payment is contingent upon the availability of an appropriation for this purpose in the fiscal year in which the tests were administered.

Outcome Rationale: The waiver is for the Certification of Apportionment report which was submitted after the December 31st postmark date. All tests were administered in a timely manner and no students or teachers were affected. Both the bargaining unit and the school site council were consulted as part of the waiver process.

Student Population: 223

City Type: Rural

Public Hearing Date: 1/20/2015
Public Hearing Advertised: At all regularly posted locations by Mariposa County Office of Ed and MCHS HS, which included the town post office, county courthouse, all school sites, district office, and MCUSD board room.

Local Board Approval Date: 1/20/2015

Community Council Reviewed By: Mariposa County High School School Site Council, Mariposa County Board of Trustees
Community Council Reviewed Date: 1/20/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Jaydene Johnson
Position: Testing Coordinator
E-mail: jjohnson@mariposa.k12.ca.us
Telephone: 209-742-0215
Fax: 209-966-4549

Bargaining Unit Date: 01/12/2015
Name: Mariposa Teachers Association
Representative: Linda Dougherty-Kelly
Title: President
Position: Neutral
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 5073601 Waiver Number: 11-1-2015 Active Year: 2015

Date In: 1/15/2015 3:06:26 PM

Local Education Agency: Newman-Crows Landing Unified School District
Address: 1162 Main St.
Newman, CA 95360

Start: 7/1/2014 End: 12/31/2014

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: State Testing Apportionment Report
Ed Code Title: CELDT
Ed Code Section: *CCR*, Title 5, Section 11517.5 (b)(1)(A)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: [*CCR*, Title 5, Section 11517.5 (b)(1)(A)], Certification of 2013-2014 California English Language Development Test Apportionment Information Report

CELDT – *CCR*, Title 5, ~~Section 11517.5(b)(1)(A) …postmarked by December 31…~~

Outcome Rationale: The District missed the deadline for the Certification of 2013-2014 California English Language Development Test Apportionment Information Report due to the winter break (12/20/14-1/4/15).

Student Population: 2999

City Type: Rural

Public Hearing Date: 1/12/2015
Public Hearing Advertised: Board agendas posted at all school sites

Local Board Approval Date: 1/12/2015

Community Council Reviewed By: Newman-Crows Landing Unified School District Board of Trustees
Community Council Reviewed Date: 1/12/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Alice Solis
Position: Director of Support Services
E-mail: asolis@nclusd.k12.ca.us
Telephone: 209-862-3670 x22
Fax: 209-862-3426

Bargaining Unit Date: 1/9/15
Name: Newman-Crows Landing Unified School District Teachers Association
Representative: Hardy Reeves
Title: President
Position: Neutral
Comments: none

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3768296 Waiver Number: 4-2-2015 Active Year: 2015

Date In: 2/11/2015 12:48:40 PM

Local Education Agency: Poway Unified School District
Address: 15250 Avenue of Science
San Diego, CA 92128

Start: 7/1/2014 End: 12/31/2014

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: State Testing Apportionment Report
Ed Code Title: CAHSEE
Ed Code Section: Title 5, Section 1225(b)(2)(A)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: CAHSEE – *CCR*, Title 5, Section 1225(b)(2)(A) …postmarked by December 31…

Outcome Rationale: The California High School Exit Examination (CAHSEE) Apportionment Report was not submitted by the California Department of Education (CDE) deadline of December 31,2014. By *Education Code*, in order for the District to receive this payment, we must submit a General Education Waiver to the California State Board of Education.

This is the first CAHSEE Apportionment deadline the District has missed since the inception of this assessment. To ensure this does not occur again, the District is maintaining a calendar of all Apportionment due dates to be shared among our Testing Office, Finance Department and the Executive Director of Learning Support Services.

Student Population: 33000

City Type: Urban

Public Hearing Date: 2/10/2015
Public Hearing Advertised: Union Tribune newspaper public notice dated 01/30/2015

Local Board Approval Date: 2/4/2015

Community Council Reviewed By: Poway Unified School District Advisory Committee
Community Council Reviewed Date: 2/4/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Eric Lehew
Position: Executive Director II, Learning Support Services
E-mail: elehew@powayusd.com
Telephone: 858-521-2732
Fax:

Bargaining Unit Date: 01/26/2015
Name: Poway Federation of Teachers
Representative: Candy Smiley
Title: President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1973452 Waiver Number: 19-2-2015 Active Year: 2015

Date In: 2/24/2015 1:33:20 PM

Local Education Agency: Rowland Unified School District
Address: 1830 South Nogales St.
Rowland Heights, CA 91748

Start: 7/1/2014 End: 12/31/2014

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: State Testing Apportionment Report
Ed Code Title: CAHSEE and CELDT
Ed Code Section: *CCR* Title 5 Sec. 1225(b)(2)(a) and Sec. 11517.5(b)(1)(a)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: CAHSEE – *CCR*, Title 5, Section 1225(b) (b)(2)(A) […postmarked by December 31…]

CELDT – *CCR*, Title 5, Section 11517.5(b)(1)(A) […postmarked by December 31…}

Outcome Rationale: CELDT and CAHSEE apportionment reports were not postmarked by December 31, 2014.

Student Population: 15209

City Type: Suburban

Public Hearing Date: 2/10/2015
Public Hearing Advertised: District website.

Local Board Approval Date: 2/10/2015

Community Council Reviewed By: District English Learner Advisory Counsel
Community Council Reviewed Date: 2/23/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Brian Huff
Position: Director, Instructional Support
E-mail: bhuff@rowland.k12.ca.us
Telephone: 213-369-1093
Fax:

Bargaining Unit Date: 02/04/2015
Name: Association of Rowland Educators
Representative: Shay Lohman
Title: President
Position: Neutral
Comments:

Bargaining Unit Date: 02/04/2015
Name: California School Employees Association
Representative: Sharon Carrillo
Title: President
Position: Neutral
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3773791 Waiver Number: 12-2-2015 Active Year: 2015

Date In: 2/18/2015 3:52:50 PM

Local Education Agency: San Marcos Unified School District
Address: 255 Pico Ave., Ste. 250
San Marcos, CA 92069

Start: 7/1/2014 End: 12/31/2014

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: State Testing Apportionment Report
Ed Code Title: CELDT
Ed Code Section: *CCR*, Title 5, Section 11517.5(b)(1)(A)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: CELDT program regulation 5 *CCR* Section 11517.5(b)(1)(A) requires that districts must send reports of the number of tests given to CDE by December 31; however in those same regulations, 5 *CCR* 862(c)(b)(2) allows a waiver of that deadline.

Outcome Rationale: We neglected to send the Apportionment Information Report and Certification for the California English Language Development Test to the California Department of Education by the December 31st deadline. We are requesting the reimbursement of funds so we can recoup expenses incurred for the administration of the CELDT in the 2013-2014 school year.

Student Population: 20295

City Type: Suburban

Public Hearing Date: 2/17/2015
Public Hearing Advertised: District Website and District Marquee

Local Board Approval Date: 2/17/2015

Community Council Reviewed By: SMUSD Director's Council
Community Council Reviewed Date: 2/9/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Maritza Koeppen
Position: Director of Special Programs
E-mail: maritza.koeppen@smusd.org
Telephone: 760-752-1271
Fax: 760-752-1215

Bargaining Unit Date: 02/10/2015
Name: California School Employees Association
Representative: Debra Weaver
Title: President
Position: Support
Comments:

Bargaining Unit Date: 02/10/2015
Name: San Marcos Educators Association
Representative: Michael Devries
Title: President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3768437 Waiver Number: 26-1-2015 Active Year: 2015

Date In: 1/30/2015 11:41:22 AM

Local Education Agency: Vallecitos Elementary School District
Address: 5211 Fifth St.
Rainbow, CA 92028

Start: 7/1/2013 End: 5/31/2014

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: State Testing Apportionment Report
Ed Code Title: CAHSEE
Ed Code Section: 1225(b)(2)(A)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: CAHSEE – *CCR*, Title 5, Section 1225(b)(2)(A) …postmarked by December 31…

Outcome Rationale: School break occurred during waiver arrival. Administration was not available until January 2015. This waiver request is necessary for our school to receive reimbursement of funds to cover the cost of testing materials, scoring, and reports. We are a small school and district, otherwise, such services would be impossible to render to meet student testing requirements.

Student Population: 150

City Type: Rural

Public Hearing Date: 1/21/2014
Public Hearing Advertised: Posted on school entrance, newsletter, and email.

Local Board Approval Date: 1/21/2015

Community Council Reviewed By: Dr. Paul Cartas, Michael Darney, Chandler Letulle,
Community Council Reviewed Date: 1/21/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Andrea Molina
Position: Testing Coordinator
E-mail: amolina@raicharter.net
Telephone: 760-262-7051
Fax:

Bargaining Unit Date: 01/14/15
Name: Rainbow Advanced Institute of Learning Online Charter School Board
Representative: Dr. Paul Cartas
Title: Active Board Member
Position: Support
Comments: Public notice made of request for waiver. Acknowledgment, vote & approval granted

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

WAIVER ITEM W-06

ITEM #W-06

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

☒ **General Waiver**

SUBJECT Request by **Novato Unified School District** for a waiver of California *Education Code* Section 48916(d) and portions of Section 48660, to permit a community day school to serve students in grade six with students in grades seven through ten. Waiver Number: 7-1-2015	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

Request by Novato Unified School District (USD) for a waiver of California *Education Code (EC)* Section 48916(d) and portions of *EC* Section 48660 to permit Nexus Community Day School (CDS) to serve students in grade six with students in grades seven through ten.

Authority for Waiver: *EC* Section 33050

RECOMMENDATION

☐ **Approval** ☒ **Approval with conditions** ☐ **Denial**

The California Department of Education (CDE) recommends approval of the waiver request for the Nexus CDS operated by Novato USD with the condition that Nexus CDS will serve students in grades six through ten only and will not broaden the grade span.

SUMMARY OF KEY ISSUES

EC Section 48660 provides that a CDS may serve pupils in any of kindergarten and grades one to six, inclusive, or any of grades seven to twelve, inclusive, or the same or lesser included range of grades as may be found in any individual middle or junior high school operated by the district. *EC* Section 48916.1(d) provides for the allowable grade spans of educational services for expelled students.

The Novato USD does not expect more than 12 students to be enrolled in the CDS, which means it is not fiscally feasible to operate two CDSs, one for students up to grade six, and a second for grades seven through ten. At the same time, Novato USD recognizes their responsibility to ensure that educational placements are available for expelled and other high-risk students. Novato USD is organized to serve students in grades six through eight in middle schools. Including students in grade six with the Nexus CDS students in grades seven and eight would align with this model. The district

notes that the full requested span of grades six through ten is narrower than the six grade level span (grades seven through twelve) allowable under current law.

The district recognizes that the curriculum content for grades six through ten in a single classroom is a content stretch. In order to ensure that students receive adequate academic support despite the wider span of grades, the Novato USD has committed to provide grade-level-appropriate mentor teacher support to Nexus CDS teachers who feel they need support in any content area.

Demographic Information:

Novato USD has a student population of 7,966 and is located in a suburban area in Marin County.

Because this is a general waiver, if the State Board of Education (SBE) decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has approved several previous waiver requests to expand the allowable grade span for a CDS to best serve its students when it was not feasible for the district to operate two separate schools.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of Waiver approval.

ATTACHMENT(S)

Attachment 1: Summary Table of Community Day School State Board of Education Waiver (1 page)

Attachment 2: Novato Unified School District: General Waiver Request 7-1-2015 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

Summary Table of Community Day School State Board of Education Waiver

Waiver Number	District Name, Size of District, and Local Board Approval Date	Grade Span Requested (if waiver of California *Education Code [EC]* sections 48660 and 48916.1[d])	Period of Request	Renewal Waiver?	If granted, this waiver will be "permanent" per *EC* Section 33501(b)	Certificated Bargaining Unit Name and Representative, Date of Action, and Position	Advisory Committee/Schoolsite Council Name, Date of Review and any Objections
7-1-2015	Novato Unified School District (USD) 7,966 Total Students 12 Students in Community Day School (CDS) November 18, 2014	Grades six through ten	**Requested:** January 5, 2015 through June 10, 2016 **Recommended:** January 5, 2015 through June 10, 2016	NO	NO	Novato Federation of Teachers Aaron Fix December 19, 2014 **Support** California School Employees Association Sandie Vaughn December 19, 2014 **Support**	Hill Education Center Site Leadership Team January 22, 2015 **No Objections**
	Conditions: This waiver provides for Nexus CDS, operated by the Novato USD to serve students in grades six through ten, instead of maintaining separate schools for grade six and for grades seven through ten, but no broader grade span.						

Created by California Department of Education
March 12, 2015

California Department of Education
WAIVER SUBMISSION - General

CD Code: 2165417 Waiver Number: 7-1-2015 Active Year: 2015

Date In: 1/13/2015 6:20:42 PM

Local Education Agency: Novato Unified School District
Address: 1015 Seventh St.
Novato, CA 94945

Start: 1/5/2015 End: 6/10/2016

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Community Day Schools (CDS)
Ed Code Title: Commingle Grade Levels
Ed Code Section: 48916.1(d) and portions of Section 48660
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: Please see attached file waiver language.

48660. The governing board of a school district may establish one or more community day schools for pupils who meet one or more of the conditions described in subdivision (b) of Section 48662. A community day school may serve pupils in any of kindergarten and grades 1 [to 6, inclusive, or any of grades 7] to 12, inclusive, or the same or lesser included range of grades as may be found in any individual middle or junior high school operated by the district. If a school district is organized as a district that serves kindergarten and grades 1 to 8, inclusive, but no higher grades, the governing board of the school district may establish a community day school for any [of] kindergarten and grades 1 to 8, inclusive, upon a two-thirds vote of the board. It is the intent of the Legislature, that to the extent possible, the governing board of a school district operating a community day school for any of kindergarten and grades 1 to 8, inclusive, separate younger pupils from older pupils within that community day school. Except as provided in Section 47634, a charter school may not receive funding as a community day school unless it meets all the conditions of apportionment set forth in this article.

48916.1. (d) [If the pupil who is subject to the expulsion order was expelled from any of kindergarten or grades 1 to 6, inclusive, the educational program provided pursuant to subdivision (b) shall not be combined or merged with educational programs offered to pupils in any of grades 7 to 12, inclusive. The district or county program is the only program required to be provided to expelled pupils as determined by the governing board of the school district. This subdivision, as it relates to the separation of pupils by grade levels, does not apply to community day schools offering instruction in any of kindergarten and grades 1 to 8, inclusive, and established in accordance with Section 48660].

Outcome Rationale: Please see the attached cover letter.

Student Population: 7966

City Type: Suburban

Public Hearing Date: 11/18/2014
Public Hearing Advertised: Novato Unified School District Board agenda online and public posting.

Local Board Approval Date: 11/18/2014

Community Council Reviewed By: Hill Education Center Site Leadership Team
Community Council Reviewed Date: January 22, 2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Lynn Erikson
Position: Coordinator of Student Services
E-mail: lerikson@nusd.org
Telephone: 415-493-4301
Fax: 415-892-5402

Bargaining Unit Date: 12/19/2014
Name: California School Employees Association
Representative: Sandie Vaughn
Title: President
Position: Support
Comments:

Bargaining Unit Date: 12/19/2014
Name: Novato Federation of Teachers
Representative: Aaron Fix
Title: President
Position: Support
Comments:

NOVATO UNIFIED SCHOOL DISTRICT

1015 SEVENTH ST. • NOVATO, CALIFORNIA 94945 • TEL: (415) 897-4288 • FAX: (415) 897-4221

Achievement for All - Our Call to Action

Lynn Erikson
Coordinator of Student Services

Dr. Shalee Cunningham
Superintendent

December 26, 20I4

To Whom It May Concern:

Novato Unified School District is requesting a grade level span waiver for Nexus Community Day School. Currently, Nexus is operating as a 7th – 10th grade Community Day School within Novato Unified School District.

Nexus Community Day School has been operating since January 2012 as a single classroom with a full-time teacher and an Instructional Assistant. Currently, there are five middle school students enrolled in Nexus.

Based on the lack of alternative options for 6th grade students in the County, our site administrators have identified a need for our students. We believe that expanding the grade level span to also include 6th grade would allow our District to support students beginning at an earlier age in a smaller environment. With grade 6 included with grades 7-8 Nexus will more closely align to the middle schools operated in our district that include 6th- 8th grade students.

In reviewing historical enrollment since Nexus reopened it is anticipated that at most times we will be serving middle school students but by continuing to have an option to serve students through grade 1 0 we are able to offer alternatives for our students.

Although it would be ideal to offer two separate classrooms- one for middle school and one for high school, based on the enrollment of Nexus we are unable to afford to maintain that level of staffing at this time. The grade span including grades 6-10 would still be narrower than the six grade level span currently allowable by law of grades 7-12. We do not anticipate enrollment to exceed 12 students at any time. If enrollment grows beyond this anticipated capacity we would look to expand the staffing and program at that time.

Safety of students and staff is our primary concern. Current staffing includes 1 .2 classroom teacher, 1.0 Instructional Assistant, .2 PE teacher, academic, substance use/abuse, and mental health counseling is available for all students, a Principal and campus security. Students are monitored and supervised throughout the day and begin each day with an advisory class that includes a check-in with students.

The curriculum content for 6th- 10th grade in a single classroom is a content stretch. If at any time the classroom teacher needs support in any content area, the district will assign a highly qualified teacher in that content area to support the teacher.

The Novato Unified School District Board of Trustees unanimously approved pursuing the grade span waiver to include grades 6-10. Novato Unified School District has support of both our Certificated and Classified Bargaining Units to seek approval of the grade span waiver to include 6th – 10th grade.

Thank you for your consideration.

Lynn Erikson

BOARD OF TRUSTEES: Maria Aguila, Debbie Butler, Cindi Clinton, Thomas Cooper, Derek Knell, Ross Millerick, and Shelly Scott
http://nusd.org

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

WAIVER ITEM W-07

ITEM #W-07

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

☒ **General Waiver**

SUBJECT Request by two school districts to waive California *Education Code* Section 37202(a), the equity length of time requirement for transitional kindergarten and kindergarten programs at the district's elementary schools. Waiver Number: Lafayette Elementary School District 6-2-2015 Milpitas Unified School District 2-3-2015	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

Lafayette Elementary School District (LESD), and Milpitas Unified School District (MUSD) seek waivers of California *Education Code* (*EC*) section 37202(a), the equity length of time requirement for kindergarten and transitional kindergarten (TK).

Authority for Waiver: *EC* Section 33050

RECOMMENDATION

☐ **Approval** ☒ **Approval with conditions** ☐ **Denial**

The California Department of Education (CDE) recommends approval of the waiver with conditions. The LESD and MUSD will provide information to LESD and MUSD families by June 15, 2015, explaining the waiving of *EC* Section 37202(a) allowing TK students to attend school for fewer minutes than kindergarten students.

SUMMARY OF KEY ISSUES

The LESD and MUSD are requesting to waive *EC* Section 37202(a), the equity length of time requirement for kindergarten programs. Pursuant to *EC* Section 37202, any TK program operated by a district must be of equal length to any kindergarten program operated by the same district. The LESD and MUSD currently offer extended-day (full day) kindergarten programs which exceeds the maximum four-hour school day (*EC* 46111 [a]). The LESD and MUSD are requesting flexibility in determining the length of their TK programs in order to provide a modified instructional day, curricula, and developmentally appropriate instructional practices. The LESD and MUSD are concerned that holding TK students in excess of the four-hour minimum school day (pursuant to *EC* 48911) is not in the best educational interest of their TK students.

Demographic Information:

LESD has a student population of 3,525 and is located in a rural area in Contra Costa County.

MUSD has a student population of 10,328 and is located in a suburban area in Santa Clara County.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In January 2015, the State Board of Education (SBE) approved, with conditions, a waiver request by Mendocino Unified School District, and Santa Ana Unified School District to waive *EC* Section 37202, the equity length of time requirement for TK and kindergarten programs.

In November 2014, the SBE approved, with conditions, waiver requests by Douglas City Elementary School District (DCESD), Forestville Union Elementary School District (FUESD), Franklin-McKinley Elementary School District (FMESD), Harmony Union Elementary School District (HUESD), Hermosa Beach City Elementary School District (HBCESD), and Rio Elementary School District (RESD) to waive *EC* Section 37202(a), the equity length of time requirement for TK and kindergarten programs.

In May 2014, the SBE approved, with conditions, waiver requests by Milpitas Unified School District (MUSD) and San Diego Unified School District (SDUSD) to waive *EC* section 37202(a), the equity length of time requirement for kindergarten and transitional Kindergarten (TK).

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of this waiver would have no known fiscal impact.

ATTACHMENT(S)

Attachment 1: Information from Districts Requesting Waivers of Equity Length of Time for Transitional Kindergarten *EC* Section 37202(a) (1 page)

Attachment 2: Lafayette Elementary School District General Waiver Request 10-9-2014 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Milpitas Unified School District General Waiver Request 11-8-2014 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Information from Districts Requesting Waivers of Equity Length of Time for Transitional Kindergarten California *Education Code* Section 37202(a)

Waiver Number	District	Period of Request	Bargaining Unit, Representatives Consulted, Date, and Position	Public Hearing and Board Approval Date	Public Hearing Advertisement	SSC/Advisory Committee Position
6-2-2015	Lafayette Elementary School District	**Requested:** August 25, 2015, to June 30, 2017 **Recommended:** August 25, 2015, to June 29, 2017	Lafayette Education Association Jan Winter, President October 7, 2014 **Support**	Public Hearing Date: November 12, 2014 Board Approval Date: February 11, 2015	The public hearing notice was posted in three public places and on the school's Web Site.	Reviewed by Extended Kindergarten Committee, Curriculum Council January 14, 2015 **No Objection**
2-3-2015	Milpitas Unified School District	**Requested:** August 13, 2014, to June 1, 2016 **Recommended:** August 13, 2014, to May 31, 2016	MUSD Classified Employees Unit Machelle Kessinger, President MUSD Certificated Employees Unit Diana Orlando, President February 27, 2015 **Support**	Board Approval Date: February 10, 2015	The public hearing was advertised by postings at meeting site and all schools and on the district Web Site for 72 hours prior to the board meeting.	Reviewed by Community Board Advisory Committee, District English Language Advisory Committee, School Site Councils February 26, 2015 **No Objection**

California Department of Education
WAIVER SUBMISSION - General

CD Code: 0761713 Waiver Number: 6-2-2015 Active Year: 2015

Date In: 2/12/2015 10:34:21 AM

Local Education Agency: Lafayette Elementary School District
Address: 3477 School St.
Lafayette, CA 94549

Start: 8/25/2015 End: 6/30/2017

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Equity Length of Time
Ed Code Title: Equity Length of Time
Ed Code Section: 37202
Ed Code Authority: 33050-33053

Ed Code or *CCR* to Waive: a) Except if a school has been closed by order of a city or a county board of health, or of the State Board of Health, on account of contagious disease, or if the school has been closed on account of fire, flood, or other public disaster, the governing board of a school district shall maintain all of the [elementary day schools established by it for an equal length of time during the school year] and all of the day high schools established by it for an equal length of time during the school year. (b) Notwithstanding subdivision (a), a school district that is implementing an early primary program, pursuant to Chapter 8(commencing with Section 8970) of Part 6, may maintain kindergarten classes at different school sites within the district for different lengths of time during the school day.

Outcome Rationale: On August 25, 2015, the Lafayette School District, with unanimous approval from the Governing Board, will begin the implementation of an Extended-Day Kindergarten schedule at all four elementary schools in the District. The Extended-Day schedule will mean that the school day will shift from 3.25 hours of instruction per day to 4.5 hours of instruction per day for all kindergarten students. However, as an important component of the transition to Extended-Day Kindergarten, our District is requesting a waiver that will maintain the current 3.25 hour schedule for all Transitional Kindergarten (TK) students for a four month period of time beginning August 25, 2015 through December 18, 2015. Beginning January 4, 2016, all TK students will then move to the full Extended-Day Kindergarten schedule (4.5 hours) for the remainder of the school year. After extensive research and discussion, it is our belief that having Transitional Kindergarten students begin the school year with the 3.25 hour school day is a much better fit for the four year old child who typically has a shorter attention span and is still developing social and emotional skills on varying levels. The 3.25 hour day initially allows students time to grasp routines and participate in meaningful instruction without being overwhelmed by a longer instructional day. By the end of December (2015) all of our TK students will be five years old and will be ready to transition to the full 4.5 hour Extended-Day Kindergarten schedule. We strongly believe that TK students will experience much more success if they begin the Extended-Day schedule four months into the school year rather than at the very beginning. Therefore, the Lafayette School Districts requests approval of this waiver.

Student Population: 3525

City Type: Small

Public Hearing Date: 11/12/2014
Public Hearing Advertised: Posted in 3 public places and on the school's web site

Local Board Approval Date: 2/11/2015

Community Council Reviewed By: Extended Kindergarten Committee, Curriculum Council
Community Council Reviewed Date: 1/14/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Rachel Zinn
Position: Superintendent
E-mail: rzinn@lafsd.k12.ca.us
Telephone: 925-927-3501
Fax: 925-284-1525

Bargaining Unit Date: 10/07/2014
Name: Lafayette Education Association
Representative: Jan Winter
Title: President, Lafayette Education Association
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 4373387 Waiver Number: 2-3-2015 Active Year: 2015

Date In: 3/3/2015 4:05:37 PM

Local Education Agency: Milpitas Unified School District
Address: 1331 East Calaveras Blvd.
Milpitas, CA 95035

Start: 8/13/2015 End: 6/1/2016

Waiver Renewal: Y
Previous Waiver Number: 21-3-2014-W-25 Previous SBE Approval Date: 5/8/2014

Waiver Topic: Equity Length of Time
Ed Code Title: Equity Length of Time
Ed Code Section: 37202 (b)
Ed Code Authority: 33050 (a)

Ed Code or *CCR* to Waive: Notwithstanding subdivision(a), a school district that is implementing an early primary program, pursuant to Chapter 8, commencing with Section 8970 of Part 6, may maintain kindergarten classes at (different) school sites within the district for different lengths of time during the school day.

Outcome Rationale: Our district is requesting that, as part of our early primary program, we may maintain kindergarten and transitional kindergarten (TK) classes at the same school sites within the district for different lengths of time during the school day. In the 2015/16 school year our extended day kindergarten classes at all elementary schools will have 275 instructional minutes per day. We are requesting that our TK at those same schools have 210 instructional minutes per day. We feel that, at this time, requiring our TK students to attend school for an extended day would not be in their best educational interest. Our TK program provides students with developmentally appropriate, experiential activities and is preparing them for the more academically rigorous second year of our kindergarten program.

Student Population: 10328

City Type: Suburban

Public Hearing Date: 2/10/2015
Public Hearing Advertised: Advertised by postings at meeting site, all schools and on the district website for 72 hours prior to the board meeting

Local Board Approval Date: 2/10/2015

Community Council Reviewed By: Community Board Advisory Committee,District English Language Advisory Committee, School Site Councils
Community Council Reviewed Date: 2/26/2015
Community Council Objection: N
Community Council Objection Explanation:
Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Bhavna Narula
Position: Coordinator
E-mail: bnarula@musd.org
Telephone: 408-635-2600 x6044
Fax: 408-635-2629

Bargaining Unit Date: 02/27/2015
Name: MUSD Classified Employees Unit
Representative: Machelle Kessinger
Title: President
Position: Support
Comments:

Bargaining Unit Date: 02/27/2015
Name: MUSD Certificated Employees Unit
Representaitive: Diana Orlando
Title: President
Position: Support
Comments:

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

WAIVER ITEM W-08

ITEM #W-08

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

☒ **General Waiver**

SUBJECT Request by **Napa Valley Unified School District** to waive portions of the California *Education Code* Section 60800(a), relating to Physical Fitness Testing, specifically to suspend Body Composition assessment for fifth and seventh grade students participating in a statewide school-based fitness study during the 2014–15 and 2015–16 school years. Waiver Number: 10-2-2015	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

The Napa Valley Unified School District (NVUSD) is participating in a statewide study on school-based fitness, called The Fit Study. The Fit Study is being led by the University of California, Berkeley and funded by the National Institutes of Health, which spans four school years, beginning in the 2013–14 school year and ending in the 2016–17 school year. The Fit Study evaluates the practice of measuring students' heights and weights at school and sending a report home to parents. The Body Mass Index (BMI), which is calculated using height and weight, is the most commonly used Physical Fitness Test (PFT) to assess body composition. The purpose of the study is to determine if measuring heights and weights at school, and sending a well-designed BMI report to parents, could impact children's health, such as reducing childhood obesity in California.

The study will allow districts and the California Department of Education (CDE) to make decisions about the practice of BMI screening and reporting in schools, based on this evidence. Furthermore, the study will measure the impact of school-based weight assessment and students' attitudes towards BMI screening, such as weight-related teasing and stigmatization.

As part of this study, the NVUSD is requesting a waiver to suspend the Body Composition assessment, which is one of the six fitness areas of the PFT. The Body Composition assessment consists of a number of testing options, including BMI. The waiver is being requested for the 2014–15 and 2015–16 school years.

The study is designed to meet the following three goals:

1. Determine the impact of school-based BMI screening and reporting on childhood obesity and obesity disparities.

2. Compare the impact of reporting the BMI alone, versus reporting the BMI with fitness test results on childhood obesity and fitness.

3. Determine the extent to which BMI screening and reporting have unintended consequences on weight-related stigmatization among children.

To achieve goal three of the study, one school in the aforementioned district has been randomly selected to suspend body composition assessment during the 2014–15 and 2015–16 school years for grade seven.

Overall, The Fit Study will evaluate the effects of fitness and BMI screening and reporting processes on children's health. The study supports the State Superintendent of Public Instruction's *Team California for Healthy Kids* Initiative. A letter of support from the former Deputy Superintendent of Public Instruction in the District, School, and Innovation Branch is provided (Attachment 3).

Authority for Waiver: *Education Code (EC)* Section 33050

RECOMMENDATION

☒ **Approval** ☐ **Approval with conditions** ☐ **Denial**

The CDE recommends approval to suspend Body Composition assessment for the selected school participating in The Fit Study during the 2014–15 and 2015–16 school years for the NVUSD.

SUMMARY OF KEY ISSUES

The NVUSD is participating in a statewide study on fitness testing in schools. The study is led by the University of California, Berkeley and funded by the National Institutes of Health. The study will evaluate the impact that measuring students' heights and weights (BMI) at school and providing a BMI report to parents has on children's health, such as reducing childhood obesity. The BMI is the most commonly used PFT to assess body composition. Suspending the Body Composition assessment among seventh grade students during the years requested is essential to the scientific design of The Fit Study. During the years the body composition assessment is suspended, students selected to participate in The Fit Study will continue to complete the other five fitness areas of the PFT.

The NVUSD has thirteen schools participating in The Fit Study. American Canyon Middle has also been selected to suspend the Body Composition assessment, which includes BMI as part of the PFT, for seventh grade students participating in The Fit Study during the 2014–15 and 2015–16 school years.

Demographic Information:

Napa Valley Unified School District has a student population of 20,868 and is located in a small area of Napa County.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In January 2015, the State Board of Education (SBE) approved a previous waiver to suspend the Body Composition assessment for selected schools participating in The Fit Study during the 2014–15 and 2015–16 school years for the Alhambra Unified School District, Moreno Valley Unified School District, and Visalia Unified School District.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide impact in granting this waiver.

ATTACHMENT(S)

Attachment 1: Summary Table of Waiver Requests to Suspend Body Composition Assessment as Part of Physical Fitness Test for Grade Seven During the 2014–15 and 2105–16 School Years (1 page).

Attachment 2: Napa Valley Unified School District General Waiver Request 10-2-2015 (2 pages) (Original waiver request if signed and on file in the Waiver Office.)

Attachment 3: The CDE letter of support for The Fit Study (2 pages).

Summary Table of Waiver Requests to Suspend Body Composition Assessment as Part of Physical Fitness Test for Grade Seven During the 2014–15 and 2015–16 School Years

Waiver Number	District Name	Period of Request	Local Board and Public Hearing Date	Certificated Bargaining Unit Name and Representative, Date of Action, and Position	Advisory Committee/ Schoolsite Council Name, Date of Review, and any Objections
10-2-2015	Napa Valley Unified School District	**Requested and Recommended:** March 1, 2015 through May 31, 2016	February 5, 2015	Napa Valley Educators Association Linda Hansen, President 1/21/2015 **Support**	American Canyon Middle Schoolsite Council February 10, 2015 **No objection**

Created by California Department of Education
March 5, 2015

California Department of Education
WAIVER SUBMISSION - General

CD Code: 2866266 Waiver Number: 10-2-2015 Active Year: 2015

Date In: 2/17/2015 1:39:25 PM

Local Education Agency: Napa Valley Unified School District
Address: 2425 Jefferson St.
Napa, CA 94558

Start: 3/1/2015 End: 5/31/2016

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Physical Fitness Testing
Ed Code Title: Physical Fitness Testing
Ed Code Section: 60800
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: (a) During the month of [February, March, April, or May], the governing board of each school district maintaining any of grades 5, 7, and 9 shall administer to each pupil in those grades the physical performance test designated by the State Board of Education. Each physically handicapped pupil and each pupil who is physically unable to take all of the physical performance test shall be given as much of the test as his or her condition will permit.

Outcome Rationale: The Napa Valley Unified School District requests that the annual requirement for body composition assessment as part of the Physical Fitness Test be suspended for 7th grade students at American Canyon Middle during the 2014-15 and 2015-16 school years.

Thirteen schools in the Napa Valley Unified School District are participating in a statewide study on school-based fitness testing led by the University of California, Berkeley and funded by the National Institutes of Health. The Fit Study will evaluate the practice of measuring students' heights and weights at school and sending a body mass index (BMI) report home to parents. BMI screening and reporting occurs frequently in schools across the county, but little evidence exists about its impact on child health. Results from The Fit Study will allow school districts and Departments of Education across the country to make evidence-based decisions about BMI screening and reporting in schools.

As part of The Fit Study, American Canyon Middle School has been randomly selected to suspend the body composition portion of the Physical Fitness Test for 7th grade students during the 2014-15 and 2015-16 school years. During years that body composition assessment is suspended, 7th grade students will complete all other components of the Physical Fitness Test as normal. Halting body composition assessment among 7th grade students at American Canyon Middle School is critical to the scientific design of The Fit Study.

Student Population: 1489

City Type: Small

Public Hearing Date: 2/5/2015
Public Hearing Advertised: Newspaper posting (Napa Valley Register)

Local Board Approval Date: 2/5/2015

Community Council Reviewed By: American Canyon Middle School Site Council
Community Council Reviewed Date: 2/10/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Jennifer Linchey
Position: Research Associate
E-mail: jlinchey@berkeley.edu
Telephone: 925-642-4861
Fax:

Bargaining Unit Date: 01/21/2015
Name: Napa Valley Educators Association
Representative: Linda Hansen
Title: President
Position: Support
Comments:

CALIFORNIA
DEPARTMENT OF
EDUCATION

TOM TORLAKSON
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

January 20, 2012

Kristine Madsen, MD, MPH
University of California, San Francisco
3333 California Street, Suite 245
San Francisco, CA94118

Dear Dr. Madsen,

I am pleased to offer the California Department of Education's (CDE) support for your study *RCT of BMI screening and reporting: effects on obesity, disparities, and body satisfaction.* Your work will evaluate the effect of fitness and body mass index (BMI) screening and reporting processes on child health at a population-level, and you will simultaneously assess students' attitudes towards these practices. Your study fits with the State Superintendent of Public Instruction, Tom Torlakson's *Team California for Healthy Kids* initiative that is based on the foundation that student health is integral to student academic success.

I understand that you will invite 75 schools across California to participate in your study. It will be completely voluntary on the part of the school to choose whether or not to participate in the study. I also understand that once schools have agreed to participate, they will be randomly assigned to one of three groups: 1) conducting fitness and BMI screening as usual and sending BMI reports to parents (Group 1); 2) conducting fitness and BMI screening only (Group 2); or 3) conducting fitness screening, but not measuring BMI in 2015 or 2016 (Group 3).

As you have described, this study will span 4 school years, beginning in the 2013–14 school year and concluding in the 2016–17 school year. Students in grades three through eight may participate. You will use a passive consent process, whereby parents may return a form to the school to *decline* participation for their child. Your research team will administer a survey to students in grades four through eight in each year of the study. In 2013–14, all schools will conduct fitness testing (and BMI assessments) as usual In the spring of 2015 and 2016, students in Group 3 will not have their BMI measured, but students in Groups 1 and 2 will (and all students will undergo routine additional fitness tests). All students will have BMI assessed again in 2016-2017. Another aspect of this study will entail measuring students' attitudes

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towards BMI screening, such as comfort with measures, any weight-related teasing they experience, body satisfaction, and weight control behaviors. Finally, a random sample of parents will be invited to complete a survey in 2016 asking about their attitudes towards fitness and BMI screening in schools.

While the CDE supports this study, we understand that it will be the responsibility of your research team to recruit local educational agencies (LEAs) and schools. LEAs and schools will sign a Memorandum of Understanding (MOU) with UCSF and issues of data sharing will be taken up directly with districts and schools.

It is also important to note that LEAs that are assigned Group 3 will be required to obtain a State Board of Education waiver from the requirements to measure BMI and report those results. Any LEA or school that participates in the study as part of Group 3 without a State Board of Education approved waiver will be considered out of compliance with state statute.

We are very interested in the results of this study and appreciate the commitment to provide California LEAs, school and the CDE with information regarding the results of this study.

Sincerely,

Deborah V.H. Sigman, Deputy Superintendent of Public Instruction
District, School and innovation Branch

DS/mc

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

WAIVER ITEM W-09

ITEM # W-09

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

☒ **General Waiver**

SUBJECT Request by two districts to waive California *Education Code* sections 15102 and 15268, related to bonded indebtedness limits. Total bonded indebtedness may not exceed 1.25 percent of the taxable assessed valuation of property for elementary and high school districts. Proposition 39 of 2000 bonds limit the tax rate levy authorized in each election to $30 per $100,000 of assessed value for elementary and high school districts. Waiver Numbers: El Monte City School District 25-1-2015 Greenfield Union Elementary School District 16-2-2015	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

The El Monte City School District's bonded indebtedness ratio is 1.43 percent and is unable to issue $35 million in bonds authorized in November 2014. Therefore, the district is requesting to increase the limit to 2.0 percent.

The Greenfield Union Elementary School District's bonded indebtedness ratio is 1.32 percent and is unable to issue $10 million in bonds authorized in November 2014. Therefore, the district is requesting to increase the limit to 2.5 percent.

Authority for Waiver: *Education Code (EC)* Section 33050

RECOMMENDATION

☐ **Approval** ☒ **Approval with conditions** ☐ **Denial**

The CDE recommends that the bonded indebtedness limits be waived with the following conditions: (1) the period of request does not exceed the recommended period on Attachment 1, (2) the total bonded indebtedness limit does not exceed the recommended new maximum shown on Attachment 1, (3) the district does not exceed the statutory tax rate, (4) the waiver is limited to the sale of bonds approved by the voters on the measures noted on Attachment 1, and (5) the district complies with the statutory requirements of Assembly Bill (AB) 182 related to school bonds which became effective January 1, 2014.

SUMMARY OF KEY ISSUES

Statutes Related to Bonded Indebtedness

To raise funds to build or renovate school facilities, with voter authorization, school districts may issue general obligation (G.O.) bonds. Prior to 2001, districts needed a two-thirds approval. In November 2000, districts were given another option for authorizing and issuing bonds when California voters passed Proposition 39, which allows school bonds to be approved with a 55 percent majority vote if the district abides by several administrative requirements, such as establishing an independent Citizens' Oversight Committee to oversee the use of the funds. Once G.O. bonds are authorized, school districts issue the bonds in increments needed to fund their facility projects. When the voters authorize a local G.O. bond, they are simultaneously authorizing a property tax increase to pay the principal and interest on the bond. For Proposition 39 bonds, *EC* sections 15268 and 15270(a) limit the tax rate levy authorized in each election to $30 per $100,000 of taxable property for high school and elementary school districts, and $60 per $100,000 for unified school districts.

The *EC* also provides limits related to a district's total bonded indebtedness. *EC* sections 15102 and 15268 limit an elementary or high school district's total G.O. bond indebtedness to 1.25 percent of the total assessed valuation of the district's taxable property, whereas *EC* sections 15106 and 15270(a) limit a unified school district's to 2.5 percent.

Without a waiver, school districts that are close to their bonding capacity must decide either to issue fewer bonds, delay the issuance of bonds until their assessed valuation increases, or obtain other more expensive non-bond financing to complete their projects, the costs of which could be paid from district general funds. Therefore, the CDE has historically recommended that the SBE approve related waiver request with the condition that the statutory tax rate levies are not exceeded at the time the bonds are issued.

On October 2, 2013, Governor Brown signed AB 182 (Chapter 477, Statutes of 2013) which establishes parameters for the issuance of local education bonds that allow for the compounding of interest, including capital appreciation bonds (CABs). AB 182 requires a district governing board to do the following:

- Before the bond sale, adopt a resolution at a public meeting that includes specific criteria, including being publicly noticed on at least two consecutive meeting agendas.
- Be presented with an agenda item at a public board meeting that provides a financial analysis of the overall costs of the bonds, a comparison to current interest bonds, and reasons why the compounding interest bonds are being recommended.
- After the bond sale, present actual cost information at the next scheduled public meeting and submit the cost information of the sale to the California Debt and Investment Advisory Commission.

Districts' Requests

El Monte City Schools

The district requests that its outstanding bonded indebtedness limit be increased to an amount not to exceed 2.0 percent through and until June 30, 2023. The district seeks to issue $35 million of the $78 million authorized in the 2014 GO Bond authorization. The district is unable to issue these bonds as their current outstanding bonded indebtedness of $90.1 million equates to a 1.4 percent ratio which is above the state's maximum allowed of 1.25 percent. With the addition of the proposed $35 million, total indebtedness would exceed $125.1 million and represent 2.0 percent of assessed valuation.

The district expects to issue the 2014 Measure M bonds every four years through 2023 and structure debt repayment at $30 per $100,000 of assessed valuation tax rate target. The district would like to issue $35 million of bonds authorized under 2014 Measure M but is unable to do so due to the statutory limit of 1.25 percent. Assuming an annual AV growth rate of 2 percent, it is estimated that the district's bonding capacity will increase to 2.00 percent of assessed valuation after issuing the $35 million bonds under Measure M in fiscal year 2014–15. The district projects that its debt ratio will fall below the statutory limit of 1.25 percent by fiscal year 2023–24.

The waiver will allow the district to complete the following voter approved projects:

- Complete site improvements around new two story classroom building and also build a new multi-purpose room, kitchen, library, administration offices, staff development room and restrooms at Durfee-Thompsom Elementary school.
- Complete repairs and technology upgrades at Cherrylee, Cleminson, Mulhall Center, New Lexington and Wilkerson Elementary Schools.
- Construct a multi-purpose room and administration building at Columbia Elementary.
- Replace 10 aging modular classrooms with permanent buildings at Cortada Elementary.
- Construct new kindergarten classrooms and administration building at Gidley Elementary.
- Build two-story 12 classroom building at Potrero Elementary.
- Construct a gymnasium and a new 12 classroom permanent building to replace aging portable classrooms at Rio Honda Elementary.
- Construct permanent classroom building and administration facility to replace 17 portable classrooms at Rio Vista Elementary.
- Build new multi-purpose classrooms at Shirpser and Wright Elementary Schools.

Greenfield Union Elementary Schools

The district requests that its outstanding bonded indebtedness limit be increased to an amount not to exceed 2.5 percent through and until June 30, 2018. The district seeks to issue $10 million of the $20 million authorized in the 2014 GO Bond authorizations. The district is unable to issue these bonds as their current outstanding bonded indebtedness of $2.97 million equates to a 1.32 percent ratio which is above the maximum allowed of

1.25 percent. With the addition of the proposed $10 million, total indebtedness would exceed $21.96 million and represent 2.43 percent of assessed valuation.

The district anticipates issuing approximately $10 million of general obligation bonds across two series of bonds and two elections held in November 2014. The district expects to issue the initial series during calendar year 2015. Assuming an annual AV growth rate of 4 percent, it is estimated that the district's bonding capacity will increase to 2.34 percent of assessed valuation after issuing the $10 million bonds. The District projects that its debt ratio will fall below the statutory limit of 1.25 percent by fiscal year 2023–24. The district's current plan of finance anticipates sales of bonds in the future; however, the timing of those sales has not been determined and will most likely occur beyond the time frame of this current debt waiver request. Current bonding capacity does not allow the district to issue the necessary $10 million in general obligation bonds at this time to finance the much needed projects. The district does not expect to exceed the statutory $30/$100,000 tax rate limit for Proposition 39 bond elections.

Student enrollment in the district has increased by nearly 500 students over the last three years and is projected to grow by 150 students per year in the next few years, and new classrooms and science labs are needed to avoid overcrowded classrooms and preserve the quality of education at Greenfield schools. The waiver will allow the district to begin upgrades to Mary Chapa School that were authorized under the two separate 2014 bond initiatives as follows:

- Provide classrooms for core academics, including science, math, reading and writing.
- Add approximately 20 new K-5 classrooms to reduce overcrowding.
- Provide school science labs.
- Provide up-to-date classroom computers and technology.
- Add school restrooms to accommodate growing enrollment.
- Upgrade and expand wireless systems, Internet and network connections.
- Demolish portions of existing 60 year-old facilities to accommodate new classrooms.
- Improve safety and security by adding fencing, lighting and security systems.
- Construct a multi-purpose classroom for core academics.
- Construct a library/media center.
- Build office/teacher support and administration space.
- Acquire land as the site for a new school.

The CDE has reviewed the waiver and the districts' schedules of assessed valuation and principal reduction to estimate the period of time that the district will be above the 1.25 percent statutory requirement as noted on Attachment 1. The CDE recommends that the bonded indebtedness limits be waived with the following conditions: (1) the period of request does not exceed the recommended period on Attachment 1, (2) the total bonded indebtedness limit does not exceed the recommended new maximum shown on Attachment 1, (3) the district does not exceed the statutory tax rate, (4) the waiver is limited to the sale of bonds approved by the voters on the measures noted on Attachment 1, and (5) the district complies with the statutory requirements of AB 182 related to school bonds which became effective January 1, 2014.

Demographic Information:

The El Monte City School District is located in an urban area of Los Angeles County in El Monte and includes fifteen schools that serve 9,275 students in grades kindergarten through eighth.

The Greenfield Union Elementary School District encompasses all of the City of Greenfield and unincorporated areas of Monterey County and includes four elementary schools and one middle school that serve 3,295 students in grades kindergarten through eighth.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has approved all bond limit waiver requests limited to the sale of already authorized bonds and at the tax rate levy stated on the bond measure.

Note, the SBE has never approved a waiver that would allow the district to exceed the statutory tax rate levy.

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver would allow the districts to accelerate the issuance of voter approved bonds to avoid serious financial stress to the district's general fund.

ATTACHMENT(S)

Attachment 1: Summary Table (1 page)

Attachment 2: The El Monte City School District General Waiver Request 25-1-2015 (5 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Greenfield Union Elementary School District General Waiver Request 16-2-2015 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

District(s) Requesting Increase in Bond Indebtedness Limits

California *Education Code (EC)* sections 15102 and 15268 prohibit elementary and high school districts from issuing bonds in excess of 1.25 percent of the assessed valuation of a district's taxable property. *EC* sections 15106 and 15270(a) prohibit unified school districts from issuing bonds in excess of 2.5 percent of the assessed valuation of a district's taxable property. *EC* sections 15268 and 15270(a) limit bonds authorized by a 55 percent majority in elementary and high school districts to $30 per $100,000 of taxable property per election and unified school districts to $60 per $100,000.

Waiver Number	District County/District Code	Period of Request	Total Bonded Indebtedness Limit and Tax Rate per $100,000 Assessed Valuation Allowed by Law or Noted on Voter Pamphlet	District's Request	CDE Recommended (New Maximum)	Bargaining Unit, Representatives Consulted, Date/Position	Public Hearing and Local Board Approval Date Public Hearing Advertisement	Advisory Committee Consulted, Date/Position	District States it has Complied with Assembly Bill 182 Requirements
25-1-2015	El Monte City School District 19-64501	**Requested**: May 6, 2015 to June 30, 2023 **Recommended**: May 7, 2015 to June 30, 2023	Debt Limit 1.25% Tax Rate $30.00 Voter Pamphlet $30.00	Debt Limit 2.00% Tax Rate $30.00	Debt Limit 2.00% Limited to Sale of Bonds Approved by Voters on the November 2014 Election (Measure M) Tax Rate $30.00	California School Employees Association. Margaret Alvarado, President 1/12/2015 **Support** El Monte Elementary Teachers Association. Judith Joseph, President 1/12/2015 **Support**	Local Board Approval 1/26/2015 Public Hearing 1/26/2015 Notice posted at school sites, public library and advertised in local newspaper	Citizens Oversight Committee 1/12/2015 **Support**	Yes. District does not intend to issue CABs
16-2-2015	Greenfield Union Elementary School District 27-66035	**Requested**: March 1, 2015 to June 30, 2018 **Recommended**: May 7, 2015 to June 30, 2018	Debt Limit 1.25% Tax Rate $30.00 Voter Pamphlet $30.00	Debt Limit 2.50% Tax Rate $30.00	Debt Limit 2.50% Limited to Sale of Bonds Approved by Voters on the November 2014 Election (Measures C & D) Tax Rate $30.00	California School Employees Association. Bertha Gonzales, President 2/11/2015 **Support**	Local Board Approval 2/19/2015 Public Hearing 2/19/2015 Notice advertised on District wedsite	District Board of Trustees, Bond Oversight Committee. 2/19/2015 **Support**	Yes. District does not intend to issue CABs

Created by California Department of Education
February 26, 2015

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1964501 Waiver Number: 25-1-2015 Active Year: 2015

Date In: 1/29/2015 12:33:58 PM

Local Education Agency: El Monte City School District
Address: 3540 North Lexington Ave.
El Monte, CA 91731

Start: 5/6/2015 End: 6/30/2023

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: School Construction Bonds
Ed Code Title: Bond Indebtedness Limit Non Unified After 2000
Ed Code Section: (15102) and (15268)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: 15102. [The total amount of bonds issued pursuant to this chapter and Chapter 1.5 (commencing with Section 15264) shall not exceed 1.25 percent of the taxable property of the school district or community college district, or the school facilities improvement district, if applicable as shown by the last equalized assessment of the county or counties in which the district is located.] For purposes of this section, the taxable property of a district for any fiscal year shall be calculated to include, but not be limited to, the assessed value of all unitary and operating nonunitary property of the district, which shall be derived by dividing the gross assessed value of the unitary and operating nonunitary property within the district for the 1987-88 fiscal year by the gross assessed value of all unitary and operating nonunitary property within the county in which the district is located for the 1987-88 fiscal year, and multiplying that result by the gross assessed value of all unitary and operating nonunitary property of the county on the last equilized assessment roll.

15268. [The total amount of bonds issued, including bonds issued pursuant to Chapter 1 (commencing with Section 15100), shall not exceed 1.25 percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located.] The bonds may only be issued if the tax rate levied to meet the requirements of Section 18 of Article XVI of the California Constitution in the case of indebtedness incurred by a school district pursuant to this chapter, at a single election, would not exceed thirty dollars ($30) per year per one hundred thousand dollars ($100,000) of taxable property when assessed valuation is projected by the district to increase in accordance with Article XIII A of the California Constitution. For purposes of this section, the taxable property of a district for any fiscal year shall be calculated to include, but not be limited to, the assessed value of all unitary and operating nonunitary property of the district, which shall be derived by dividing the gross assessed value of the unitary and operating nonunitary property within the district for the 1987-88 fiscal year by the gross assessed value of all unitary and operating nonunitary property within the county in which the district is located for the 1987-88 fiscal year, and multiplying that

result by the gross assessed value of all unitary and operating nonunitary property of the county on the last equalized assessment roll.

Outcome Rationale: See Attached.

Student Population: 9042

City Type: Urban

Public Hearing Date: 1/26/2015
Public Hearing Advertised: Posted at school sites and public library within the District. Advertisement in the SGV Tribune, a paper of general circulation in the City of Los Angeles, County of Los Angeles.

Local Board Approval Date: 1/26/2015

Community Council Reviewed By: Citizens Oversight Committee and Labor Union
Community Council Reviewed Date: 1/12/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Kristinn Olafsson
Position: Deputy Superintendent, Business Services
E-mail: kolafsson@emcsd.org
Telephone: 626-453-3790 x3790
Fax: 626-575-6160

Bargaining Unit Date: 01/12/2015
Name: California School Employees Association
Representative: Margaret Alvarado
Title: President
Position: Support
Comments:

Bargaining Unit Date: 01/12/2015
Name: El Monte Elementary Teachers Association
Representative: Judith Joseph
Title: President
Position: Support
Comments:

Attachment

Summary. The El Monte City School District (the "District") is seeking a waiver of Education Code Sections 15102 and 15268. Each of these statutes limit the statutory bonding capacity of an elementary school district to 1.25% of its current assessed valuation. The District is seeking a waiver of 2.00% of its current assessed valuation and for a period of nine years ending June 30, 2023. The 2015 waiver will be primarily applicable to the 2014 Measure M, 2004 Measure J and 2008 Measure KC authorizations. Approval of such waiver would enable the District to issue bonds under its recently approved 2014 Measure M bond authorization without delay in amounts necessary to keep its bond program moving forward to its scheduled completion.

Bond Program Size and Public Support. The District is in the midst of a $243 million bond program that began in November 1999 with the approval of 1999 Measure K, a $40 million bond measure that was approved by 75% of the District voters. Since that time, the District has been expending bond proceeds on facility improvements on an ongoing and consistent basis. The goal of the facility bond program is to bring all District facilities to a common and equitable standard with regard to structural safety issues, upgrades to building systems, technology upgrades, and security. The facility bond program receives broad community support. Since 1999, voters have approved general obligation bond measures on three separate occasions, all by super-majority vote.

- 1999 Bonds — November 1999, 75 percent of voters approved $40 million in bonds for construction, modernization, and safety improvements. All of the bonds have been sold.

- 2004 Bonds — November 2004, 76.1 percent of the voters approved $50 million in bonds for upgrades, repairs, construction, acquisition, and facility equipment. The District has sold $38.2 million in bonds.

- 2008 Bonds — November 2008, 72.5 percent of the voters approved $75 million in bonds for classroom repairs, construction, facilities, and infrastructure. The District has sold $37.2 million in bonds.

- 2014 Bonds — November 2014, 67.1 percent of the voters approved $78 million in bonds for upgrades, classroom repairs and safety improvements. None of the bonds have been sold.

Bond Program Status. To date, the District has expended more than $115 million of the $243 million that has been approved by voters. Such expenditures have allowed the District to complete various minor and major modernization and construction work at majority of its elementary school sites. The District's current expectation is that funds from its recently approved 2014 bond measure will allow the District to continue to invest in its facilities on an ongoing and consistent basis, at a rate of approximately $3.5 million per year, through 2033-34. At that time, the District expects to have completed work at all of its operating sites. Such expectation is based on current estimates of scope, cost, and other factors.

Authorized but Unissued Bonds. In November 2014, voters approved Measure M by a vote of 67.1% in favor. At the time of the election, the District had nearly $50 million in authorized but unissued bonds under two prior authorizations — 2004 Measure J and 2008 Measure KC. The decision to pursue a new

bond measure despite having a significant amount of authorized but unissued bonds was a result of projected slowing of the pace of the District's facility bond program caused by a decline in assessed values. The District postponed the issuance of bonds under 2004 Measure J and 2008 Measure KC and placed a new $78 million bond measure on the ballot in November 2014. In order to meet the tax rate and debt management objectives, 2014 Measure M is to be implemented over a fifteen year period.

Bonding Capacity: As a result of bonds issued under prior waivers, the District currently has bonds outstanding in excess of its statutory bonding capacity. The District has an assessed value of $6.29 billion in fiscal year 2014-15, providing a 1.25% statutory bonding capacity of $78.58 million. As of February 1, 2015, the District has $90.10 million in bonds outstanding from prior authorizations. Without approval of this waiver request by the Board of Education, the District will not be able to issue any bonds under 2014 Measure M. Voter approval of 2014 Measure M shows the community's desire for the District to issue additional bonds to continue to improve school facilities. Approval of this waiver will allow the District to do so.

Prior Waivers. The District has received bonding capacity waivers from the Board of Education on two prior occasions. In September 2008, the District received a bonding capacity waiver in connection with the 2004 Measure J authorization. The 2004 waiver increased the District's bonding capacity to 1.43%. Currently, there is $11.8 million authorized but unissued bonds. In July 2009, the District received a bonding capacity waiver in connection with 2008 Measure KC. The 2009 waiver increased the District's bonding capacity to 1.73% for all 2008 Measure KC Bonds issued through June 30, 2015. The District has issued three series of bonds under such waiver and has $37.8 million of 2008 Measure KC Bonds that remain authorized but unissued.

Structure of Bond Program. The approval of this waiver will not cause tax rates to increase beyond the tax rate targets established in connection with 2014 Measure M nor tax rate targets established in connection with prior District bond measures. The District expects to issue the 2014 Measure M bonds every four years through 2023. The District further intends to structure debt repayment at $30 per $100,000 of assessed valuation tax rate target. The District would like to issue $35 million of bonds authorized under 2014 Measure M but is unable to do so due to the statutory limit of 1.25 percent. Assuming a conservative annual AV growth of 2 percent, it is estimated that the District's bonding capacity will increase to 2.00 percent of assessed valuation after issuing the $35 million bonds under Measure M in fiscal year 2014-15. The District projects that its assessed valuation will fall below the statutory limit of 1.25 percent by fiscal year 2023-24. The waiver will allow the District to complete the following voter approved projects:

- Complete site improvements around new two story classroom building and also build a new multi-purpose room, kitchen, library, administration offices, staff development room and restrooms at Durfee-Thompsom Elementary school.
- Complete repairs and technology upgrades at Cherrylee, Cleminson, Mulhall Center, New Lexington and Wilkerson Elementary Schools.
- Construct a multi-purpose room and administration building at Columbia Elementary.
- Replace 10 aging modular classrooms with permanent buildings at Cortada Elementary.
- Construct new kindergarten classrooms and administration building at Gidley Elementary.
- Build two-story 12 classroom building at Potrero Elementary.

- Construct a gymnasium and a new 12 classroom permanent building to replace aging portable classrooms at Rio Honda Elementary.
- Construct permanent classroom building and administration facility to replace 17 portable classrooms at Rio Vista Elementary.
- Build new multi-purpose classrooms at Shirpser and Wright Elementary Schools.

Additional Taxpayer Safeguards. The District will remain subject to Education Code Section 15268 that imposes a tax rate limit of $30 per $100,000 of assessed values for bonds issued under a single bond measure for an elementary school district when the waiver is granted. Regardless of whether the District's waiver application is approved or at what percentage limit and regardless of any policy decisions made by future District boards, local taxpayers will continue to retain the protection of Section 15268 of the Education Code, and the District would be prohibited from issuing any 2014 Measure M bonds that would cause future tax rates required to support all 2014 Measure M bonds issued up to such date of issuance to exceed such $30 per $100,000 of assessed value maximum.

California Department of Education
WAIVER SUBMISSION - General

CD Code: 2766035 Waiver Number: 16-2-2015 Active Year: 2015

Date In: 2/20/2015 2:21:11 PM

Local Education Agency: Greenfield Union Elementary School District
Address: 493 El Camino Real
Greenfield, CA 93927

Start: 3/1/2015 End: 6/30/2018

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: School Construction Bonds
Ed Code Title: Bond Indebtedness Limit - Non-Unified after 2000
Ed Code Section: 15102
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: *EC* 15102: The total amount of bonds issued pursuant to this Chapter and Chapter 1.5 (commencing with Section 15264) [shall not exceed 1.25 percent of the taxable property of the school district] or community college district, or the school facilities improvement district, if applicable, as shown by the last equalized assessment of the county of counties in which the district is located.

Outcome Rationale: The District anticipates issuing approximately $10 million of general obligation bonds across two series of bonds and two elections held in November 2014. The District expects to issue its bonds during calendar year 2015. Proceeds will be used to finance new elementary school classrooms to support math, science, reading and writing programs, relieve school overcrowding, acquire land for a new school, and to construct, acquire and repair classrooms, sites, facilities and equipment, among other uses. Current bonding capacity does not allow the District to issue the necessary $10 million in general obligation bonds at this time to finance the much needed projects. The District does not expect to exceed the statutory $30/$100,000 tax rate limit for Proposition 39 bond elections.

Student Population: 3434

City Type: Small

Public Hearing Date: 2/19/2015
Public Hearing Advertised: Website

Local Board Approval Date: 2/19/2015

Community Council Reviewed By: District Board of Trustees, Bond Oversight Committee
Community Council Reviewed Date: 2/19/2015
Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Melody Canady
Position: Assistant Superintendent, Business
E-mail: mcanady@greenfield.k12.ca.us
Telephone: 831-674-2840 x2050
Fax:

Bargaining Unit Date: 02/11/2015
Name: California School Employees Association
Representative: Bertha Gonzales
Title: President
Position: Support
Comments:

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

WAIVER ITEM W-10

ITEM #W-10

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

☒ **General Waiver**

SUBJECT Request by seven school districts to waive California *Education Code* Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish a by-trustee-area method of election. Waiver Numbers: Banning Unified School District 30-2-2015 Chatom Union School District 1-2-2015 Garden Grove Unified School District 13-1-2015 Keyes Union School District 13-2-2015 Perris Elementary School District 5-3-2015 Pomona Unified School District 25-2-2015 William S. Hart Union High School District 7-3-2015	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

School districts that elect governing board members at-large are facing existing or potential litigation under the California Voting Rights Act of 2001 (CVRA). Pursuant to the California *Education Code* (*EC*), a district can change from at-large elections to by-trustee-area elections only if the change is approved by both the County Committee on School District Organization (County Committee) and voters at a districtwide election.

To reduce the potential for litigation and to establish by-trustee-area elections as expeditiously as possible, the Banning Unified School District (SD), the Chatom Union SD, the Garden Grove Unified SD, the Keyes Union SD, the Perris Elementary SD, the Pomona Unified SD, and the William S. Hart Union High SD request that the California State Board of Education (SBE) waive the requirement that by-trustee-area election methods be approved at districtwide elections—allowing by-trustee-area elections to be adopted upon review and approval of the County Committees.

Authority for Waiver: *EC* Section 33050

RECOMMENDATION

☒ **Approval** ☐ **Approval with conditions** ☐ **Denial**

The California Department of Education (CDE) recommends the SBE approve the requests by the Banning Unified SD, the Chatom Union SD, the Garden Grove Unified SD, the Keyes Union SD, the Perris Elementary SD, the Pomona Unified SD, and the

William S. Hart Union High SD to waive *EC* Section 5020, and portions of sections 5019, 5021, and 5030, which require a districtwide election to approve a by-trustee-area method of election.

SUMMARY OF KEY ISSUES

Approval of this waiver request would eliminate the election requirement for approval of trustee areas and a by-trustee-area method of election for future governing board elections in the seven school districts. Voters in the districts will continue to elect all board members—however, if the waiver request is approved, all board members will be elected by trustee areas, beginning with the next board elections.

County Committees have the authority to approve or disapprove the adoption of trustee areas and methods of election for school district governing board elections. Pursuant to *EC* Section 5020, County Committee approval of trustee areas and election methods constitutes an order of election; thus, voters in the districts have final approval.

Many districts in California are facing existing or potential litigation under the CVRA over their at-large election methods. To help avoid potential litigation, the seven school districts are taking action to establish trustee areas and adopt by-trustee-area election methods. In order to establish these trustee areas and the methods of election as expeditiously as possible, the districts are requesting that the SBE waive the requirement that the trustee areas and the election method be approved at districtwide elections. If the SBE approves the waiver request, districtwide elections for the seven school districts will not be required and by-trustee-area election methods can be adopted in the districts upon review and approval of the County Committees.

Only the elections to establish trustee areas and election methods will be eliminated by approval of the waiver requests—voters in the school districts will continue to elect all governing board members. Moreover, approval of the waiver requests will not eliminate any existing legal rights of currently seated board members.

The waiver requests have been reviewed by the CDE and it has been determined that there was no significant public opposition to the waivers at the public hearings held by the governing boards of the districts. The CDE has further determined that none of the grounds specified in *EC* Section 33051, which authorize denial of a waiver, exist. The CDE recommends the SBE approve the requests by the Banning Unified SD, the Chatom Union SD, the Garden Grove Unified SD, the Keyes Union SD, the Perris Elementary SD, the Pomona Unified SD, and the William S. Hart Union High SD to waive *EC* Section 5020, and portions of sections 5019, 5021, and 5030, which require a districtwide election to approve a by-trustee-area method of election.

Demographic Information:

The Banning Unified SD has a student population of 4,457 and is located in an urban area in Riverside County.

The Chatom Union SD has a student population of 579 and is located in a rural area in Stanislaus County.

The Garden Grove Unified SD has a student population of 47,960 and is located in an urban area in Orange County.

The Keyes Union SD has a student population of 750 and is located in a small city in Stanislaus County.

The Perris Elementary SD has a student population of 5,860 and is located in a small city in Riverside County.

The Pomona Unified SD has a student population of 27,000 and is located in an urban area in Los Angeles County.

The William S. Hart Union High SD has a student population of 22,509 and is located in an urban area in Los Angeles County.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has approved more than 100 similar waivers—most recently for the Sylvan Union Elementary SD (Stanislaus County) at the March 2015 SBE meeting.

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver requests will not have negative fiscal effects on any local or state agency. Failure to approve the requests will result in additional costs to the Banning Unified SD, the Chatom Union SD, the Garden Grove Unified SD, the Keyes Union SD, the Perris Elementary SD, the Pomona Unified SD, and the William S. Hart Union High SD for districtwide elections.

ATTACHMENT(S)

Attachment 1: Information from Districts Requesting Waivers of Elections Required to Establish Trustee Area Elections (3 pages)

Attachment 2: Banning Unified School District General Waiver Request 30-2-2015 (6 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Chatom Union School District General Waiver Request 1-2-2015 (6 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Garden Grove Unified School District General Waiver Request 13-1-2015 (7 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Keyes Union School District General Waiver Request 13-2-2015 (6 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 6: Perris Elementary School District General Waiver Request 5-3-2015 (8 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 7: Pomona Unified School District General Waiver Request 25-2-2015 (6 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 8: William S. Hart Union High School District General Waiver Request 7-3-2015 (6 pages) (Original waiver request is signed and on file in the Waiver Office.)

Information from Districts Requesting Waivers of Elections Required to Establish Trustee Area Elections

California *Education Code* Section 5020 and portions of sections 5019, 5021 and 5030

Waiver Number	District	Period of Request	Bargaining Unit, Representatives Consulted, Date, and Position	Public Hearing and Board Approval Date	Public Hearing Advertisement	SSC/Advisory Committee Position
30-2-2015	Banning Unified School District	**Requested and Recommended:** February 27, 2015, to February 27, 2016	Banning Teachers Association, Jannine Kersavage, President, 1/26/15 **Neutral** California School Employees Association, Jennifer Serrano, President, 1/26/15 **Neutral**	1/29/2015	The public hearing notice was posted in a newspaper, at school sites, and at the district office.	Reviewed by Citizens' Oversight Committee, all schoolsite councils, and District Parent Advisory Committee on 1/26/2015 **No objections**
1-2-2015	Chatom Union School District	**Requested and Recommended:** January 1, 2015, to December 31, 2015	Chatom Union Educators' Association, Laura Nance, President, 12/4/14 **Neutral** California School Employees Association, Anna Ramirez, President, 12/3/14 **Support**	1/13/2015	The hearing notice was published in a local newspaper and was posted in three public places in the district.	Reviewed by Mountain View Schoolsite Council (12/4/14), Chatom Schoolsite Council (1/12/15), and District English Language Advisory Committee (11/20/2014) **No objections**
13-1-2015	Garden Grove Unified School District	**Requested:** October 1, 2014, to September 30, 2015 **Recommended:** January 1, 2015, to December 30, 2016	Garden Grove Education Association, Justina Gurney, President, 12/2/14 **Support** California School Employees Association, Jan Alls, President, 10/21/14 **Support** Garden Grove Pupil Personnel Services Association, Steffanie Belasco, President, 10/21/14 **Support** Garden Grove Unified Supervisory Unit, Vic Chumley, President, 10/21/14 **Support**	12/16/14	The public hearing was noticed in the agenda for the 12/16/2014 Board meeting, in Board docket items, at various public meetings between May and December 2014 and on the district Web site.	Reviewed by District English Language Advisory Committee, all schoolsite councils, and Parent Teacher Association District Council on 12/15/2014 **No objections**

Information from Districts Requesting Waivers of Elections Required to Establish Trustee Area Elections

California *Education Code* Section 5020 and portions of sections 5019, 5021 and 5030

Waiver Number	District	Period of Request	Bargaining Unit, Representatives Consulted, Date, and Position	Public Hearing and Board Approval Date	Public Hearing Advertisement	SSC/Advisory Committee Position
13-2-2015	Keyes Union School District	**Requested:** May 9, 2015, to May 30, 2015 **Recommended:** January 22, 2015, to December 31, 2015	Keyes Teachers Association, Monica Eavenson, Secretary, 1/6/15 **Neutral** California School Employees Association, Khush Samra, President, 1/6/15 **Neutral**	2/18/2015	The hearing notice was posted at every school site, at three other public places in the district, and on the district Web site.	Reviewed by all schoolsite councils, District Advisory Committee, and District English Language Advisory Committee on 2/9/2015 **No objections**
5-3-2015	Perris Elementary School District	**Requested:** July 1, 2014, to June 30, 2017 **Recommended:** April 1, 2015, to March 30, 2017	Perris Elementary Teachers Association, Sharon Breyer, President, 2/19/15 **Neutral** California School Employees Association, Ana Magana, President, 2/2/15 **Oppose** (disagrees with the efforts to seek a waiver)	2/27/2015	The hearing notice was posted at each school site, at district offices, and on the district Web site.	The district held three community forums on 1/22/15, 2/2/15, and 2/19/15 at different sites but no specific advisory committees were consulted **No objections**
25-2-2015	Pomona Unified School District	**Requested and Recommended:** February 11, 2015, to February 9, 2017	Associated Pomona Teachers, Michael De Rosa, President, 2/13/15 **Neutral** California School Employees Association, Marian Orozco, President, 2/13/15 **Support** Pomona Administrators/Classified Management/Confidential Employees Association, Laura Solis, President, 2/13/15 **Support**	2/11/15	The public hearing was advertised in flyers, in newspapers, on the district Web site, via individual e-mail, on school marquees, in public forum announcements, and on social media.	Reviewed by District English Language Advisory Committee on 2/23/2014 **No objections**

Information from Districts Requesting Waivers of Elections Required to Establish Trustee Area Elections

California *Education Code* Section 5020 and portions of sections 5019, 5021 and 5030

Waiver Number	District	Period of Request	Bargaining Unit, Representatives Consulted, Date, and Position	Public Hearing and Board Approval Date	Public Hearing Advertisement	SSC/Advisory Committee Position
7-3-2015	William S. Hart Union High School District	**Requested and Recommended:** January 26, 2015, to January 24, 2017	Hart District Teachers Association, Jayme Allsman, President, 10/31/2014 **Neutral** California School Employees Association, Kelly Janney, President, 10/31/2014 **Neutral**	11/5/2014	Notice of the public hearing was posted in the Signal Newspaper, at the district administration office and schoolsites, on the district Web site; and notifications were sent via e-mail and through eNotify.	Reviewed by District Advisory Committee and Parent Communications Council on 10/31/2014 **No objections**

Created by California Department of Education
March 10, 2015

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3366985 Waiver Number: 30-2-2015 Active Year: 2015

Date In: 2/27/2015 1:35:45 PM

Local Education Agency: Banning Unified School District
Address: 161 West Williams St.
Banning, CA 92220

Start: 2/27/2015 End: 2/27/2016

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: School District Reorganization
Ed Code Title: Elimination of Election Requirement
Ed Code Section: 5020 and portions of 5019, 5021, and 5030
Ed Code Authority: 33050-33053

Ed Code or *CCR* to Waive: Please see Attachment A, attached hereto and incorporated herein by reference.

Outcome Rationale: This waiver is requested to expedite efforts by Banning Unified School District ("District") to ensure compliance with the California Voting Rights Act (Elections Code section 14025 et seq.) ("CVRA"). By granting this waiver, the District will be able to implement its new "by-trustee area" election system for its November 2015 elections to reduce any potential liability under the CVRA. Due to the fact that the CVRA grants a prevailing plaintiff the right to reasonable attorneys' and expert witness fees, the District seeks to reduce the risk of costly litigation under the CVRA. By reducing the risk of such costly litigation in an expeditious and cost-efficient manner, the District will be able to ensure that cuts to necessary and valuable District student programs are not needed because of claims being brought under the CVRA.

Student Population: 4457

City Type: Urban

Public Hearing Date: 1/29/2015
Public Hearing Advertised: Newspaper, the school sites, and District Office

Local Board Approval Date: 1/29/2015

Community Council Reviewed By: Citizens' Oversight Committee, School Site Councils, District Parent Advisory Committee
Community Council Reviewed Date: 1/26/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Robert Guillen
Position: Superintendent
E-mail: rguillen@banning.k12.ca.us
Telephone: 951-922-2706
Fax: 951-922-0227

Bargaining Unit Date: 01/26/2015
Name: Banning Teachers Association
Representative: Jannine Kersavage
Title: President
Position: Neutral
Comments:

Bargaining Unit Date: 01/26/2015
Name: California School Employees Association, Ch. 147
Representative: Jennifer Serrano
Title: Chapter President
Position: Neutral
Comments:

Attachment A

6. Education Code sections to be waived

Request to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) [the rearrangement of the] boundaries of trustee areas for a particular district, then the [rearrangement of the] trustee areas shall be effectuated for the next district election occurring at least 120 days after [its] approval, [unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If

the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.

§ 5020. Presentation of proposal to electors

(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.

(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.

(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:

"For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District--No."

"For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--No."

"For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--No."

"For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--No."

"For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."

"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--No."

"For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--No."

If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.]

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Section~~s~~ 5019 [and 5020] is approved [by a majority of the voters voting at the election,] any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established at such election which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by [a majority of the voters voting on the measure, or by] the county committee on school district organization [when no election is required,] and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved [by a majority of the voters voting at the election,] the incumbent board members shall serve out their terms of office and succeeding

board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization [and the registered voters of a district,] pursuant to Section~~s~~ 5019 [and 5020, respectively,] may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

[In counties with a population of less than 25,000,] the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

California Department of Education
WAIVER SUBMISSION - General

CD Code: 5071050 Waiver Number: 1-2-2015 Active Year: 2015

Date In: 2/2/2015 11:24:51 AM

Local Education Agency: Chatom Union School District
Address: 7201 Clayton Rd.
Turlock, CA 95380

Start: 1/1/2015 End: 12/31/2015

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: School District Reorganization
Ed Code Title: Elimination of Election Requirement
Ed Code Section: Portions of 5019, 5021, 5030 and all of 5020
Ed Code Authority: 33050-33053

Ed Code or *CCR* to Waive: The Chatom Unified School District desires to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by

750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) [the rearrangement of the] boundaries of trustee areas for a particular district, then the [rearrangement of the] trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval [, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.]

§ 5020. Presentation of proposal to electors

[(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.]

[(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.]

[(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the

electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.]

[(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.]

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[“For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District --Yes” and “For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District--No.”]

["For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--No."]

["For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--No."]

["For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--No."]

["For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."]

["For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--No."]

["For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--No."]

[If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.]

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Sections 5019 [and 5020] is approved [by a majority of the voters voting at the election], any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established [at such election] which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by[a majority of the voters voting on the measure, or by] the county committee on school district organization [when no election is required], and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved [by a majority of the voters voting at the election], the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 [and 5020], respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

[In counties with a population of less than 25,000,] the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county

committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

Outcome Rationale:

The Chatom Unified School District desires to have the requested *Education Code* sections waived because the waiver of these sections will allow the District to successfully adopt trustee areas and establish a by-trustee election process as expeditiously as possible, thereby enabling the District to avoid litigation resulting out of its current at-large election process for electing its governing board members.

It is imperative that the District adopt these areas and establish this process without delay and without interference. The District currently utilizes an at-large election process to elect its governing board members. The District's failure to successfully adopt and implement trustee areas and a by-trustee area election process leaves it vulnerable to litigation in which the District would be exposed to potentially having to pay significant attorneys' fees to plaintiffs, which would pose an undue hardship and extreme detriment to the District and its students.

CVRA History

The California Legislature enacted the California Voting Rights Act of 2001. (See California Elections Code §§ 14025-14032). This legislation makes all at-large election systems in California for cities, school districts and special districts vulnerable to legal attack, largely on proof of racially polarized voting, regardless of whether a majority district can be formed and, under the interpretation adopted by plaintiffs in other pending CVRA cases, without regard to the electoral success of minority candidates or the need to prove actual racial injury exists.

The CVRA purports to alter several requirements that plaintiffs would have to prove under the Federal Voting Rights Act, thereby making it easier to challenge at-large election systems.

The first suit under the CVRA was filed against the City of Modesto in 2004. Modesto challenged the facial constitutionality of the CVRA on the basis that, by using race as the sole criterion of liability, the CVRA contains a suspect racial classification that California was required to justify under equal protection strict scrutiny standards. The trial court struck down the statute but the California Court of Appeal reversed. (Sanchez v. City of Modesto (2006) 145 Cal.App.4th 660).

The City of Modesto ultimately settled the litigation, but not before paying plaintiffs $3 million dollars in attorneys' fees to plaintiffs' attorneys (the prevailing party [other than a public agency] is entitled to an award of their attorneys' fees and costs under the CVRA) and another $1.7 million to its own attorneys.

Similarly, the Hanford Joint Union High School District was sued under the CVRA and after adopting trustee areas and establishing by-trustee area elections (and requesting and receiving the same waiver from the State Board of Education that is being requested here), paid plaintiffs in that lawsuit the sum of $110,000 pursuant to a settlement agreement. Most recently, the Madera Unified School District has been sued under the CVRA and their November 2008

governing board member election was enjoined by the court. The Plaintiffs in that case demanded $1.8 million in attorneys' fees from that District, though that amount was subsequently reduced by the trial court and upheld on appeal.

Normally, under *Education Code* section 5020, the County Committee on School District organization, after conducting its own public hearing on the recommended plans, would call for an election and put the matter to a vote of the District's electors. However, going through an election process would prevent the District from electing successor trustees in a timely manner and leaves the District vulnerable to a lawsuit and injunction.

The requested waiver will allow the District to complete its transition to a by-trustee area election process in time to for the next governing board member election which will reduce the District's liability under the CVRA going forward.

Student Population: 579

City Type: Rural

Public Hearing Date: 1/13/2015
Public Hearing Advertised: The hearing notice was sent to local newspaper and was posted in three public places within the District

Local Board Approval Date: 1/13/2015

Community Council Reviewed By: Mountain View Site Council, Chatom Site Council and DELAC
Community Council Reviewed Date: 11/14/2014
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Cherise Olvera
Position: Superintendent
E-mail: colvera@chatom.k12.ca.us
Telephone: 209-664-8505 x1
Fax: 209-664-8508

Bargaining Unit Date: 12/3/2014
Name: California School Employees Association, Chapter #585
Representative: Anna Ramirez
Title: Union President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3066522 Waiver Number: 13-1-2015 Active Year: 2015

Date In: 1/20/2015 11:57:29 AM

Local Education Agency: Garden Grove Unified School District
Address: 10331 Stanford Ave.
Garden Grove, CA 92840

Start: 10/1/2014 End: 9/30/2015

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: School District Reorganization
Ed Code Title: Elimination of Election Requirement
Ed Code Section: 5019-5021, and 5030
Ed Code Authority: 33050

Ed Code or *CCR* to Waive:
§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

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(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters

residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) [the rearrangement of the] boundaries of trustee areas for a particular district, then the [rearrangement of the] trustee areas shall be effectuated for the next district election occurring at least 120 days after [its] approval[, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.]

[§ 5020. Presentation of proposal to electors

(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.

(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county

committee on school district organization may call and conduct one or more public hearings on the proposal.

(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:

“For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District --Yes” and “For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District--No.”

"For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--No."

"For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--No."

"For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--No."

"For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."

"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--No."

"For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--No."

If more than one proposal appears on the ballot, all must carry in order for any to become

effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.]

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Sections 5019 [and 5020] is approved [by a majority of the voters voting at the election,] any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established [at such election] which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by [a majority of the voters voting on the measure, or by]the county committee on school district organization [when no election is required], and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved [by a majority of the voters voting at the election], the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 [and 5020], respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

[In counties with a population of less than 25,000,] the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this

section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

Outcome Rationale: The District was threatened with litigation under the California Voting Rights Act (CVRA), and initiated the process for establishing trustee areas and converting to a by-trustee-area election system in May, 2014. Please see attached Resolutions and other documents for further information.

The Garden Grove Unified School District desires to have the requested Education Code sections waived because the waiver of these sections will allow the District to successfully adopt trustee areas and establish a by-trustee election process as expeditiously as possible, thereby enabling the District to avoid litigation resulting out of its current at-large election process for electing its governing board members.

The District currently utilizes an at-large election process to elect its governing board members. The District's failure to successfully adopt and implement trustee areas and a by-trustee area election process leaves it vulnerable to litigation in which the District would be exposed to potentially having to pay significant attorneys' fees to plaintiffs, which would pose an undue hardship and extreme detriment to the District and its students.

CVRA History

The California Legislature enacted the California Voting Rights Act of 2001. (See California Elections Code §§ 14025-14032). This legislation makes all at-large election systems in California for cities, school districts and special districts vulnerable to legal attack, largely on proof of racially polarized voting, regardless of whether a majority district can be formed and, under the interpretation adopted by plaintiffs in other pending CVRA cases, without regard to the electoral success of minority candidates or the need to prove actual racial injury exists.

The CVRA purports to alter several requirements that plaintiffs would have to prove under the Federal Voting Rights Act, thereby making it easier to challenge at-large election systems.

The first suit under the CVRA was filed against the City of Modesto in 2004. Modesto challenged the facial constitutionality of the CVRA on the basis that, by using race as the sole criterion of liability, the CVRA contains a suspect racial classification that California was required to justify under equal protection strict scrutiny standards. The trial court struck down the statute but the California Court of Appeal reversed. (Sanchez v. City of Modesto (2006) 145 Cal.App.4th 660).

The City of Modesto ultimately settled the litigation, but not before paying plaintiffs $3 million dollars in attorneys' fees to plaintiffs' attorneys (the prevailing party [other than a public agency] is entitled to an award of their attorneys' fees and costs under the CVRA) and another $1.7 million to its own attorneys.

Similarly, the Hanford Joint Union High School District was sued under the CVRA and after adopting trustee areas and establishing by-trustee area elections (and requesting and receiving the same waiver from the State Board of Education that is being requested here), paid plaintiffs in that lawsuit the sum of $110,000 pursuant to a settlement agreement. Most recently, the Madera Unified School District has been sued under the CVRA and their November 2008

governing board member election was enjoined by the court. The Plaintiffs in that case demanded $1.8 million in attorneys' fees from that District, though that amount was subsequently reduced by the trial court and upheld on appeal.

Normally, under Education Code section 5020, the County Committee on School District organization, after conducting its own public hearing on the recommended plans, would call for an election and put the matter to a vote of the District's electors. However, going through an election process would prevent the District from electing successor trustees in a timely manner and leaves the District vulnerable to a lawsuit and injunction.

The requested waiver will allow the District to complete its transition to a by-trustee area election process in time to for the next governing board member election which will reduce the District's liability under the CVRA going forward.

Student Population: 47960

City Type: Urban

Public Hearing Date: 12/16/2014
Public Hearing Advertised: Agenda for the 12/16/2014 Board meting; Board docket items and various public meetings between May and Dec. 2014; District website.

Local Board Approval Date: 12/16/2014

Community Council Reviewed By: District English Language Advisory Committee (DELAC); school-site councils; PTA District Council
Community Council Reviewed Date: 12/15/2014
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Mark Bresee
Position: Counsel for District
E-mail: mbresee@aalrr.com
Telephone: 562-653-3437
Fax:

Bargaining Unit Date: 10/21/2014
Name: California School Employees Association
Representative: Jan Alls
Title: President
Position: Support
Comments:

Bargaining Unit Date: 12/02/2014
Name: Garden Grove Education Association
Representative: Justina Gurney
Title: President
Position: Support
Comments:

Bargaining Unit Date: 10/21/2014
Name: Garden Grove Pupil Personnel Services Association
Representative: Steffanie Belasco
Title: President
Position: Support
Comments:

Bargaining Unit Date: 10/21/2014
Name: Garden Grove Unified Supervisory Unit
Representative: Vic Chumley
Title: President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 5071134 Waiver Number: 13-2-2015 Active Year: 2015

Date In: 2/19/2015 8:09:20 AM

Local Education Agency: Keyes Union School District
Address: 5680 Seventh St.
Keyes, CA 95328

Start: 5/9/2015 End: 5/30/2015

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: School District Reorganization
Ed Code Title: Elimination of Election Requirement
Ed Code Section: 5020, and portions of 5019, 5021 and 5030
Ed Code Authority: 33050-33053

Ed Code or *CCR* to Waive: See attachment #1

Outcome Rationale: The District Board of Trustees authorized the District to proceed with the process of seeking to move from an at-large election system to a by-trustee area election system for its Board members. To this end, at its January 22, 2015 meeting, the Board adopted a map that would divide the District into five trustee areas and passed a resolution that authorized the District to take all steps necessary to carry out the process. The District is requesting approval of this change from the Stanislaus County Committee on School District Reorganization ("County Committee"). If the County Committee approves this request to change the method of electing board members, *Education Code* section 5020 requires the County Committee's resolution of approval to be submitted to the electorate for its approval. However, an election to approve the change in voting methods will result in a cost to the District, and *Education Code* sections 33050-33053 authorize the District to seek a waiver from the State Board of Education ("SBE") to waive this voter approval requirement, which would reduce the costs associated with this change in electing Board members. As such, the District wishes to seek a waiver of the *Education Code* sections that would require voter approval of the District's change in election system.

Student Population: 750

City Type: Small

Public Hearing Date: 2/18/2015
Public Hearing Advertised: Every school site and three other public places in the district and district website

Local Board Approval Date: 2/18/2015

Community Council Reviewed By: School Site Council, District Advisory Council, District English Learner Advisory Committee
Community Council Reviewed Date: 2/9/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Cynthia Schaefer
Position: Superintendent
E-mail: cschaefer@keyes.k12.ca.us
Telephone: 209-669-2921 x3601
Fax: 209-669-2923

Bargaining Unit Date: 01/06/2015
Name: California School Employees Association
Representative: Khush Samra
Title: President
Position: Neutral
Comments:

Bargaining Unit Date: 01/06/2015
Name: Keyes Teachers Association (KTA)
Representative: Monica Eavenson
Title: Secretary
Position: Neutral
Comments:

Attachment

California *Education Code* sections to be waived

Request to waive the following sections and portions of the *Education Code* lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) [the rearrangement of the] boundaries of trustee areas for a particular district, then the [rearrangement of the] trustee areas shall be effectuated for the next district election occurring at least 120 days after [its] approval [, unless at least 5 percent of the registered voters of the

district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.]

[§ 5020. Presentation of proposal to electors]

[(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.]

[(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.]

[(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.]

[(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.]

[(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:]

["For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee

areas in ____ (insert name) School District--No."]

["For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--No."]

["For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--No."]

["For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--No."]

["For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."]

["For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--No."]

["For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--No."]

[If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.]

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Sections 5019 [and 5020] is approved [by a majority of the voters voting at the election], any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established [at such election] which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the

governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by [a majority of the voters voting on the measure, or by]the county committee on school district organization [when no election is required], and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved [by a majority of the voters voting at the election], the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 [and 5020,]respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

[In counties with a population of less than 25,000,] the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3367199 Waiver Number: 5-3-2015 Active Year: 2015

Date In: 3/5/2015 5:43:22 PM

Local Education Agency: Perris Elementary School District
Address: 143 East First St.
Perris, CA 92570

Start: 7/1/2014 End: 6/30/2017

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: School District Reorganization
Ed Code Title: Elimination of Election Requirement
Ed Code Section: 5020 and portions of 5019, 5021, and 5030
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: See Attachment A

Outcome Rationale: See Attachment B

Student Population: 5860

City Type: Small

Public Hearing Date: 2/27/2015
Public Hearing Advertised: Posted at each school site, district offices and district website

Local Board Approval Date: 2/27/2015

Community Council Reviewed By: 3 Community Forums on 1/22, 2/2 and 2/19 at different sites advertised by flyers, website and calls
Community Council Reviewed Date: 2/19/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Tina Daigneault
Position: Chief Business Official
E-mail: tdaigneault@perris.k12.ca.us
Telephone: 951-657-3118 x4024
Fax: 951-940-5115

Bargaining Unit Date: 02/02/2015
Name: California School Employees Association
Representative: Ana Magana
Title: CSEA Chapter 489 President
Position: Oppose
Comments: "disagrees with the District's efforts to seek a waiver of these Ed Codes"

Bargaining Unit Date: 02/19/2015
Name: Perris Elementary Teachers Association
Representative: Sharon Breyer
Title: President
Position: Neutral
Comments:

Attachment A

6. Education Code or California Code of Regulations section to be waived

The Perris Elementary School District desires to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) [the rearrangement of the] boundaries of trustee areas for a particular district, then the [rearrangement of the] trustee areas shall be effectuated for the next district election occurring

at least 120 days after its approval,[unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.]

§ 5020. Presentation of proposal to electors

[(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.

(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.

(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:

“For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name)

School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District--No."

"For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--No."

"For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--No."

"For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--No."

"For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."

"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--No."

"For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--No."

If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.]

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Sections 5019 [and 5020]is approved [by a majority of the voters voting at the election], any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established [at such election] which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine

by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by [a majority of the voters voting on the measure, or by]the county committee on school district organization[when no election is required], and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved [by a majority of the voters voting at the election], the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Section~~s~~ 5019 [and 5020], respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

[In counties with a population of less than 25,000,] the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

Attachment B

7. Desired Outcome/ Rationale

The Perris Elementary School District desires to have the requested Education Code sections waived because the waiver of these sections will allow the District to successfully adopt trustee areas and establish a by-trustee election process as expeditiously as possible, thereby enabling the District to avoid litigation resulting out of its current at-large election process for electing its governing board members.

The District currently utilizes an at-large election process to elect its governing board members. The District's failure to successfully adopt and implement trustee areas and a by-trustee area election process leaves it vulnerable to litigation in which the District would be exposed to potentially having to pay significant attorneys' fees to plaintiffs, which would pose an undue hardship and extreme detriment to the District and its students.

CVRA History

The California Legislature enacted the California Voting Rights Act of 2001. (*See* California Elections Code §§ 14025-14032). This legislation makes all at-large election systems in California for cities, school districts and special districts vulnerable to legal attack, largely on proof of racially polarized voting, regardless of whether a majority district can be formed and, under the interpretation adopted by plaintiffs in other pending CVRA cases, without regard to the electoral success of minority candidates or the need to prove actual racial injury exists.

The CVRA purports to alter several requirements that plaintiffs would have to prove under the Federal Voting Rights Act, thereby making it easier to challenge at-large election systems.

The first suit under the CVRA was filed against the City of Modesto in 2004. Modesto challenged the facial constitutionality of the CVRA on the basis that, by using race as the sole criterion of liability, the CVRA contains a suspect racial classification that California was required to justify under equal protection strict scrutiny standards. The trial court struck down the statute but the California Court of Appeal reversed. (*Sanchez v. City of Modesto* (2006) 145 Cal.App.4th 660).

The City of Modesto ultimately settled the litigation, but not before paying plaintiffs $3 million dollars in attorneys' fees to plaintiffs' attorneys (the prevailing party [other than a public agency] is entitled to an award of their attorneys' fees and costs under the CVRA) and another $1.7 million to its own attorneys.

Similarly, the Hanford Joint Union High School District was sued under the CVRA and after adopting trustee areas and establishing by-trustee area elections (and requesting and receiving the same waiver from the State Board of Education that is being requested here), paid plaintiffs in that lawsuit the sum of $110,000 pursuant to a settlement agreement. Most recently, the Madera Unified School District has been sued under the CVRA and their November 2008 governing board member election was enjoined by the court. The Plaintiffs in that case demanded $1.8 million in attorneys' fees from that District, though that amount was subsequently reduced by the trial court and upheld on appeal.

Normally, under Education Code section 5020, the County Committee on School District organization, after conducting its own public hearing on the recommended plans, would call for an election and put the matter to a vote of the District's electors. However, going through an election process would prevent the District from electing successor trustees in a timely manner and leaves the District vulnerable to a lawsuit and injunction.

The requested waiver will allow the District to complete its transition to a by-trustee area election process in time to for the next governing board member election which will reduce the District's liability under the CVRA going forward.

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1964907 Waiver Number: 25-2-2015 Active Year: 2015

Date In: 2/26/2015 11:02:00 AM

Local Education Agency: Pomona Unified School District
Address: 800 South Garey Ave.
Pomona, CA 91766

Start: 2/11/2015 End: 2/9/2017

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: School District Reorganization
Ed Code Title: Elimination of Trustee Elections
Ed Code Section: 5020, and portions of 5019, 5021, and 5030
Ed Code Authority: Sections 33050-33053

Ed Code or *CCR* to Waive: See Attachment #1 submitted herewith.

Outcome Rationale: By majority vote of the Pomona Unified School District ("District") Board of Trustees on February 11, 2015, this waiver is requested to expedite efforts by the District to ensure compliance with the California Voting Rights Act (Elections Code section 14025 et seq.) ("CVRA"). By granting this waiver, the District will be able to implement its new "by-trustee area" election system for its November 2015 elections and to further reduce any potential liability under the CVRA. Due to the fact that the CVRA grants prevailing plaintiffs the right to reasonable attorneys' and expert witness fees, the District seeks to reduce the risk of costly litigation under the CVRA. By reducing the risk of such costly litigation in an expeditious and cost-efficient manner, the District will be able to ensure the preservation of educational resources.

Student Population: 270000

City Type: Urban

Public Hearing Date: 2/11/2015
Public Hearing Advertised: Flyers, newspapers, school district website, individual email, school marquees, public forum announcements, and social media.

Local Board Approval Date: 2/11/2015

Community Council Reviewed By: District English Language Advisory Committee
Community Council Reviewed Date: 2/23/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Jim Moore
Position: Outside Gen. Counsel- Pomona Unified School Dist.
E-mail: jmoore@mohlaw.com
Telephone: 909-890-9500
Fax: 909-890-9580

Bargaining Unit Date: 02/13/2015
Name: Associated Pomona Teachers (APT)
Representative: Michael De Rosa
Title: President
Position: Neutral
Comments:

Bargaining Unit Date: 02/13/2015
Name: Classified School Employees Association (CSEA)
Representative: Marian Orozco
Title: President
Position: Support
Comments:

Bargaining Unit Date: 02/13/2015
Name: Pomona Admin/Classified Mngmt/Confid. empl. Assoc.
Representative: Laura Solis
Title: President
Position: Support
Comments:

Attachment #1

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) [the rearrangement of the] boundaries of trustee areas for a particular district, then the [rearrangement of the] trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval[, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If

the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.]

[§ 5020. Presentation of proposal to electors]

[(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.]

[(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.]

[(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.]

[(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.]

[(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:"For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District--No."]

["For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--No."]

["For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--No."]

["For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--No."]

["For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."]

["For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--No."]

["For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--No."]

[If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.]

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Section~~s~~ 5019 [and 5020] is approved [by a majority of the voters voting at the election], any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established [at such election] which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by [a majority of the voters voting on the measure, or by]the county committee on school district organization [when no election is required], and if the boundary changes affect the board membership, any affected incumbent

board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved [by a majority of the voters voting at the election], the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Section~~s~~ 5019 [and 5020], respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.
(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.
(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.
The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.
Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

[In counties with a population of less than 25,000,] the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1965136 Waiver Number: 7-3-2015 Active Year: 2015

Date In: 3/10/2015 11:21:16 PM

Local Education Agency: William S. Hart Union High School District
Address: 21380 Centre Pointe Pkwy.
Santa Clarita, CA 91350

Start: 1/26/2015 End: 1/24/2017

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: School District Reorganization
Ed Code Title: Elimination of Election Requirement
Ed Code Section: 5020 and portions of 5019, 5021 and 5030
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: Please see Attachment A to this waiver request which is hereby incorporated by reference. Attachment A identifies the sections of the *Education Code* that is requested to be waived.

Outcome Rationale: This waiver is requested to expedite efforts by the William S. Hart Union High School District ("District") to ensure compliance with the California Voting Rights Act (Elections Code section 14025 et seq.)("CVRA"). By granting this waiver, the District will be able to implement its new "by-trustee area" election system for its November 2015 elections and reduce any potential liability under the CVRA. Due to the fact that the CVRA grants a prevailing plaintiff the right to reasonable attorneys' and expert witness fees, the District seeks to reduce the risk of costly litigation under the CVRA. By reducing the risk of such costly litigation in an expeditious and cost-efficient manner, the District will be able to ensure that cuts to necessary valuable District student programs are not needed because of claims being brought under the CVRA.

Student Population: 22509

City Type: Urban

Public Hearing Date: 11/5/2014
Public Hearing Advertised: Posted seven days in the Signal Newspaper, at District administration office and school sites, on the District website, sent via email and using eNotify

Local Board Approval Date: 11/5/2014

Community Council Reviewed By: District Advisory committee/Parent Communications Council
Community Council Reviewed Date: 10/31/2014
Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Milton Foster
Position: Attorney for William S. Hart Union H.S. District
E-mail: mfoster@f3law.com
Telephone: 951-215-4900 x4907
Fax: 661-254-8653

Bargaining Unit Date: 10/31/2014
Name: California School Employees Association, Ch. 349
Representative: Kelly Janney
Title: President
Position: Neutral
Comments:

Bargaining Unit Date: 10/31/2014
Name: Hart District Teachers Association
Representative: Jayme Allsman
Title: President
Position: Neutral
Comments:

Attachment A

6. Education Code sections to be waived

Request to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) [the rearrangement of the] boundaries of trustee areas for a particular district, then the [rearrangement of the] trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval[, unless at least 5 percent of the registered voters of the

district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.]

[§ 5020. Presentation of proposal to electors]

[(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.]

[(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.]

[(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.]

[(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.]

[(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:]

["For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee

areas in ____ (insert name) School District--No."]

["For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--No."]

["For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--No."]

["For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--No."]

["For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."]

["For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--No."]

["For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--No."

If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.]

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Sections 5019 [and 5020] is approved [by a majority of the voters voting at the election], any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established at such election which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by [a majority of the voters voting on the measure, or by]the county committee on school district organization [when no election is required], and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved [by a majority of the voters voting at the election], the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization [and the registered voters of a district], pursuant to Sections 5019 [and 5020, respectively], may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

[In counties with a population of less than 25,000,] the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

WAIVER ITEM W-11

ITEM #W-11

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

☒ **General Waiver**

SUBJECT Request by **Maple Creek Elementary School District** to waive California *Education Code* Section 35780(a), which requires lapsation of a district with an average daily attendance of less than six. Waiver Number: 10-3-2015	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

At the time this waiver request was submitted, the Maple Creek Elementary School District (SD) in Humboldt County reported that it had five students enrolled in the first through eighth grades. *Education Code* (*EC*) Section 35780(a) requires the Humboldt County Committee on School District Organization (County Committee) to lapse the district if its average daily attendance (ADA) in these grade levels is below six at the close of the 2014–15 school year. The Maple Creek Elementary SD governing board is requesting that the California State Board of Education (SBE) waive *EC* Section 35780(a) in order to allow the district to continue to operate for the 2015–16 school year. The Humboldt County Superintendent of Schools strongly supports this request.

Authority for Waiver: *EC* Section 33050

RECOMMENDATION

☒ **Approval** ☐ **Approval with conditions** ☐ **Denial**

The California Department of Education (CDE) recommends that the SBE approve the request by the Maple Creek Elementary SD to waive *EC* 35780(a) regarding district lapsation.

SUMMARY OF KEY ISSUES

EC Section 35780 establishes the conditions necessary for a county committee to initiate lapsation proceedings for a school district. Subdivision (a) of this section requires lapsation of an elementary school district when the district's first through eighth grade ADA falls below six. Under conditions of lapsation, the county committee is required to annex the territory of the lapsed district to one or more adjoining districts.

The Maple Creek Elementary SD reports that the first through eighth grade ADA of the district likely will be below six at the end of the 2014–15 school year. The district reports

a current year enrollment of 10 students—however, only five are in grades one through eight (with the remaining students in transitional kindergarten and kindergarten). The district is requesting a waiver of subdivision (a) of *EC* 35780 (the requirement to lapse the district) for one year.

Given the following factors, the Maple Creek Elementary SD anticipates grades one through eight enrollment to be well above six for 2015–16:

- Five transitional kindergarten and kindergarten students already are enrolled.
- No students will graduate from the eighth grade for the next two years.
- There are expectations that a family with a second grade student will move into the district for the 2015–16 school year.
- Two homes that previously had students currently are available to rent.

The district historically has maintained relatively stable enrollment levels, with enrollment never falling below nine in the past 20 years. Over the previous five years, total enrollment in the district has fluctuated between 10 and 14 students (Source: California Basic Educational Data System [CBEDS]).

If the Maple Creek Elementary SD were to lapse, it would be most reasonable to lapse into the Blue Lake Union Elementary SD (with a 2013–14 enrollment of 158). The single school in the Blue Lake Union ESD is located over 16 miles from the Maple Creek School, with about nine miles of poorly-maintained gravel road. The commute takes about 40 minutes, depending on road condition, weather, and number of logging trucks traveling the route. Given the commute difficulties, it would be unlikely that the Maple Creek School would be closed even if the Maple Creek Elementary SD were lapsed. Thus, lapsation would result in no real cost savings.

The Humboldt County Superintendent of Schools provides strong support for the district's request to waive *EC* Section 35780, noting that:

- Safety of the elementary students is the primary concern. The Maple Creek School is located in a remote area and transportation in and out of the district can be very treacherous.
- The Maple Creek academic program is a quality program in a neighborhood setting. Parents and the community strongly support the school.
- The current enrollment dip appears to be an anomaly due to the relatively large number of students in pre-kindergarten and kindergarten. Enrollment should stabilize once these students and other younger children in the community become school-age.
- Board membership has historically been very stable, unlike many districts of similar size. There has been little difficulty attracting members of the community to serve on the board.

- Even if the district was forced to lapse, it is very likely the Maple Creek School would have to operate as a necessary small school—thus, there would be no clear financial benefit from the lapsation.

The California Department of Education (CDE) finds that none of the grounds specified in *EC* Section 33051, which authorize denial of a waiver, exist. The CDE recommends that the SBE approve the request by the Maple Creek Elementary SD to waive subdivision (a) of *EC* Section 35780.

Demographic Information:

The Maple Creek Elementary SD has a kindergarten through eighth grade student population of 10 and is located in a rural area of Humboldt County.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has approved similar requests for other school districts—most recently for the Green Point Elementary SD (Humboldt County) at the March 2014 SBE meeting and for the Death Valley Unified SD (Inyo County) at the July 2014 SBE meeting.

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver request will not have negative fiscal effects on any local or state agency.

ATTACHMENT(S)

Attachment 1: Information from District Requesting Waiver of Lapsation Requirement (1 page)

Attachment 2: Maple Creek Elementary School District General Waiver Request 10-3-2015 (5 pages) (Original waiver request is signed and on file in the Waiver Office.)

Information from District Requesting Waiver of Lapsation Requirement

California *Education Code* Section 35780(a)

Waiver Number	District	Period of Request	Bargaining Unit, Representatives Consulted, Date, and Position	Public Hearing and Board Approval Date	Public Hearing Advertisement	SSC/Advisory Committee Position
10-3-2015	Maple Creek Elementary School District	**Requested and Recommended:** May 7, 2015, to April 30, 2017	District has no bargaining units.	3/11/15	Notice in local newspaper, notice posted on the door of the Maple Creek School, on the Community Bulletin Board, in the school newspaper, on the school Web site, and at the local post office.	Reviewed by the schoolsite council on 3/3/15 **No objections**

Created by California Department of Education
March 12, 2015

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1262935 Waiver Number: 10-3-2015 Active Year: 2015

Date In: 3/12/2015 9:22:08 AM

Local Education Agency: Maple Creek Elementary School District
Address: 15933 Maple Creek Rd.
Korbel, CA 95550

Start: 5/7/2015 End: 4/30/2017

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: School District Reorginization
Ed Code Title: Lapsation of a Small District
Ed Code Section: 35780(a)
Ed Code Authority: 33050-33053

Ed Code or *CCR* to Waive: 35780(a) Any school district which has been organized for more than three years shall be lapsed as provided in this article if the number of registered electors in the district is less than six [or if the average daily attendance of pupils in the school or schools maintained by the district is less than six in grades 1 through 8 or is less than 11 in grades 9 through 12, except that for any unified district which has established and continues to operate at least one senior high school, the board of supervisors shall defer the lapsation of the district for one year upon a written request of the governing board of the district and written concurrence of the county committee. The board of supervisors shall make no more than three such deferments.]

Outcome Rationale: Please see Addendum A (attached)

Student Population: 10

City Type: Rural

Public Hearing Date: 3/11/2015
Public Hearing Advertised: Notice was published in the Times-Standard Newspaper; posted on the door of the Maple Creek School; the Community and local post office Bulletin Board; in the School Newsletter; on the school website.

Local Board Approval Date: 3/11/2015

Community Council Reviewed By: Maple Creek School Site Council
Community Council Reviewed Date: 3/3/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Wendy Orlandi
Position: Superintendent
E-mail: worlandi@humbodlt.k12.ca.us
Telephone: 707-668-5596
Fax: 707-668-4132

Addendum A
Desired Outcome/Rationale

School District Background and Geography
Maple Creek School was first established as a district on February 15, 1878, with an enrollment of 7 boys and 5 girls, grades kindergarten through eight.

In 1954 Weyerhauser Timber and Roddiscraft Mill donated the present school site to the District. The newly constructed school served 55 children. In the early sixties the mill was closed, and the student population fell to an average of 12-18 students. In the last five years, the student population has fluctuated between 10 and 16 students.

Currently, Maple Creek School is a remote, necessary small school with an enrollment of 10 students (TK-8). The building is in excellent condition with a beautifully maintained playground. Recent upgrades to satellite service and technology purchases provide daily access to the Internet for students as well as community members, most of whom do not have access at their homes. The school now provides access to online learning opportunities for students and community members. As the only public facility in the area, it serves both as an educational facility as well as community gathering place.

The school is nestled in the Maple Creek and Mad River Valleys, surrounded by pastureland, forest, and mountains. The area is sparsely settled. It is about a 40-minute drive from Blue Lake, the closest incorporated site, and a 70-minute drive from Eureka, the county seat. All routes are narrow, windy two-lane (barely) roads over the mountain range that separates the valley from the coast and are not fully paved. During the winter, storms cause limitations in travel to and from the valley due to landslides, fallen trees, snow and ice.

Students Being Served
In the last five years, the school has averaged 12 students per year with a fluctuation between 10 and 16 students. This one-school district serves Transitional Kindergarten through 8th grade students. In the last five years, 75% or more of the students have qualified for the Free and Reduced Meal Program, with 100% of students qualifying at times. The student population is a mixture of Caucasian, Asian, Native American, and African American.

For the 14-15 school year Maple Creek School has five students in first through eighth grade, two students in Transitional Kindergarten and three in Kindergarten. Families of these students have expressed a strong interest in keeping these young students in Maple Creek School for years to come. In addition to the students enrolled, there are three pre-school aged children with families interested in re-starting the parent run pre-school program that was once held on campus to provide a quality learning experience and prepare children for the transition into Kindergarten at Maple Creek when they are four or five years old. There is also a family with a baby that owns land in the district. Two vacant houses that have provided students to the district are currently available for rent. A family with a second grade student is expected to move into the district for the 15-16 school year. With current enrollment, no students will be graduating out for the next two school years. The upper elementary students have attended Maple Creek School for at least four years, and one has attended since kindergarten.

Staffing and Support
Maple Creek School employs 1.50 certificated teachers. Part time staff manage the administration, maintenance, and transportation. The teaching staff is highly qualified with one teacher presenting county-wide workshops to other teachers on how to implement Common Core. Parents are active as classroom and field trip volunteers with one or more parents volunteering some time every day.

The School Site Council is active. The Maple Creek Fundraising Committee is active. The District has a three-member Board of Trustees.

Community
The school is essential to the fabric of the community and fills many needs for its residents, from a social gathering place for community events, to an essential educational resource to its students and the greater community.

The economy in the area is primarily cattle ranching, agriculture, logging, timber contracting and construction businesses. One land owner is in the process of creating cabins near the river for tourism. Ninety percent of parents of currently enrolled students work inside the community. Of the 10% that drive to town for work, one parent stays home with young children. The location of the school is accessible for the parents and guardians to be directly involved in their children's education.

Contiguous School Districts and Schools
There are four contiguous school districts—Blue Lake Union School District, Kneeland School District, Klamath-Trinity Joint Unified School District and Bridgeville School District.

It would be most reasonable for Maple Creek to merge with Blue Lake Union School District in the event of lapsation. Blue Lake School is 16.43 miles from Maple Creek School, with approximately nine miles of poorly-maintained gravel road. It takes approximately 40 minutes to make the drive, one way, between the schools depending on the condition of the road, weather and number of logging trucks traveling the route.

The closest (in distance) school district is Kneeland School District; however, the transportation between Maple Creek and Kneeland is very challenging. A portion of that commute includes nine miles of Butler Valley Road. It is a tightly winding, narrow, one lane road along steep cliffs. Parts of the road are falling away. It is not plowed in the winter, and mud slides add to the treacherous condition of the road. California Highway Patrol Officer Chris Jackson expressed concern for the safety of the bus and said he would not advise travel on this route where a bus could meet a logging truck.

Trinity Valley Elementary School is located in the Klamath-Trinity Joint Unified School District. For most of the students, this would involve nearly two hours of travel. Snow Camp Road to Trinity Valley is not passable in the winter and often requires a four wheel drive vehicle in the summer. The Bridgeville School is even further away and would involve a longer commute.

Challenges in Transportation
Maple Creek School provides bus transportation for 100% of the enrolled students. It is a hardship for many of the parents to provide transportation from home to school. The bus is equipped with snow

chains and a strobe light for improved visibility in the frequently dense fog. Even with this equipment, the district has historically declared emergency closures and/or emergency minimum days due to road conditions that include downed trees, ice, snow and mudslides. Often a community member lends a hand and chainsaw expertise to clear the road for staff and students. Maple Creek Road is not well maintained by the county, with approximately nine miles between Maple Creek School and Blue Lake School that is gravel with deep potholes with parts of the road caving in.

Ninety percent of the families cannot afford the daily drive to town to transport their children to another school. Some of the families struggle to keep a vehicle running just to get to town for groceries. Ten percent of the families are disabled and unable to drive a vehicle. The hardship of the daily commute would make a quality education difficult if not impossible. One of the current goals of the Superintendent is to work with the local high schools to offer a way for students to use Maple Creek School as a site for secondary students to take online classes. Seventy percent of the student population lives off of the grid, and Internet access is not affordable or available for them at home. If students were bused out of the district, parents and guardians would be a great distance away in the event of an emergency, problem, or illness.

Financial Considerations

If the Maple Creek School District is lapsed, it will be reorganized into the Blue Lake School District. Maple Creek School would likely stay open as a school site, and there is no real cost savings to the state as a result of the lapsation. In addition, it is likely Blue Lake Union School District will incur a financial loss due to the loss of transportation funding presently allocated to Maple Creek.

Supportive Community

Parents and community members are grateful for the location and the quality of education that their children are receiving. The educational program and technology access has never been greater. The school's current highly-qualified teaching staff individualizes the education for each student through the structure of the daily math and language arts program. The school is nearing a 1-1 ratio for technological devices, which the students use for daily curriculum and individual and group projects. These are qualities that attract and retain students.

If the students are bussed to Blue Lake, many of the parents will be limited in their ability to participate in their children's educational program due to financial hardship and road conditions. Parents are concerned that if their children became ill or if there was an emergency, they would not be able to get to town quickly or at all.

Several of the current families are encouraging other families to move into the available housing. There is a real possibility that Maple Creek School will experience growth in the next two years because of available housing. With the existing enrollment, Maple Creek will have eight students in 1st – 8th grade during the 2015-2016 school year and 10 students in 1st – 8th grade during the 2016-2017 school year.

Maple Creek School has been an important part of the community for many years. Community members and parents, as well as school personnel, are committed to upholding the tradition of providing the accessible and quality education for the children in Maple Creek.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

WAIVER ITEM W-12

ITEM #W-12

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

☒ **Specific Waiver**

SUBJECT

Request by seven local educational agencies under the authority of California *Education Code* Section 52863 for waivers of *Education Code* Section 52852, relating to schoolsite councils regarding changes in shared, composition, or shared and composition members.

Waiver Numbers:

Alview-Dairyland Union Elementary School District 20-2-2015
Big Lagoon Union Elementary School District 14-2-2015
Carpinteria Unified School District 3-1-2015
Carpinteria Unified School District 4-1-2015
Carpinteria Unified School District 5-1-2015
Columbia Elementary School District 17-2-2015
Hanford Elementary School District 27-1-2015
Mt. Shasta Union Elementary School District 24-1-2015
Stanislaus County Office of Education 14-1-2015

☒ **Action**

☒ **Consent**

SUMMARY OF THE ISSUE(S)

Specific authority is provided in California *Education Code* (*EC*) Section 52863 to allow the State Board of Education (SBE) to waive the Schoolsite Council (SSC) requirements contained in *EC* 52852 of the School-Based Coordination Program (SBCP) Act that would hinder the success of the program implementation. These waivers must be renewed every two years.

Authority for Waiver: *EC* Section 52863

RECOMMENDATION

☐ **Approval** ☒ **Approval with conditions** ☐ **Denial**

The California Department of Education (CDE) recommends approval with conditions, see Attachment 1.

SUMMARY OF KEY ISSUES

The Alview-Dairyland Union Elementary School District is requesting to renew a shared SSC for two schools: Alview Elementary School (8 teachers serving 166 students in kindergarten through grade three) and Dairyland Elementary School (10 teachers

serving 203 students in grades four through eight). The two schools share the same administrative staff and serve the same families in a rural area.

The Big Lagoon Union Elementary School District is requesting to renew an SSC composition change for a very small school: Big Lagoon Elementary School (3 teachers serving 35 students in kindergarten through grade eight). It is located in a rural area.

The Carpinteria Unified School District is requesting to renew an SSC composition change for a small school: Rincon Continuation High School (3 teachers serving 35 students in grades nine through twelve). The school is located in a rural area.

The Carpinteria Unified School District is requesting to renew an SSC composition change for a small school: Carpinteria Family School (3 teachers serving 78 students in kindergarten through grade five). The school is located in a rural area.

The Carpinteria Unified School District is requesting to renew an SSC composition change for a small school: Summerland Elementary School (3.25 teachers serving 53 students in kindergarten through grade five). The principal is shared with another school in the district. The school is located in a rural area.

The Columbia Elementary School District is requesting to renew a shared SSC for two schools: Columbia Elementary School (23 teachers serving 451 students in kindergarten through grade four) and Mountain View Middle School (20 teachers serving 388 students in grades five through eight). The principal of Columbia Elementary School is also the superintendent of the district. In addition, the two schools share a counselor, a psychologist, a nurse, and a speech and language pathologist. They are located in a small city.

The Hanford Elementary School District is requesting to renew a shared SSC for two schools: Hamilton Elementary School (25 teachers serving 556 students in kindergarten through grade six) and Hanford Elementary Community Day School (3 teachers serving up to 25 students in kindergarten through grade eight). Student enrollment at Hanford Elementary Community Day School is temporary as the school serves students expelled from other schools. Given the transient nature of the school and its small student and teacher population, it is difficult to maintain a stable SSC. The two schools are located in a small city.

The Mt. Shasta Union Elementary School District is requesting to renew an SSC composition change for a small school: Mt. Shasta Elementary School (10 teachers serving 210 students in kindergarten through grade three). The school is located in a rural area.

The Stanislaus County Office of Education is requesting a shared SSC for two small schools: Petersen Alternative Center for Education (13 teachers serving 267 students in grades one through twelve) and Stanislaus County West Campus (Juvenile Hall) School (13 teachers serving 83 students in kindergarten through grade twelve). The two schools share a principal and are located adjacent to each other in an urban area.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The CDE has previously presented requests from local educational agencies (LEAs) to waive some of the SSC requirements in *EC* 52863 or to allow one shared schoolsite council for multiple schools. All of these requests have been granted with conditions. The conditions take into consideration the rationale provided by the LEAs, a majority of which are due to the size, type, location, or other capacities of the schools.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: Local Educational Agencies Requesting a Schoolsite Council Waiver (5 Pages)

Attachment 2: Alview-Dairyland Union Elementary School District Specific Waiver Request 20-2-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Big Lagoon Union Elementary School District Specific Waiver Request 14-2-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Carpinteria Unified School District Specific Waiver Request 3-1-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Carpinteria Unified School District Specific Waiver Request 4-1-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 6: Carpinteria Unified School District Specific Waiver Request 5-1-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 7: Columbia Elementary School District Specific Waiver Request 17-2-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 8: Hanford Elementary School District Specific Waiver Request 27-1-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 9: Mt. Shasta Union Elementary School District Specific Waiver Request 24-1-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 10: Stanislaus County Office of Education Specific Waiver Request 14-1-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Local Educational Agencies Requesting a Schoolsite Council Waiver

Waiver Number	LEA for School(s) (CDS Code[s])	LEAs Request	CDE Recommendation	Previous Waiver Yes or No Period of Request/ Period Recommended	Collective Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee Position	Local Board Approval Date
20-2-2015	Alview-Diaryland Union Elementary School District for Alview Elementary School (2065177 6023865) and Dairyland Elementary School (2065177 6023923)	Shared SSC	Approval with conditions: the SSC must consist of one principal, three classroom teachers (selected by peers), one other school representative (selected by peers), and five parents/community members (selected by parents).	**Yes** **Requested:** 07/01/2015 to 06/30/2017 **Recommended:** 07/01/2015 to 06/30/2017	Alview-Dairyland Teachers Association Jennifer Paine, President 01/26/2015 **Support**	Alview Elementary School and Dairyland Elementary School SSC 11/12/2014 **No Objections**	01/27/2015
14-2-2015	Big Lagoon Union Elementary School District for Big Lagoon Elementary School (1262695 6007686)	SSC composition change	Approval with conditions: the SSC must consist of one principal, one classroom teacher (selected by peers), one other school representative (selected by peers), and three parents/community members (selected by parents).	**Yes** **Requested:** 01/18/2014 to 01/18/2016 **Recommended:** 01/18/2014 to 01/17/2016	None indicated	Big Lagoon Elementary School SSC 02/09/2015 **No Objections**	02/09/2015

Waiver Number	LEA for School(s) (CDS Code[s])	LEAs Request	CDE Recommendation	Previous Waiver Yes or No Period of Request/ Period Recommended	Collective Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee Position	Local Board Approval Date
3-1-2015	Carpinteria Unified School District for Rincon Continuation High School (4269146 4230595)	SSC composition change	Approval with conditions: the SSC must consist of one principal, two classroom teachers (selected by peers), two parents/community members (selected by parents), and one student (selected by peers).	**Yes** **Requested:** 04/01/2015 to 03/31/2017 **Recommended:** 04/01/2015 to 03/31/2017	Carpinteria Association of United School Employees Jay Hotchner, President 11/17/2014 **Support**	Rincon Continuation High School SSC 11/10/2014 **No Objections**	12/09/2014
4-1-2015	Carpinteria Unified School District for Carpinteria Family School (4269146 0102129)	SSC composition change	Approval with conditions: the SSC must consist of one principal, two classroom teachers (selected by peers), and three parents/community members (selected by parents).	**Yes** **Requested:** 03/01/2015 to 02/28/2017 **Recommended:** 03/01/2015 to 02/28/2017	Carpinteria Association of United School Employees Jay Hotchner, President 11/17/2014 **Support**	Carpinteria Family School SSC 10/10/2014 **No Objections**	12/09/2014

Waiver Number	LEA for School(s) (CDS Code[s])	LEAs Request	CDE Recommendation	Previous Waiver Yes or No Period of Request/ Period Recommended	Collective Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee Position	Local Board Approval Date
5-1-2015	Carpinteria Unified School District for Summerland Elementary School (4269146 6045322)	SSC composition change	Approval with conditions: the SSC must consist of one principal, two classroom teachers (selected by peers), and three parents/community members (selected by parents).	**Yes** **Requested:** 03/01/2015 to 02/28/2017 **Recommended:** 03/01/2015 to 02/28/2017	Carpinteria Association of United School Employee Jay Hotchner, President 11/17/2014 **Support**	Summerland Elementary School SSC 11/03/2014 **No Objections**	12/09/2014
17-2-2015	Columbia Elementary School District for Columbia Elementary School (4569948 6050181) and Mountain View Middle School (4569948 6117857)	Shared SSC	Approval with conditions: the SSC must consist of one principal, three classroom teachers (selected by peers), one other school representative (selected by peers), and five parents/community members (selected by parents).	**Yes** **Requested:** 07/01/2015 to 06/30/2017 **Recommended:** 07/01/2015 to 06/30/2017	None indicated	Columbia Elementary School and Mountain View Middle School SSC 03/04/2015 **No Objections**	02/17/2015

Waiver Number	LEA for School(s) (CDS Code[s])	LEAs Request	CDE Recommendation	Previous Waiver Yes or No Period of Request/ Period Recommended	Collective Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee Position	Local Board Approval Date
27-1-2015	Hanford Elementary School District for Hamilton Elementary School (1663917 0110981) and Hanford Elementary Community Day School (1663917 6118459)	Shared SSC	Approval with conditions: the SSC must consist of one principal, three classroom teachers (selected by peers), one other school representative (selected by peers), and five parents/community members (selected by parents).	**Yes** **Requested:** 07/01/2015 to 06/30/2017 **Recommended:** 07/01/2015 to 06/30/2017	Hanford Elementary Teachers Association Jan Wantland, President 01/12/2014 **Support**	Hamilton Elementary School and Hanford Elementary Community Day School SSC 12/15/2014 **No Objections**	01/28/2015
24-1-2015	Mt. Shasta Union Elementary School District for Mt. Shasta Elementary School (4770425 6050884)	SSC composition change	Approval with conditions: the SSC must consist of one principal, two classroom teachers (selected by peers), one other school representative (selected by peers), and four parents/community members (selected by parents).	**Yes** **Requested:** 01/01/2014 to 01/01/2016 **Recommended:** 01/01/2014 to 12/31/2015	Mt. Shasta Elementary Teachers Association Betty Lizalde, Co-President 12/04/2014 **Support**	Mt. Shasta Elementary School SSC 11/13/2014 **No Objections**	01/13/2015

Waiver Number	LEA for School(s) (CDS Code[s])	LEAs Request	CDE Recommendation	Previous Waiver Yes or No Period of Request/ Period Recommended	Collective Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee Position	Local Board Approval Date
14-1-2015	Stanislaus County Office of Education for Petersen Alternative Center for Education (5010504 5030226) and Stanislaus County West Campus (Juvenile Hall) School (5010504 5030069)	Shared SSC	Approval with conditions: the SSC must consist of one principal, four classroom teachers (selected by peers), one other school representative (selected by peers), three parents/community members (selected by parents), and three students (selected by peers).	**Yes** **Requested:** 07/01/2014 to 07/01/2015 **Recommended:** 07/01/2014 to 06/30/2016	California State Employees Association Elisa Beltran, Secretary 11/14/2014 **Support**	Petersen Alternative Center for Education SSC 11/19/2014 **No Objections**	12/09/2014

Created by the California Department of Education
January 16, 2015

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 2065177 Waiver Number: 20-2-2015 Active Year: 2015

Date In: 2/24/2015 1:52:52 PM

Local Education Agency: Alview-Dairyland Union Elementary School District
Address: 12861 Avenue 18 1/2
Chowchilla, CA 93610

Start: 7/1/2015 End: 6/30/2017

Waiver Renewal: Y
Previous Waiver Number: 15-1-2013-W-04 Previous SBE Approval Date: 5/8/2013

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Shared Schoolsite Council
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: Specific code section: 52852

Outcome Rationale: The Alview-Dairyland Union School District includes two school sites, Alview and Dairyland. The schools are segmented by the grade levels they serve. Alview serves students in grades K-3 while Dairyland serves 4-8 grades. Both of the school sites are governed by the same administration and serve the same families in the same geographical district boundaries. We would like to continue to have one school site council to function for our two rural schools. The local bargaining unit and current school site council members, along with the governing board, have approved this waiver request.

Student Population: 352

City Type: Rural

Local Board Approval Date: 1/27/2015

Council Reviewed By: School Site Council
Council Reviewed Date: 11/12/2014
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Sheila Perry
Position: Vice Principal / Curriculum Director
E-mail: sperry@adusd.k12.ca.us
Telephone: 559-665-2394
Fax: 559-665-2394

Bargaining Unit Date: 01/26/2015
Name: Alview-Dairyland Teachers Association
Representative: Jennifer Paine
Title: President, Bargaining Unit
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 1262695 Waiver Number: 14-2-2015 Active Year: 2015

Date In: 2/19/2015 4:10:16 PM

Local Education Agency: Big Lagoon Union Elementary School District
Address: 269 Big Lagoon Park Rd.
Trinidad, CA 95570

Start: 1/18/2014 End: 1/18/2016

Waiver Renewal: Y
Previous Waiver Number: 11-12-2011-W-20 Previous SBE Approval Date: 3/8/2012

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Number and Composition of Members
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: 52852. A schoolsite council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school. At the elementary level the council shall be constituted to ensure parity between (a) the principal, classroom teachers, and other school personnel; and (b) parents or other community members selected by parents. At the secondary level the council shall be constituted to ensure parity between (a) the principal, classroom teachers and other school personnel; and (b) equal numbers of parents, or other community members selected by parents, and pupils. At both, the elementary and secondary levels, classroom teacher shall comprise the majority of persons represented under category(a). Existing schoolwide advisory groups or school support groups maybe utilized as the schoolsite council if those groups conform to this section. The Superintendent of Public Instruction shall provide several examples of selection and replacement procedures that may be considered by schoolsite councils. An employee of a school, who is also a parent or guardian of a pupil who attends a school other than the school of the parent's or guardian's employment, is not disqualified by virtue of this employment from serving as a parent representative on the schoolsite council established for the school that his or her child or ward attends.

Outcome Rationale: Requesting reduced composition in members for a small school. (Statute requires 12 members for a high school site council and 10 members for elementary school site council).

The desired outcome is the district to be in compliance, and have a workable School Site Council. Waiver is necessary due to the small size of the district. Currently, our staff size is only 3 teachers. Waiver has approval of Site Council.

Request that the composition of the School Site Council be 1 certificated employee, 1 classified employee, 1 administrator, and 3 parents or community members. Total members to be six.

Student Population: 35

City Type: Rural

Local Board Approval Date: 2/9/2015

Council Reviewed By: School Site Council
Council Reviewed Date: 2/9/2015
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Rea Erickson
Position: Superintendent/Principal
E-mail: rerickson@nohum.k12.ca.us
Telephone: 707-677-3688
Fax: 707-677-3642

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 4269146 Waiver Number: 3-1-2015 Active Year: 2015

Date In: 1/8/2015 2:07:03 PM

Local Education Agency: Carpinteria Unified School District
Address: 1400 Linden Ave.
Carpinteria, CA 93013

Start: 4/1/2015 End: 3/31/2017

Waiver Renewal: Y
Previous Waiver Number: 43-12-2012-W-05 Previous SBE Approval Date: 3/14/2013

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Number and Composition of Members
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: The Carpinteria Unified School District Board of Trustees, on behalf of the Rincon Continuation High School Site Council, is requesting that a waiver be granted for the reduction of the composition of the School Site Council from ten to six. The reduction in the composition does not change the parity in the council.

Outcome Rationale: The composition of the Rincon Continuation High School Site Council, to ensure parity between members, will be:
a.) the principal, two teachers
b.) two parents, one student or community member

Rincon Continuation High School serves credit-deficient Carpinteria High School students grades nine through twelve and has an enrollment of between 35 and 60 students at any given time. Rincon's staff consists of three full-time teachers as well as a (part-time) academic counselor, office coordinator, and principal. A psychologist, resource teacher, and speech and language therapist are shared with other District secondary schools. Students are taught in three subject area classrooms.

We at Rincon Continuation School believe that all students can learn and succeed when provided with a learning environment that is student centered, offers a variety of instructional methods, and provides academic guidance and personal counseling services.

Due to the small staff size and parent population, Rincon wishes to continue with a site council composed of the principal, two teachers, two parents, and one student. Although the council is small, it takes an active role in reviewing student data, building the budget, and writing the annual Single School Plan for Student Achievement.

Rincon High School's current student population is 76 percent Hispanic and 24 percent white/non-Hispanic. As a small school we receive Title III LEP and Local Control Funding

Formula funding. A separate budget and unique program needs prevent the school from developing a collaborative site council with neighboring schools.

Student Population: 35

City Type: Small

Local Board Approval Date: 12/9/2014

Council Reviewed By: Rincon High School Site Council
Council Reviewed Date: 11/10/2014
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Kristin Mayville
Position: Principal
E-mail: kmayville@cusd.net
Telephone: 805-684-3277
Fax: 805-684-0218

Bargaining Unit Date: 11/17/2014
Name: Carpinteria Association of United School Employees
Representative: Jay Hotchner
Title: President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 4269146 Waiver Number: 4-1-2015 Active Year: 2015

Date In: 1/12/2015 11:38:04 AM

Local Education Agency: Carpinteria Unified School District
Address: 1400 Linden Ave.
Carpinteria, CA 93013

Start: 3/1/2015 End: 2/28/2017

Waiver Renewal: Y
Previous Waiver Number: 41-12-2012-W-05 Previous SBE Approval Date: 3/14/2013

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Number and Composition of Members
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or *CCR* to Waive:
1. Authority for the waiver: Write the *Education Code* (*EC*) Section citation, which authorizes the waiver of the specific *EC* Section you want to waive: 1 Specific code section: 52863
EC 52863 Any governing board, on behalf of a school site council, may request the State Board of Education to grant a waiver of any provision of this article. The State Board of Education may grant a request when it finds that the failure to do so would hinder the implementation or maintenance of a successful school-based
coordinated program. (Effective for 2 years only, may be renewed)

The Carpinteria Unified School District Board of Trustees, on behalf of the Carpinteria Family School Site Council, is requesting that a waiver be granted for the reduction of the composition of the School Site Council from ten to six. The reduction in the composition does not change the parity in the council.

Outcome Rationale: Carpinteria Family School is one of two small elementary schools in the Carpinteria Unified School District located in Santa Barbara County. The Family School enrolls 78 students from throughout the district in grades Kindergarten through 5th. There are 3 staff member, an office coordinator, a part-time principal, and a music teacher that is shared with four elementary schools. Students are taught in three multi-graded classrooms.

Carpinteria Family School offers an educational alternative to students, teachers, and parents in the Carpinteria Unified School District. Parents, district staff, administration, and School Board created Carpinteria Family School with the belief that children come to school already immersed in their learning and have their own strengths and interests. The school seeks to support the individual and provide guidance and stimulation. Carpinteria Family School strives to be a leading educational force in open education.

Due to the small size of the staff and parent population, the school wishes to continue with a site council composition of the school principal, two teachers, and three parents or community members. Even though the composition of the council is reduced, the council takes an active role in reviewing student data, writing the single plan, and building a budget that is centered on student achievement.

Leslie Gravitz is the principal at Carpinteria Family School. The Family School's population is 63% Caucasian, 22% Hispanic, and 15% other. As a small school we receive only targeted students, unrestricted, and Title III funding. Having different budget and programs needs prevent the schools from developing a single site council with neighboring schools through the waiver process.

Approved by Site Council on October 10, 2014

Student Population: 78

City Type: Small

Local Board Approval Date: 12/9/2014

Council Reviewed By: Carpinteria Family School Site Council
Council Reviewed Date: 10/10/2014
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Leslie Gravitz
Position: Principal
E-mail: agravitz@cusd.net
Telephone: 805-684-5481
Fax: 805-684-0218

Bargaining Unit Date: 11/17/2014
Name: Carpinteria Association of United School Employees
Representative: Jay Hotchner
Title: President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 4269146 Waiver Number: 5-1-2015 Active Year: 2015

Date In: 1/12/2015 12:27:49 PM

Local Education Agency: Carpinteria Unified School District
Address: 1400 Linden Ave.
Carpinteria, CA 93013

Start: 3/1/2015 End: 2/28/2017

Waiver Renewal: Y
Previous Waiver Number: 39-12-2012-W-05 Previous SBE Approval Date: 3/14/2013

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Shared Schoolsite Council with Reduced Number and Composition
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or *CCR* to Waive:

1. Authority for the waiver: Write the *Education Code* (*EC*) Section citation, which authorizes the waiver of the specific *EC* Section you want to waive: 1 Specific code section: 52863
EC 52863 Any governing board, on behalf of a school site council, may request the State Board of Education to grant a waiver of any provision of this article. The State Board of Education may grant a request when it finds that the failure to do so would hinder the implementation or maintenance of a successful school-based
coordinated program. (Effective for 2 years only, may be renewed)

The Carpinteria Unified School District Board of Trustees, on behalf of the Summerland School Site Council, is requesting that a waiver be granted for the reduction of the composition of the School Site Council from ten to six. The reduction in the composition does not change the parity in the council.

2. California *Education Code* or *California Code of Regulations* or portion to be waived.
Section to be waived: (number) *EC* 52852

Requesting reduced composition in members for a small school. (Statute requires 12 members for a high schoolsite council and 10 members for elementary schoolsite council).
The composition of the Summerland Site Council, to ensure parity between members, will be:
a.) the principal and two teachers
b.) three parents or community members

Outcome Rationale: Summerland School is one of two small schools in the Carpinteria Unified School District located in Santa Barbara County. Summerland enrolls 53 students from kindergarten through fifth grade. There are three staff members, an office coordinator, several part time support staff and a music teacher who is shared with four elementary schools. There are three multi-grade classrooms.

Due to the small size of the staff and parent population, the school wishes to continue the site council composed of the school principal, two teachers, and three parents or community members. Even though the composition of the council is reduced, the council takes an active role in reviewing student data, writing the single plan, and building a budget that is centered on student achievement.

Holly Minear is the principal at Summerland School and Aliso School. Summerland School's population is 56% White/non Hispanic, 36% Hispanic, and 8% other. As a small school Summerland receives only unrestricted and targeted student funding. Aliso is 17% White/non Hispanic, 79% Hispanic, and 4% other. Aliso receives Title I, targeted students, unrestricted, Title III funding. The difference in budget and program needs of each school prevent the schools from developing a single site council through the waiver process.

Approved by Site Council on November 3, 2014

Student Population: 53

City Type: Small

Local Board Approval Date: 12/9/2014

Council Reviewed By: Summerland School Site Council
Council Reviewed Date: 11/3/2014
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Holly Minear
Position: Principal
E-mail: hminear@cusd.net
Telephone: 805-969-1011
Fax: 805-684-0218

Bargaining Unit Date: 11/17/2014
Name: Carpinteria Association of Unified School Employee
Representative: Jay Hotchner
Title: President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 4569948 Waiver Number: 17-2-2015 Active Year: 2015

Date In: 2/20/2015 4:15:44 PM

Local Education Agency: Columbia Elementary School District
Address: 10140 Old Oregon Trail
Redding, CA 96003

Start: 7/1/2015 End: 6/30/2017

Waiver Renewal: Y
Previous Waiver Number: 102-2-2014-W-16 Previous SBE Approval Date: 5/8/2014

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Shared Schoolsite Council
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: A school site council shall be established at each school which participates in school-based program coordination.

Outcome Rationale: There are two school sites. The elementary site if K-4 and the middle school is 5-8. The two sties share a Superintendent, Counselor, Psychologist, Nurse, Speech and Language Pathologist, etc. The Superintendent is also the Principal of the elementary school. In order to streamline meetings the site council has parents, teachers and community members associated with both sites participating in one site council as each site does not serve duplicate grade spans.

Student Population: 820

City Type: Small

Local Board Approval Date: 2/17/2015

Council Reviewed By: Columbia Elementary School and Mountain View Middle School SSC
Council Reviewed Date: 03/04/2015
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Erin Gillespie
Position: Administrative Assistant to the Superintendent
E-mail: egillespie@columbiasd.com
Telephone: 530-223-1915 x103
Fax:

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 1663917 Waiver Number: 27-1-2015 Active Year: 2015

Date In: 1/30/2015 2:58:29 PM

Local Education Agency: Hanford Elementary School District
Address: 714 North White St.
Hanford, CA 93230

Start: 7/1/2015 End: 6/30/2017

Waiver Renewal: Y
Previous Waiver Number: 8-12-2012-W-04 Previous SBE Approval Date: 5/8/2013

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Shared Schoolsite Council
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: Specific authority is provided in California *Education Code* (*EC*) Section 52863 to allow the State Board of Education (SBE) to waive the Schoolsite Council (SSC) requirements contained in *EC* 52852 of the School-Based Coordination Program (SBCP) Act that would hinder the success of the program implementation. These waivers must be renewed every two years.

Authority for Waiver: *EC* Section 52863

Outcome Rationale: Students who are expelled from school in grades K-6 are referred for enrollment to Hanford Elementary Community Day School (CDS). CDS has three teachers and generally serves approximately 25 students at any given time. A student's placement at CDS is temporary and generally lasts through their expulsion order. This can be one or more trimesters, but students often attend CDS for a single trimester. Given the transient nature of CDS, along with its small student and teacher population, it is difficult to maintain a stable School Site Council. Combining the SSCs from Hamilton and CDS would provide a consistent, stable School Site Council. The joint SSC would draw proportional school council representation, teachers and parents, from both schools.

Student Population: 19

City Type: Small

Local Board Approval Date: 1/28/2015

Council Reviewed By: Hamilton/Community Day School Site Council
Council Reviewed Date: 12/15/2014
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Doug Carlton
Position: Director, Categorical Programs
E-mail: dcarlton@hesd.k12.ca.us
Telephone: 559-585-3671
Fax: 559-585-2381

Bargaining Unit Date: 01/12/2014
Name: Hanford Elementary Teachers Association (HETA)
Representative: Jan Wantland
Title: President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 4770425 Waiver Number: 24-1-2015 Active Year: 2015

Date In: 1/23/2015 2:11:19 PM

Local Education Agency: Mt. Shasta Union Elementary School District
Address: 595 East Alma St.
Mt. Shasta, CA 96067

Start: 1/1/2014 End: 1/1/2016

Waiver Renewal: Y
Previous Waiver Number: 17-1-2012 Previous SBE Approval Date: 5/9/2012

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Number and Composition of Members
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: *EC* Section 52852 reads as follows:
A schoolsite council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

At the secondary level the council shall be constituted to ensure parity between (a) the principal, classroom teachers and other school personnel; and (b) equal numbers of parents, or other community members selected by parents, and pupils.

At both the elementary and secondary levels, classroom teachers shall comprise the majority of persons represented under category (a).

This is a very difficult number to achieve if the total number of students and teachers in the school is small.

The school wishes to continue to have an eight-member SSC composed of the principal, two classroom teachers (selected by peer(s)), one classified employee, two students (selected by peers) and two parent/guardian or community members.

Outcome Rationale: After much recruitment, our small, rural school is unable to get enough parents to meet the requirement of 6 parent members. Parents have declined participating in SSC because they are already involved and volunteering for other school activities.

The Mt. Shasta Elementary School has a total of 10 teachers. The waiver is requested to allow this school to operate this elementary School Site Council with 8 members instead of 12 members. The SSC composition would consist of 1 administrator, 2 teachers, 1 classified employee, 2 students (participant in long term program) and 2 parent/guardian or community

members. This composition would allow for a majority of teachers on the staff side and would ensure parity between staff members and students/parents/community members.

Student Population: 210

City Type: Rural

Local Board Approval Date: 1/13/2015

Council Reviewed By: School Site Council
Council Reviewed Date: 11/13/2014
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Leanna Rizzo
Position: Principal
E-mail: lrizzo@msusd.org
Telephone: 530-926-3434
Fax: 530-926-2827

Bargaining Unit Date: 12/04/2014
Name: Mt. Shasta Elementary Teachers Association
Representative: Bette Lizalde
Title: Co-President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 5010504 Waiver Number: 14-1-2015 Active Year: 2015

Date In: 1/21/2015 10:47:15 AM

Local Education Agency: Stanislaus County Office of Education
Address: 1100 H St.
Modesto, CA 95354

Start: 7/1/2014 End: 7/1/2015

Waiver Renewal: Y
Previous Waiver Number: 5-5-2012-W-08 Previous SBE Approval Date: 9/13/2012

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Shared Schoolsite Council
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: *EC* 52852 A school site council shall be established at Petersen Alternative Center for Education and Stanislaus County West Campus which participates in school based program coordination. The council shall be composed of the principal and representatives of : teachers selected by teachers at [the] each school; parents of pupils attending [the] each school selected by such parents; and, in secondary schools, pupils selected by pupils attending [the] each schools

Outcome Rationale: The SCOE Educational Options school sites are supervised by principals who are responsible for more than one site. The PACE principal also oversees the West Campus (Juvenile Hall) which operates under it's own CDS code. The two sites are adjacent to each other geographically. The county office supports both school sites with county administration, curriculum and assessment services, professional development and often teachers transfer from site to site as enrollment numbers dictate.

Student Population: 350

City Type: Urban

Local Board Approval Date: 12/9/2014

Council Reviewed By: Current Petersen Alternative Center for Education SSC
Council Reviewed Date: 11/19/2014
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms.Telka Walser
Position: Director II
E-mail: twalser@stancoe.org
Telephone: 209-238-1507
Fax: 209-238-4216

Bargaining Unit Date: 11/14/2014
Name: California State Employees Association
Representative: Elisa Beltran
Title: CSEA Secretary
Position: Support
Comments:

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

WAIVER ITEM W-13

ITEM #W-13

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

☒ **Specific Waiver**

SUBJECT Request by four school districts under the authority of California *Education Code* Section 49548 to waive *Education Code* Section 49550, the State Meal Mandate during the summer school session. Waiver Number: Eastern Sierra Unified School District 9-2-2015 Liberty Elementary School District 15-2-2015 Sierra-Plumas Joint Unified School District 5-2-2015 Wiseburn Elementary School District 11-3-2015	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUE(S)

Waiver requests fully meeting the statutory conditions are sent to the State Board of Education consent calendar.

Authority for Waiver: *Education Code (EC)* Section 49548

RECOMMENDATION

☒ **Approval** ☐ **Approval with conditions** ☐ **Denial**

Four districts have requested summer school meal waivers under authority of the California *Education Code* (*EC*) Section 49548, to waive *EC* Section 49550, the requirement that meals be served each school day.

These four requests represent a sharp decrease from years past, when hundreds of summer school meal waiver requests were submitted. The Nutrition Services Division has made tremendous strides in ensuring that schools are provided with the guidance they need to offer meals whenever possible.

School sites operating a summer school session shall be granted a waiver so that meals do not have to be served if they meet one of the following conditions:

CONDITION ONE

Elementary schools shall be granted a waiver if a Summer Food Service Program (SFSP) for children site is available within one-half mile of the school site. Middle schools, junior high schools, and high schools shall be granted a waiver if a SFSP site is available within one mile of the school site. Additionally, one of the following

conditions must exist:

- The hours of operation of the SFSP site commence no later than one-half hour after the completion of the summer school session day.

- The hours of operation of the SFSP site conclude no earlier than one hour after the completion of the summer school session day.

For purposes of this section of law, “elementary school” means a public school that maintains kindergarten or any of grades first through eighth inclusive.

CONDITION TWO

Serving meals during the summer school session would result in a financial loss to the school district, documented in a financial analysis performed by the school district, in an amount equal to one-third of the net cash resources as defined in Title 7, *Code of Federal Regulations*, Section 210.2, which, for purposes of this section of law, shall exclude funds that are encumbered. If there are no net cash resources, the financial loss must be greater than or equal to the operating costs of one month as averaged over the summer school sessions.

The financial analysis must include a projection of future meal program participation based on either of the following:

- The meal service period beginning after the commencement of the summer school session day and concluding before the completion of the summer school session day. In other words, districts must project profit or loss based on serving a breakfast or a lunch **during school hours** and not before or after the school day.

- The school site operating as an open Summer Seamless Feeding Option or a SFSP site, and providing adequate notification thereof, including flyers and banners, in order to fulfill community needs under the SFSP.

CONDITION THREE

Summer school sites that operate two hours or less including breaks and recess shall be granted a waiver.

The districts listed in Attachment 1 have requested a waiver of *EC* Section 49550 for the summer of 2013 and have certified their compliance with all required conditions necessary to obtain a waiver.

The California Department of Education (CDE) has reviewed the waiver requests from the districts and recommends approval based on meeting the conditions (One, Two, or Three) listed in the fifth column on Attachment 1.

Authority for Waiver: *EC* Section 49548

Bargaining unit(s) consulted on date(s): Not required

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waivers may reduce the draw on Proposition 98 funds at the State level. Local district finances may be affected.

ATTACHMENT(S)

Attachment 1: Districts Meeting Statutory Waiver Conditions (1 page)

Attachment 2: Eastern Sierra Unified School District Specific Waiver Request 9-2-2015 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Liberty Elementary School District Specific Waiver Request 15-2-2015 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Sierra-Plumas Joint Unified School District Specific Waiver Request 5-2-2015 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Wiseburn Elementary School District Specific Waiver Request 11-3-2015 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Districts Meeting Statutory Waiver Conditions

Waiver Number	District	School Site	Effective Period of Request(s)	Local Board Approval Date	Condition Being Met
9-2-2015	Eastern Sierra Unified School District	Antelope Elementary School Bridgeport Elementary School Edna Beaman Elementary School Lee Vining Elementary School	**Requested & Recommended:** 7/1/2015 to 8/8/2015	1/22/2015	Two
15-2-2015	Liberty Elementary School District	Liberty Elementary School	**Requested & Recommended:** 7/6/2015 to 7/23/2015	2/19/2015	Two
5-2-2015	Sierra-Plumas Joint Unified School District	Loyalton High School	**Requested & Recommended:** 6/15/2015 to 8/14/2015	2/10/2015	Three
11-3-2015	Wiseburn Elementary School District	Juan De Anza Elementary	**Requested & Recommended:** 6/29/2015 to 7/24/2015	3/10/2015	One

Created by the California Department of Education
March 17, 2015

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 2673668 Waiver Number: 9-2-2015 Active
Year: 2015

Date In: 2/13/2015 11:49:21 AM

Local Education Agency: Eastern Sierra Unified School District
Address: 231 Kingsley St.
Bridgeport, CA 93517

Start: 7/1/2015 End: 8/8/2015

Waiver Renewal: N
Previous Waiver Number: 44-1-2014-W-17 Previous SBE Approval Date: 5/8/2014

Waiver Topic: State Meal Mandate
Ed Code Title: Summer School Session
Ed Code Section: 49550
Ed Code Authority: 49548

Ed Code or *CCR* to Waive: 49550. [(a) Notwithstanding any other provision of law, each school district or county superintendent of schools maintaining anykindergarten or any of grades 1 to 12, inclusive, shall provide for each needy pupil one nutritionally adequate free or reduced-pricemeal during each schoolday, except for family day care homes that shall be reimbursed for 75 percent of the meals served.]

Outcome Rationale: The cost exceeds the income from operating a summer meal program resulting in a financial loss to the district.

Student Population: 400

City Type: Rural

Local Board Approval Date: 1/22/2015

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. arik avanesyans
Position: business manager
E-mail: aavanesyans@esusd.org
Telephone: 760-932-7443
Fax:

DISTRICT INFORMATION

Site Name: Lee Vining Elementary School		
Summer School day at this site begins: 8 and ends: 11:30 Total Time: 3:30 (Hrs/Min)		
Meals offered during regular school year: Breakfast ☒ Lunch ☒		
Meal time at this site for the summer session begins: 11:10 and ends: 11:30		
Check which condition below meets your circumstances:		
Condition ONE ☐	Condition TWO ☒	Condition THREE ☐

Site Name: Bridgeport Elementary School		
Summer School day at this site begins: 8 and ends: 11:30 Total Time: (Hrs/Min)		
Meals offered during regular school year: Breakfast ☒ Lunch ☒		
Meal time at this site for the summer session begins: 11:10 and ends: 11:30		
Check which condition below meets your circumstances:		
Condition ONE ☐	Condition TWO ☒	Condition THREE ☐

Site Name: Antelope Elementary School		
Summer School day at this site begins: 8 and ends: 11:30 Total Time: (Hrs/Min)		
Meals offered during regular school year: Breakfast ☒ Lunch ☒		
Meal time at this site for the summer session begins: 11:10 and ends: 11:30		
Check which condition below meets your circumstances:		
Condition ONE ☐	Condition TWO ☒	Condition THREE ☐

Site Name: Edna Beaman Elementary School		
Summer School day at this site begins: 8 and ends: 11:30 Total Time: (Hrs/Min)		
Meals offered during regular school year: Breakfast ☒ Lunch ☒		
Meal time at this site for the summer session begins: 11:10 and ends: 11:30		
Check which condition below meets your circumstances:		
Condition ONE ☐	Condition TWO ☒	Condition THREE ☐

Summer meal waiver requests, including all required attachments, must be received in the California Department of Education's online waiver system no later than 60 days prior to the last regular meeting of the State Board of Education before the commencement of the summer school session for which the waiver is sought. Therefore, please have your completed summer school meal waiver request submitted by March 7, 2014 at the latest.

If you have questions regarding the attachments to the waiver or how to meet the waiver criteria, please contact Donna Reedy, School Nutrition Programs Analyst, Nutrition Services Division, at dreedy@cde.ca.gov, or Jessica Cross, School Nutrition Programs Analyst at jcross@cde.ca.gov

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 4970797 Waiver Number: 15-2-2015
Active Year: 2015

Date In: 2/20/2015 11:41:54 AM

Local Education Agency: Liberty Elementary School District
Address: 170 Liberty School Rd.
Petaluma, CA 94952

Start: 7/6/2015 End: 7/23/2015

Waiver Renewal: Y
Previous Waiver Number: 109-2-2014-W-17 Previous SBE Approval Date: 5/8/2014

Waiver Topic: State Meal Mandate
Ed Code Title: Summer School Session
Ed Code Section: 49550
Ed Code Authority: 49548

Ed Code or *CCR* to Waive: 49550(a). Notwithstanding any other provision of law, each school district or county superintendent of schools maintaining any kindergarten or any of grades 1 to 12, inclusive, shall provide for each needy pupil one nutritionally adequate free or reduced-price meal during each school day.

Outcome Rationale: Our LEA would like to receive a waiver of the requirement to serve meals to our students at this year's summer school session for one school site. We understand that we must meet one of three conditions of Ed Code 49548(a) and qualify for Condition Two.
Condition Two: Serving meals during the summer school session would result in a financial loss.

Student Population: 209

City Type: Suburban

Local Board Approval Date: 2/19/2015

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Patricia Petzar
Position: Business Clerk
E-mail: ppetzar@libertysd.org
Telephone: 707-795-4380 x120
Fax: 707-795-6468

DISTRICT INFORMATION

Site Name: **Liberty Elementary School**		
Summer School day at this site begins: **8:25 a.m.** and ends: **11:55 a.m.** Total Time: **3.5 hours** (Hrs/Min)		
Meals offered during regular school year: Breakfast ☐ **Lunch** ☐ **xxx**		
Meal time at this site for the summer session begins: and ends:		
Check which condition below meets your circumstances:		
Condition ONE ☐	**Condition TWO** ☐ **xxx**	Condition THREE ☐

Site Name:		
Summer School day at this site begins: and ends: Total Time: (Hrs/Min)		
Meals offered during regular school year: Breakfast ☐ Lunch ☐		
Meal time at this site for the summer session begins: and ends:		
Check which condition below meets your circumstances:		
Condition ONE ☐	Condition TWO ☐	Condition THREE ☐

Site Name:		
Summer School day at this site begins: and ends: Total Time: (Hrs/Min)		
Meals offered during regular school year: Breakfast ☐ Lunch ☐		
Meal time at this site for the summer session begins: and ends:		
Check which condition below meets your circumstances:		
Condition ONE ☐	Condition TWO ☐	Condition THREE ☐

Site Name:		
Summer School day at this site begins: and ends: Total Time: (Hrs/Min)		
Meals offered during regular school year: Breakfast ☐ Lunch ☐		
Meal time at this site for the summer session begins: and ends:		
Check which condition below meets your circumstances:		
Condition ONE ☐	Condition TWO ☐	Condition THREE ☐

Summer meal waiver requests, including all required attachments, must be received in the California Department of Education's online waiver system no later than 60 days prior to the last regular meeting of the State Board of Education before the commencement of the summer school session for which the waiver is sought. Therefore, please have your completed summer school meal waiver request submitted by March 6, 2015 at the latest.

If you have questions regarding the attachments to the waiver or how to meet the waiver criteria, please contact Donna Reedy, School Nutrition Programs Analyst, Nutrition Services Division, at dreedy@cde.ca.gov, or Jessica Cross, School Nutrition Programs Analyst at jcross@cde.ca.gov.

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 4670177 Waiver Number: 5-2-2015
Active Year: 2015

Date In: 2/11/2015 3:52:56 PM

Local Education Agency: Sierra-Plumas Joint Unified School District
Address: 109 Beckwith Rd.
Loyalton, CA 96118

Start: 6/15/2015 End: 8/14/2015

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: State Meal Mandate
Ed Code Title: Summer School Session
Ed Code Section: 49550
Ed Code Authority: 49548

Ed Code or *CCR* to Waive: Notwithstanding any other provision of law, each school district or county superintendent of schools maintaining any kindergarten or any of grades 1 to 12, inclusive, shall provide for each needy pupil one nutritionally adequate free or reduced-price meal during each school day.

Outcome Rationale: Summer school sessions are possible, but will be less than 2 hours per day (Condition Three).

Student Population: 380

City Type: Rural

Local Board Approval Date: 2/10/2015

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Adrienne Garza
Position: Accounting Technician III
E-mail: aball@spjusd.org
Telephone: 530-993-1660 x43
Fax: 530-993-0828

DISTRICT INFORMATION

Site Name: LOYALTON HIGH SCHOOL		
Summer School day at this site begins: 10 am and ends: 11 am Total Time: 1 HOUR (Hrs/Min)		
Meals offered during regular school year: Breakfast ☐ Lunch ☐		
Meal time at this site for the summer session begins: and ends:		
Check which condition below meets your circumstances:		
Condition ONE ☐	Condition TWO ☐	Condition THREE ☒

Site Name:		
Summer School day at this site begins: and ends: Total Time: (Hrs/Min)		
Meals offered during regular school year: Breakfast ☐ Lunch ☐		
Meal time at this site for the summer session begins: and ends:		
Check which condition below meets your circumstances:		
Condition ONE ☐	Condition TWO ☐	Condition THREE ☐

Site Name:		
Summer School day at this site begins: and ends: Total Time: (Hrs/Min)		
Meals offered during regular school year: Breakfast ☐ Lunch ☐		
Meal time at this site for the summer session begins: and ends:		
Check which condition below meets your circumstances:		
Condition ONE ☐	Condition TWO ☐	Condition THREE ☐

Site Name:		
Summer School day at this site begins: and ends: Total Time: (Hrs/Min)		
Meals offered during regular school year: Breakfast ☐ Lunch ☐		
Meal time at this site for the summer session begins: and ends:		
Check which condition below meets your circumstances:		
Condition ONE ☐	Condition TWO ☐	Condition THREE ☐

Summer meal waiver requests, including all required attachments, must be received in the California Department of Education's online waiver system no later than 60 days prior to the last regular meeting of the State Board of Education before the commencement of the summer school session for which the waiver is sought. Therefore, please have your completed summer school meal waiver request submitted by March 6, 2015 at the latest.

If you have questions regarding the attachments to the waiver or how to meet the waiver criteria, please contact Donna Reedy, School Nutrition Programs Analyst, Nutrition Services Division, at dreedy@cde.ca.gov, or Jessica Cross, School Nutrition Programs Analyst at jcross@cde.ca.gov.

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 1976869 Waiver Number: 11-3-2015 Active
Year: 2015

Date In: 3/12/2015 1:04:50 PM

Local Education Agency: Wiseburn Unified School District
Address: 13530 Aviation Blvd.
Hawthorne, CA 90250

Start: 6/29/2015 End: 7/24/2015

Waiver Renewal: Y
Previous Waiver Number: 52-1-2014-W-17 Previous SBE Approval Date: 5/8/2014

Waiver Topic: State Meal Mandate
Ed Code Title: Summer School Session
Ed Code Section: 49550
Ed Code Authority: 49548

Ed Code or *CCR* to Waive: Notwithstanding any other provision of law, each school district or county superintendent of schools maintaining any kindergarten or any of grades 1 to 12, inclusive, shall provide for each needy pupil one nutritionally adequate free or reduced price meal during each school day, except for family day care homes that shall be reimbursed for 75 percent of the meal served.

Outcome Rationale: Ed Code 49548 and 49550 both require school districts to provide meals every day to students. We have Del Aire Park less than 1/2 mile from Juan de Anza school that offers a summer lunch program. By using their lunch program, it helps us to not create any financial hardships over the summer with our lunch program.

Student Population: 2550

City Type: Suburban

Local Board Approval Date: 3/10/2015

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Debra Chow
Position: Food Service Clerk
E-mail: dchow@wiseburn.k12.ca.us
Telephone: 310-643-3025
Fax: 310-643-7659

DISTRICT INFORMATION

Site Name: Juan de Anza Elementary School		
Summer School day at this site begins: 8:00 a.m. and ends: 11:55 a.m. Total Time: 3 hrs 55 min (Hrs/Min)		
Meals offered during regular school year: Breakfast ☐ Lunch X		
Meal time at this site for the summer session begins: and ends:		
Check which condition below meets your circumstances:		
Condition ONE X	Condition TWO ☐	Condition THREE ☐

Site Name:		
Summer School day at this site begins: and ends: Total Time: (Hrs/Min)		
Meals offered during regular school year: Breakfast ☐ Lunch ☐		
Meal time at this site for the summer session begins: and ends:		
Check which condition below meets your circumstances:		
Condition ONE ☐	Condition TWO ☐	Condition THREE ☐

Site Name:		
Summer School day at this site begins: and ends: Total Time: (Hrs/Min)		
Meals offered during regular school year: Breakfast ☐ Lunch ☐		
Meal time at this site for the summer session begins: and ends:		
Check which condition below meets your circumstances:		
Condition ONE ☐	Condition TWO ☐	Condition THREE ☐

Site Name:		
Summer School day at this site begins: and ends: Total Time: (Hrs/Min)		
Meals offered during regular school year: Breakfast ☐ Lunch ☐		
Meal time at this site for the summer session begins: and ends:		
Check which condition below meets your circumstances:		
Condition ONE ☐	Condition TWO ☐	Condition THREE ☐

Summer meal waiver requests, including all required attachments, must be received in the California Department of Education's online waiver system no later than 60 days prior to the last regular meeting of the State Board of Education before the commencement of the summer school session for which the waiver is sought. Therefore, please have your completed summer school meal waiver request submitted by March 7, 2014 at the latest.

If you have questions regarding the attachments to the waiver or how to meet the waiver criteria, please contact Donna Reedy, School Nutrition Programs Analyst, Nutrition Services Division, at dreedy@cde.ca.gov, or Jessica Cross, School Nutrition Programs Analyst at jcross@cde.ca.gov.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

WAIVER ITEM W-14

ITEM # W-14

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

☒ **General Waiver**

SUBJECT Request by **Bayshore Elementary School District** to waive California *Education Code* sections 17472, 17473, and 17474 and portions of 17455, 17466, 17468, 17469, 17470, and 17475, which will allow the district to sell one piece of property using a broker and a "request for proposal" process, maximizing the proceeds from the sale. The district property for which the waiver is requested is located at 1 Martin Street, Daly City, CA, Robertson Intermediate School site. Waiver Number: 24-2-2015	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

The Bayshore Elementary School District (ESD) is requesting a waiver of *Education Code* (*EC*) sections 17472, 17473, and 17474 and portions of sections 17455, 17466, 17468, 17469, 17470, and 17475 which will allow the district to sell one piece of property using a "request for proposal" (RFP) process that will provide the most benefit to the district.

Authority for Waiver: *EC* Section 33050

RECOMMENDATION

☐ **Approval** ☒ **Approval with conditions** ☐ **Denial**

The California Department of Education recommends approval with the following conditions: that the proposal for the Bayshore ESD governing board determines to be most desirable shall be selected within 30 to 60 days of the public meeting when the proposals are received, and the reasons for those determinations shall be discussed in public session and included in the minutes of the meeting.

SUMMARY OF KEY ISSUES

Under the provisions of *EC* sections 33050 through 33053, the district is requesting that specific portions of the *EC* relating to the sale or lease of surplus property be waived.

The Bayshore ESD is requesting that the requirement of sealed proposals and the oral bidding process be waived allowing the district to market the property based on the

brokerage process, selling at the highest possible value on the most advantageous terms for the district.

The Bayshore ESD is requesting the sale of the Robertson Intermediate School site located at 1 Martin Street in the Bayshore Planning Area of Daly City, San Mateo County. This property, which consists of 6.97 acres and school buildings, was recommended surplus by the district's Facilities Advisory Committee and declared surplus by the district's governing board. The school buildings located on the property were built in the 1940s and 1950s and require costly renovations. The district intends to sell the property at its highest value and use the proceeds to design and construct a new TK-8 school at its current Bayshore Elementary School site. During construction the students from Robertson Intermediate School will temporarily be relocated to portable classroom facilities on a different site.

The district is requesting that it be allowed to sell the property by taking it directly to the market place and, through a direct negotiation process, selling it at the highest value on the most advantageous terms to the district. Waiver of the statutory provisions will allow the district to maximize the value of the property.

Demographic Information:
Bayshore ESD has a student population of 179 and is located in an urban area in San Mateo County.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has approved all previous waivers regarding the bidding process and the sale or lease of surplus property. The district is requesting to waive the same or similar provisions for the sale or lease of surplus property.

FISCAL ANALYSIS (AS APPROPRIATE)

The flexibility in property disposition requested herein will allow the Bayshore ESD to maximize revenue. The applicant district will financially benefit from the sale of the property.

ATTACHMENT(S)

Attachment 1: Summary Table (1 page)

Attachment 2: Bayshore ESD General Waiver Request 24-2-2015 (5 pages). (Original waiver request is signed and on file in the Waiver Office.)

Information from Districts Requesting Waivers of Sale or Lease of Surplus Property

Waiver Number	School District	Property	Period of Request	Local Board Approval Date	Public Hearing Date	Bargaining Unit, Representatives Consulted, Date, and Position	Advisory Committee Consulted
24-2-2015	Bayshore Elementary	Robertson Intermediate School Site	**Requested:** February 25, 2015, to February 24, 2017 **Recommended:** February 25, 2015, to February 24, 2017	January 13, 2015	January 13, 2015 **Public Hearing Advertised:** Posted on District website, at District office and other sites where Board agenda is regularly posted.	Bayshore Teachers Association February 11, 2015 Thomas Gerdes, President **Support**	District Facilities Advisory Committee, January 8, 2015 **No objections**

Created by the California Department of Education
December 8, 2014

California Department of Education
WAIVER SUBMISSION - General

CD Code: 4168858 Waiver Number: 24-2-2015 Active Year: 2015

Date In: 2/25/2015 3:19:30 PM

Local Education Agency: Bayshore Elementary School District
Address: 1 Martin St.
Daly City, CA 94014

Start: 2/25/2015 End: 2/24/2017

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Sale or Lease of Surplus Property
Ed Code Title: Sale of Surplus Property
Ed Code Section: 17472, 17473 and 17474 and portions of 17455, 17466, 17468, 17469, 17470 and 17475
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: *Education Code* § 17455.
The governing board of any school district may sell any real property belonging to the school district or may lease for a term not exceeding 99 years, any real property, together with any personal property located thereon, belonging to the school district which is not or will not be needed by the district for school classroom buildings at the time of delivery of title or possession. The sale or lease may be made without first taking a vote of the electors of the district[, and shall be made in the manner provided by this article].

Rationale: The District requests the stricken language be waived because the District is asking that several provisions of Article 4 be waived and, consequently, the sale will not be made precisely in the manner provided in Article 4.

Education Code § 17466.
Before ordering the sale or lease of any property the governing board, in a regular open meeting, by a two-thirds vote of all its members, shall adopt a resolution, declaring its intention to sell or lease the property, as the case may be. The resolution shall describe the property proposed to be sold or leased in such manner as to identify it [and shall specify the minimum price or rental and the terms upon which it will be sold or leased] and the commission, or rate thereof, if any, which the board will pay to a licensed real estate broker [out of the minimum price or rental. The resolution shall fix a time not less than three weeks thereafter for a public meeting of the governing board to be held at its regular place of meeting, at which sealed proposals to purchase or lease will be received and considered].

Rationale: The stricken language to be waived provides for the governing board to establish a minimum price and receive sealed proposals for the purchase of the property at an identified meeting of the District's governing board. The District requests that the process of sealed proposals and oral bids be waived, allowing the District to negotiate the sale of the Robertson Intermediate School site with an interested purchaser through a more direct process. The

District intends to conduct directed outreach to developers known to have interest in the property and may use the services of a licensed real estate broker to do so. Once that process is finalized, the District's governing board will consider approval of the sale at an open session of a regularly scheduled board meeting.

Education Code § 17468.
If, in the discretion of the board, it is advisable to offer to pay a commission to a licensed real estate broker who is instrumental in obtaining any proposal, the commission shall be specified in the resolution. No commission shall be paid unless there is contained in or with the [sealed] proposal [or stated in or with the oral bid], which is finally accepted, the name of the licensed real estate broker to whom it is to be paid, and the amount or rate thereof. Any commission shall, however, be paid only out of money received by the board from the sale or rental of the real property.

Rationale: The stricken language to be waived provides for the District to include information about a broker's commission in sealed proposals and oral bids. As stated above, the District is requesting that the requirement of sealed proposals and oral bidding to purchase the property be waived, allowing the District to use the services of a broker but waiving the requirement of a "sealed" proposal or "oral bid." If the District uses a licensed real estate broker, the commission shall be specified in documents required through a brokered sale.

Education Code § 17469.
Notice of the adoption of the resolution [and of the time and place of holding the meeting] shall be given by posting copies of the resolution signed by the board or by a majority thereof in three public places in the district, [not less than 15 days before the date of the meeting,] and by publishing the notice not less than once a week for three successive weeks [before the meeting] in a newspaper of general circulation published in the county in which the district or any part thereof is situated, if any such newspaper is published therein.

Rationale: The stricken language to be waived assumes that the governing board would be following the process of opening proposals and hearing oral bids at a specific meeting. Such a requirement, however, would be removed pursuant to the language requested to be stricken in *Education Code* Section 17466. As modified, the District would still provide notice of its adoption of a resolution to sell the property, but the posting of that resolution and notice in a newspaper would not be connected to the process of opening proposals and hearing oral bids.

Education Code § 17470.
(a) The governing board of a school district that intends to sell real property pursuant to this article shall take reasonable steps to ensure that the former owner from whom the district acquired the property receives notice [of the public meeting prescribed by Section 17466,] in writing, by certified mail[, at least 60 days prior to the meeting].
(b) The governing board of a school district shall not be required to accord the former owner the right to purchase the property at the tentatively accepted highest bid price nor to offer to sell the property to the former owner at the tentatively accepted highest bid price.

Rationale: The stricken language to be waived assumes that the governing board would be following the process of opening proposals and hearing oral bids at a specific meeting. Such a requirement, however, would be removed pursuant to the language requested to be stricken in *Education Code* Section 17466. As modified, the District would still take reasonable steps to provide notice to the former owner, but the provision of such notice would no longer be connected to the process of opening proposals and hearing oral bids.

Education Code § 17472.
[At the time and place fixed in the resolution for the meeting of the governing body, all sealed proposals which have been received shall, in public session, be opened, examined, and declared by the board. Of the proposals submitted which conform to all terms and conditions specified in the resolution of intention to sell or to lease and which are made by responsible bidders, the proposal which is the highest, after deducting therefrom the commission, if any, to be paid a licensed real estate broker in connection therewith, shall be finally accepted, unless a higher oral bid is accepted or the board rejects all bids.]

Rationale: The District requests the entire section be waived because the District desires to directly negotiate an agreement to sell the Robertson Intermediate School Site in order to maximize the value of the property. The requirements of this section would be removed pursuant to the language requested to be stricken in *Education Code* Section 17466.

Education Code § 17473.
[Before accepting any written proposal, the board shall call for oral bids. If, upon the call for oral bidding, any responsible person offers to purchase the property or to lease the property, as the case may be, upon the terms and conditions specified in the resolution, for a price or rental exceeding by at least 5 percent, the highest written proposal, after deducting the commission, if any, to be paid a licensed real estate broker in connection therewith, then the oral bid which is the highest after deducting any commission to be paid a licensed real estate broker, in connection therewith, which is made by a responsible person, shall be finally accepted. Final acceptance shall not be made, however, until the oral bid is reduced to writing and signed by the offeror.]

Rationale: The District requests the entire section be waived because the District requests that the process of sealed proposals and oral bidding be waived in order to negotiate a purchase and sale agreement directly with interested purchasers. The requirements of this section would be removed pursuant to the language requested to be stricken in *Education Code* Section 17466.

Education Code § 17474.
[In the event of a sale on a higher oral bid to a purchaser procured by a licensed real estate broker, other than the broker who submitted the highest written proposal, and who is qualified as provided in Section 17468 of this code, the board shall allow a commission on the full amount for which the sale is confirmed. One half of the commission on the amount of the highest written proposal shall be paid to the broker who submitted it, and the balance of the commission on the purchase price to the broker who procured the purchaser to whom the sale was confirmed.]

Rationale: The District requests the entire section be waived because the District requests that the process of sealed proposals and oral bidding be waived in order to negotiate an agreement to sell the Robertson Intermediate School Site directly with interested purchasers. The requirements of this section would be removed pursuant to the language requested to be stricken in *Education Code* Section 17466.

Education Code § 17475.
The final acceptance by the governing body may be made [either at the same session or] at any [adjourned] session[of the same meeting held within the 10 days next following].

Rationale: The District requests modification of this section to allow the governing board to consider proposals received and, as desired and appropriate, direct further negotiation and approve the selected proposal.

Outcome Rationale: The Bayshore Elementary School District ("District") seeks a waiver of those portions of *Education Code* statutes requiring the District to open sealed proposals and hear oral bids in order to sell the Robertson Intermediate School site currently owned by the District.

The Robertson Intermediate School site, located at 1 Martin Street in the Bayshore Planning Area of Daly City, San Mateo County, consists of 6.97 acres ("Property"). Following the recommendation of its Facilities Advisory Committee, the District's governing board declared all 6.97 acres to be surplus property and available for sale. The school buildings were built in the 1940s and 1950s, and would require more costly renovation than the District can afford. Instead, the District intends to sell the Property at its highest value and use the proceeds to design and construct a new TK-8 School at its current Bayshore Elementary School site, located at 155 Oriente Street in Daly City, San Mateo County. During construction the District will temporarily relocate the current Robertson Intermediate School students to portable classroom facilities on a different site.

The Property is currently zoned as "Single Family Residential (R-1)" by the County of San Mateo. If the current School use on the Property were to be removed, this R-1 zoning would allow development on the Property of single family homes with lots no smaller than 3,000 square feet, making it very attractive to residential developers.

The District respectfully requests that it be allowed to sell the Property by taking it directly to the market place and, through a direct negotiation process, selling it at the highest value on the most advantageous terms to the District. Waiver of the statutory provisions will allow the District to maximize the value of the Property.

Student Population: 179

City Type: Urban

Public Hearing Date: 1/13/2015
Public Hearing Advertised: Posted on District website, at District office and other sites where Board agenda is regularly posted.

Local Board Approval Date: 1/13/2015

Community Council Reviewed By: District Facilities Advisory Committee
Community Council Reviewed Date: 1/8/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Audra Pittman
Position: Superintendent
E-mail: apittman@bayshore.k12.ca.us
Telephone: 415-467-5443
Fax: 415-467-1542

Bargaining Unit Date: 02/11/2015
Name: Bayshore Teachers Association
Representative: Thomas Gerdes
Title: President
Position: Support
Comments:

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 15

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
STATE BOARD PROJECTS AND PRIORITIES. Including, but not limited to, future meeting plans; agenda items; and officer nominations and/or elections; State Board appointments and direction to staff; declaratory and commendatory resolutions; Bylaw review and revision; Board policy; approval of minutes; Board liaison reports; training of Board members; and other matters of interest.	☒ **Action** ☒ **Information** ☐ **Public Hearing**

SUMMARY OF THE ISSUE(S)

1. SBE Draft Preliminary Report of Actions/Minutes for the March 11-12, 2015 meeting.

2. Board member liaison reports.

RECOMMENDATION(S)

The SBE staff recommends that the SBE approve the Preliminary Report of Actions/Minutes for the March 11-12, 2015 meeting (Attachment 1).

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At each regular meeting, the State Board has traditionally had an agenda item under which to address “housekeeping” matters, such as agenda planning, non-closed session litigation updates, non-controversial proclamations and resolutions, bylaw review and revision, Board policy; Board minutes; Board liaison reports; and other matters of interest. The State Board has asked that this item be placed appropriately on each agenda.

FISCAL ANALYSIS (AS APPROPRIATE)

Not applicable.

ATTACHMENT(S)

Attachment 1: State Board of Education Draft Preliminary Report of Actions/Minutes for the March 11-12, 2015 meeting (27 Pages) may be viewed at the following link: http://www.cde.ca.gov/be/mt/ms/.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 16

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
GENERAL PUBLIC COMMENT. Public Comment is invited on any matter **not** included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the presiding officer may establish specific time limits on presentations.	☐ **Action** ☒ **Information** ☐ **Public Hearing**

SUMMARY OF THE ISSUE(S)

This is a standing item on the agenda, which allows the members of the public to address the board on any matter that is not included in this meeting's agenda.

RECOMMENDATION

Listen to public comment on matters not included on the agenda.

BRIEF HISTORY OF KEY ISSUES

Not applicable.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Not applicable.

FISCAL ANALYSIS (AS APPROPRIATE)

Not applicable.

ATTACHMENT(S)

Not applicable.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 17

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Approval of 2014–15 Consolidated Applications.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

Each local educational agency (LEA) must submit a complete and accurate Consolidated Application (ConApp) for each fiscal year in order for the California Department of Education (CDE) to send funding to LEAs that are eligible to receive categorical funds as designated in the ConApp. The ConApp is the annual fiscal companion to the LEA Plan. The State Board of Education (SBE) is asked to annually approve ConApps for approximately 1,700 school districts, county offices of education, and direct-funded charter schools.

RECOMMENDATION

The CDE recommends that the SBE approve the 2014–15 ConApps submitted by LEAs in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

Each year, the CDE, in compliance with *California Code of Regulations,* Title 5, Section 3920, recommends that the SBE approve applications for funding Consolidated Categorical Aid Programs submitted by LEAs. Prior to receiving funding, the LEA must also have an SBE-approved LEA Plan that satisfies SBE and CDE criteria for utilizing federal categorical funds.

Approximately $2.9 billion of federal funding is distributed annually through the ConApp process. The 2014–15 ConApp consists of six federal-funded programs. The funding sources include:

- Title I, Part A Basic Grant (Low Income);
- Title I, Part D (Delinquent);
- Title II, Part A (Teacher Quality);
- Title III, Part A (Immigrant);
- Title III, Part A (Limited English Proficient Students); and
- Title VI, Part B (Rural, Low-Income).

The CDE provides the SBE with two levels of approval recommendations. Regular approval is recommended when an LEA has submitted a correct and complete ConApp, Spring Release, and has no outstanding noncompliant issues or is making satisfactory progress toward resolving one or two noncompliant issues that are fewer than 365 days noncompliant. Conditional approval is recommended when an LEA has submitted a correct and complete ConApp, Spring Release, but has one or more noncompliant issues that is/are unresolved for over 365 days. Conditional approval by the SBE provides authority to the LEA to spend its categorical funds under the condition that it will resolve or make significant progress toward resolving noncompliant issues. In extreme cases, conditional approval may include the withholding of funds. There are no LEAs that require conditional approval at this time.

Attachment 1 identifies the LEAs that have no outstanding noncompliant issues or are making satisfactory progress toward resolving one or two noncompliant issues that are fewer than 365 days noncompliant. The CDE recommends regular approval of the 2014–15 ConApp for these 22 LEAs. Attachment 1 also includes ConApp entitlement figures from school year 2013–14 because the figures for 2014–15 have not yet been determined. Fiscal data are absent if an LEA is new or is a charter school applying for direct funding for the first time.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

To date, the SBE has approved 2014–15 ConApps for 1,636 LEAs. Attachment 1 represents the fifth set of 2014–15 ConApps presented to the SBE for approval.

FISCAL ANALYSIS (AS APPROPRIATE)

The CDE provides resources to track the SBE approval status of the ConApps for approximately 1,700 LEAs. The cost to track the noncompliant status of LEAs related to programs within the ConApp is covered through a cost pool of federal funds. CDE staff communicate with LEA staff on an ongoing basis to determine the evidence needed to resolve issues, review the evidence provided by LEA staff, and maintain a tracking system to document the resolution process.

ATTACHMENT(S)

Attachment 1: Consolidated Applications List (2014–15) – Regular Approvals (1 Page)

Consolidated Applications List (2014–15) – Regular Approvals

The following 22 local educational agencies (LEAs) have submitted a correct and complete Consolidated Application (ConApp), Spring Release, and have no outstanding noncompliance issues or are making satisfactory progress toward resolving one or two noncompliant issues that are fewer than 365 days noncompliant. The California Department of Education recommends regular approval of these applications.

Number	CDS Code	LEA Name	Total 2013–14 ConApp Entitlement	2013–14 Total Entitlement Per Student	Total 2013–14 Title I Entitlement	2013–14 Entitlement Per Free and Reduced Lunch K-12 Student
1	43693690129254	ACE Alum Rock	$0	$0	$0	$0
2	43694500129247	ACE Franklin McKinley	$0	$0	$0	$0
3	36677360131151	Alta Vista South Public Charter	$0	$0	$0	$0
4	19768850130799	Anahuacalmecac International University Preparatory High School of North America	$0	$0	$0	$0
5	01612590130732	Aspire Triumph Technology Academy	$0	$0	$0	$0
6	37681630130815	Beacon Classical Academy Elementary Charter	$0	$0	$0	$0
7	37679830131144	Diego Springs Academy	$0	$0	$0	$0
8	01612590129635	Downtown Charter Academy	$0	$0	$0	$0
9	01612590129403	Epic Charter	$0	$0	$0	$0
10	37683380128066	Health Sciences Middle	$459	$0	$0	$0
11	21653340000000	Kentfield Elementary	$50,571	$42	$38,195	$991
12	43694270130856	Luis Valdez Leadership Academy	$0	$0	$0	$0
13	21654250000000	Reed Union Elementary	$98,663	$65	$73,065	$2,529
14	07617960129643	Richmond Charter Elementary-Benito Juarez	$0	$0	$0	$0
15	19734520129031	Rowland Heights Charter Academy	$0	$0	$0	$0
16	41690216112213	San Carlos Charter Learning Center	$2,326	$0	$0	$0
17	43696740000000	Santa Clara Unified	$2,168,193	$140	$1,272,023	$307
18	44698490000000	Soquel Union Elementary	$291,838	$145	$193,420	$403
19	04615070129577	STREAM Charter	$0	$0	$0	$0
20	19647330129866	Village Charter Academy	$0	$0	$0	$0
21	07616630130930	Vista Oaks Charter	$0	$0	$0	$0
22	36678760126714	Woodward Leadership Academy	$198	$0	$0	$0

Total ConApp entitlement funds for districts receiving regular approval: $2,612,248

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 18

ITEM #18

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Update on the Revision of the *History–Social Science Framework for California Public Schools:* Progress of Development and Revised Timeline.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

Pursuant to Senate Bill (SB) 1540 (Chapter 288, Statutes of 2012), the State Board of Education (SBE) is authorized to complete work on the updated *History–Social Science Framework for California Public Schools* (*History–Social Science Framework*) that was suspended in 2009. That work is underway, but development of the draft has required more time than originally projected due to the volume of comments and feedback received from the public. The revised timeline presented for action in this item establishes a schedule of events for the project that will allow the Instructional Quality Commission (IQC) and the SBE to fully consider the public comment in the revision of the draft.

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE approve the revised timeline for the completion of the *History–Social Science Framework* in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

The *History–Social Science Framework* was in the middle of a major update in July 2009 when the Legislature passed, and the Governor signed, Assembly Bill X4 2. The law suspended all work on instructional materials adoptions and curriculum framework development until July 1, 2013. The suspension was subsequently extended by SB 70 until July 1, 2015.

When the suspension took effect, the draft-updated framework had just been approved by the Curriculum Development and Supplemental Materials Commission (later renamed the IQC) for the first of two public field reviews required by the *California Code of Regulations*, Title 5 (5 *CCR*), Section 9515.

In 2012, SB 1540 authorized the SBE to complete work on the framework, with the stipulation that the project could only resume once the new frameworks in mathematics and English language arts were completed. The new *Mathematics Framework for California Public Schools* was adopted by the SBE at its November 2013 meeting, while the new *English Language Arts/English Language Development Framework for California Public Schools* was adopted by the SBE at its July 2014 meeting.

At its meeting on September 3, 2014, the SBE approved a revised timeline and guidelines consistent with SB 1540 and provisions of the California *Education Code* and 5 *CCR* that govern the framework development process. Pursuant to that timeline, at its meeting on September 17–18, 2014, the IQC approved the existing draft for the first of two 60-day field reviews with edits proposed by the CDE to reflect statutory changes since the 2009 suspension. The field review survey was posted to the CDE Curriculum Frameworks History–Social Science Web page at http://www.cde.ca.gov/ci/hs/cf/ by September 22, 2014, and continued through November 25, 2014.

During the online survey period, the CDE received more than 700 public comments from over 480 different submitters both through the field review survey and through a dedicated e-mail box established to receive comments on the draft framework. The survey was publicized through a letter sent to county and district superintendents and charter school administrators from the Deputy Superintendent of the Instruction and Learning Support Branch at the CDE and by a news release from the State Superintendent of Public Instruction. It was also promoted through outreach to those groups and individuals who have expressed interest in history–social science curriculum in the past. The CDE also sent hard copies of the completed draft framework to 21 Learning Resources Display Centers located across the state.

The History–Social Science Subject Matter Committee (HSS SMC) of the IQC met on December 18, 2014, to review the field survey results. However, due to the volume of comments the HSS SMC elected not to take any action on the draft at that meeting. Extensive public comment was heard at the HSS SMC meeting, and again at the meeting of the full IQC on February 5–6, 2015. Voluminous additional public comment has continued to come in after the closing of the field survey. Prior to the receipt of those comments, the CDE anticipated being able to complete the *History–Social Science Framework* with minimal additional resources. That assumption was based on the need to make updates to the draft, but no major rewrites of the document. However, the volume and breadth of public comment received has required the investment of additional time and funding to complete the project.

A lack of funding has hampered the revision process. No funding was provided with SB 1540, and in fact the base funding for the IQC has not been restored since it was cut in 2009 following the passage of AB X4 2. This has hindered the ability of the CDE to contract with content experts to provide feedback on the edits suggested by the public and to contract with a primary writer to make necessary revisions to the draft. All past frameworks have relied upon these resources. The original contracted writer that developed the 2009 draft, the California History–Social Science Project, has been working on the draft on a pro bono basis but due to its own funding issues has been unable to continue that work.

The IQC took action to approve the revised timeline included with this item as Attachment 1 on February 6, 2015. It assumes that CDE's request for funding to support the completion of the framework will be approved. Once the IQC takes final action on the framework, the draft will undergo a second 60-day field review and comment period pursuant to the 5 *CCR,* Section 9515*.* Final SBE action on the framework is expected in early 2016.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

November 13, 2014: The SBE heard an update on the progress of the field review survey for the *History–Social Science Framework.*

September 3, 2014: The SBE approved a revised timeline and guidelines for the framework update. The SBE also requested that the CDE staff provide updates on the framework update at its November 2014 and January 2015 meetings.

November 5, 2008: The SBE appointed 20 members to the Curriculum Framework and Evaluation Criteria Committee (CFCC) and approved guidelines for the framework update.

March 12, 2008: The SBE took action to approve the update plan, timeline, and CFCC application for the update of the *History–Social Science Framework.*

FISCAL ANALYSIS (AS APPROPRIATE)

SB 1540 provided no additional funding for the completion of the *History–Social Science Framework.* The CDE has requested $120,000 to fund contracts with a primary writer and content experts to evaluate and integrate the content suggested by the public through the field review process.

ATTACHMENT(S)

Attachment 1: Revised Timeline for Update of the *History–Social Science Framework* (3 Pages)

Timeline for Update of the *History–Social Science Framework for California Public Schools*

Approved by the State Board of Education on March 12, 2008; Updated on November 5, 2008; Updated on September 3, 2014

Recommended Changes for May 6–7, 2015. Approved by the Instructional Quality Commission on February 6, 2015

Proposed additions are italicized; proposed deletions are struck through. The bracketed comments have been added to conform to CDE Web posting accessibility requirements.

Event	Schedule
Curriculum Commission takes action on update plan, timeline, and Curriculum Framework and Evaluation Criteria Committee (CFCC) application	January 24–25, 2008
State Board of Education (SBE) takes action on update plan, timeline, and CFCC application	March 12–13, 2008
Recruitment of CFCC members (at least 90 days per *California Code of Regulations*, Title 5 [5 *CCR*] 9513)	March 20, 2008–September 3, 2008
Focus Groups held to solicit public input on the framework update • Bay Area • Sacramento • Los Angeles Area • San Diego Area	May–June, 2008
Curriculum Commission reviews applications and makes recommendations on CFCC members	September 24–26, 2008
SBE action on CFCC recommendations	November 5–6, 2008
CFCC meets approximately every four weeks, for a total of five meetings to draft framework	February 5–6, 2009 March 4–5, 2009 April 2–3, 2009 April 30–May 1, 2009 June 4–5, 2009
Work on draft suspended pursuant to Assembly Bill X4 2	July 2009
Work on draft resumes pursuant to Senate Bill 1540	July 2014
Instructional Quality Commission (IQC) approves draft framework for field review	September 17–18, 2014
60-day field review of draft framework (required by 5 *CCR* 9515)	September–November 2014

Event	Schedule
History-Social Science SMC meets to consider non-grade level chapters	May 8, 2015
IQC analyzes field review results and revises draft framework	~~December 2014–January 2015~~ *July–October, 2015** *[The preceding date, December 2014–January 2015 has been proposed for deletion. The new proposed date is July–October, 2015*.]*
History-Social Science SMC meets to consider grade level chapters	October 9, 2015
IQC holds hearings and takes action on draft framework/sends recommendation to the SBE	~~February 5–6, 2015~~ *November 19–20, 2015** *[The preceding date, February 5–6, 2015, has been proposed for deletion. The new proposed date is November 19–20, 2015*.]*
Required 60-day period for public review and comment on IQC's recommended framework (5 *CCR* 9515)	~~February–March 2015~~ *January–February 2016* *[The preceding date, February–March 2015 has been proposed for deletion. The new proposed date is January–February 2016.]*
SBE receives IQC recommendation, holds public hearing, and acts on draft framework	May ~~2015~~ *2016* *[The year "2015" has been proposed for deletion. The new*

Event	Schedule
	year is “2016”.]
Document Preparation	Summer ~~2015~~ *2016* *[The year “2015” has been proposed for deletion. The new year is “2016”.]*
Final Publication	~~Winter 2015~~ *Fall 2016* *[The preceding date, Winter 2015 has been proposed for deletion. The new proposed date is Fall 2016.]*

** Pending funding of the Instructional Quality Commission [this line is proposed as an addition]*

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 19

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
The Superintendent's Quality Professional Learning Standards; professional learning standards based upon recommendations in *Greatness by Design,* the Educator Excellence Task Force report sponsored by the California Department of Education and the Commission on Teacher Credentialing.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

It is intended that the *Superintendent's Quality Professional Learning Standards* (QPLS), based on the recommendations provided in *Greatness by Design: Supporting Outstanding Teaching to Sustain a Golden State* (GbD), will guide the development and implementation of high quality professional learning experiences for California educators. On February 6, 2015, the Instructional Quality Commission (IQC) voted to submit the QPLS to the State Board of Education (SBE). GbD, the Educator Excellence Task Force report sponsored by the California Department of Education (CDE) and the Commission on Teacher Credentialing (CTC), identifies professional learning standards as a cornerstone of California's professional learning system. The QPLS are available on the CDE Quality Professional Learning Standards Web page at http://www.cde.ca.gov/pd/ps/qpls.asp.

RECOMMENDATION

The CDE recommends that the SBE adopt the QPLS so the IQC may incorporate them into frameworks as appropriate.

BRIEF HISTORY

Recognizing the critical relationship between educator effectiveness and student outcomes, the CDE and the CTC convened the California Educator Excellence Task Force which published the GbD report. In partial fulfillment of the recommendations outlined in Chapter 5 of GbD ("Opportunities for Professional Learning"), the CDE convened a group of educators from across the state, the Core Design Team (CDT), to guide the development of the QPLS.

As part of the development process, the CDT researched professional learning standards from other states, districts, and professional organizations, particularly Learning Forward's *Standards for Professional Learning* (2011). The *California*

Standards for the Teaching Profession (California Commission on Teacher Credentialing, 2009) and the *California Professional Standards for Education Leaders* (California School Leadership Academy at WestEd & Association of California School Administrators, 2000) were also used as reference points, as were the expectations for educators related to implementing the Common Core State Standards (CCSS) and the English Language Development Standards. In drafting the QPLS, the CDT reviewed a selection of research regarding effective professional learning and how it could apply to California context, ensuring a focus on the state's diverse student population.

The QPLS present the elements of a quality professional learning system that, if well implemented, will benefit educators focused on increasing their professional capacity and performance. The standards are not meant to be used to evaluate any educator in any aspect of their work. Rather, the QPLS are intended to help educators, local educational agencies, and the state develop and contextualize professional learning system goals and plans. The QPLS identify a clear outcome for professional learning – to continuously develop educators' capacity to teach and lead so that all students learn and thrive – using the seven interdependent professional learning standards focused on:

- **Data:** Quality professional learning uses varied sources and kinds of information to guide priorities, design, and assessments.

- **Content and Pedagogy:** Quality professional learning enhances educators' expertise to increase students' capacity to learn and thrive.

- **Equity:** Quality professional learning focuses on equitable access, opportunities, and outcomes for all students, with an emphasis on addressing achievement and opportunity disparities between student groups.

- **Design and Structure:** Quality professional learning reflects evidence-based approaches, recognizing that focused, sustained learning enables educators to acquire, implement, and assess improved practices.

- **Collaboration and Shared Accountability:** Quality professional learning facilitates the development of a shared purpose for student learning and collective responsibility for achieving it.

- **Resources:** Quality professional learning dedicates resources that are adequate, accessible, and allocated appropriately toward established priorities and outcomes.

- **Alignment and Coherence:** Quality professional learning contributes to a coherent system of educator learning and support that connects district and school priorities and needs with state and federal requirements and resources.

The first two drafts of the QPLS were sent to a substantive number of stakeholder groups for review and comment. The feedback for both rounds of review and comment were carefully considered. The introductory sections for the overall set of standards and introduction for each individual standard reflect stakeholder comments. The State

Superintendent of Public Instruction (SSPI), Tom Torlakson, approved the QPLS in December 2013.

The QPLS have been presented to the IQC on four occasions: July 12, 2013, May 16, 2014, November 20, 2014, and February 6, 2015. At its May 2014 meeting, the IQC recommended that the QPLS be subject to a 60-day public review and comment period. The QPLS document was edited as a result of the feedback received during the 60-day public review. At its February 2015 meeting, the IQC voted to submit the QPLS to the SBE as an information item and take action as deemed necessary and appropriate.

Since the SSPI's approval in 2013, the QPLS have been put into use in various California contexts, providing convincing evidence that they are useful in program and system development and improvement. For example, they have been used by administrative preparation programs as a basis for analyzing the quality of services provided to their candidates. A county office of education is using the QPLS to guide its work with mentor teachers and the professional learning opportunities it offers to new teachers. Institutions of higher education applying for grants are using the QPLS to design professional learning projects and as guidance to determine the effectiveness of current grant projects. Professional learning providers have incorporated the QPLS into their collaborative discussions and planning with teacher leaders when developing priorities for professional learning to support the transition to the CCSS.

By utilizing the QPLS, educators, policymakers, education officials, and other stakeholders will share a common understanding regarding the features of high quality professional learning and how best to support it.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

August 2013: The QPLS were provided to the SBE in an information memorandum. The memorandum is available on the SBE August 2013 Information Memoranda Web page at http://www.cde.ca.gov/be/pn/im/infomemoaug2013.asp entitled as the *California Quality Professional Learning Standards report based upon recommendations in Greatness by Design, the Educator Excellence Task Force report sponsored by the California Department of Education (CDE) and the Commission on Teacher Credentialing (CTC).*

FISCAL ANALYSIS (AS APPROPRIATE)

Not applicable.

ATTACHMENT(S)

None.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 20

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Reconsideration of a Request for Determination of Funding as Required for a Nonclassroom-based Charter School Pursuant to California *Education Code* sections 47612.5 and 47634.2, *California Code of Regulations* Section 11963.6(g), and Associated *California Code of Regulations*, Title 5.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

California *Education Code* (*EC*) sections 47612.5 and 47634.2 specify that a charter school may receive apportionment funding for nonclassroom-based instruction only if a determination of funding is made by the State Board of Education (SBE). Additionally, if during an approved determination period a charter school wishes to seek a higher or lower determination of funding, it shall do so by the filing of a new determination of funding request for consideration by the SBE pursuant to *California Code of Regulations* Title 5 (5 *CCR*) Section 11963.6(g).

The Butterfield Charter High School (BCHS) is requesting reconsideration of the denial of its determination of funding request. BCHS is requesting a reconsideration to increase its funding determination to 100 percent, which would replace the determination of funding currently in effect.

RECOMMENDATION

The CDE recommends that the SBE approve a 100 percent funding determination, replacing the denial of the funding determination, which is currently in effect for fiscal years (FYs) 2013–14 through 2014–15.

Advisory Commission on Charter Schools Recommendation

The Advisory Commission on Charter Schools met on April 8, 2015, and voted unanimously to approve the CDE recommendation that the SBE approve the determination of funding as provided in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

BCHS submitted a request for reconsideration of its current determination of funding which was denied by the SBE. The request includes increasing the existing funding determination to 100 percent.

At its November 2014 meeting, the SBE denied BCHS's request for a 60 percent determination of funding with the consideration of the charter school's mitigating circumstances for FYs 2013–14 through 2014–15. The funding determination was based on revenues and expenditures for FY 2012–13 as submitted by BCHS. Pursuant to 5 *CCR* Section 11963.4(a)(4), denial of a determination of funding request by the SBE shall result in no funding being apportioned for average daily attendance identified by the charter school as being generated through nonclassroom-based instruction pursuant to *EC* Section 47634.2(c).

For FY 2012–13, BCHS reported expenditures of 37.22 percent on certificated staff costs and expenditures of 47.21 percent on instruction and instruction-related services costs, which makes the charter school ineligible for a determination of funding. BCHS failed to meet the regulatory requirement for a 70 percent funding determination by underspending on instruction by approximately $207,250, while ending FY 2012–13 with a fund balance of $3.76 million. BCHS's mitigating circumstances request indicated a need to conserve cash so that it may expand its facilities and educational program offerings. Based on BCHS's reported expenditures percentages, the charter school's nonclassroom-based instruction is not substantially dedicated to the instructional benefit of the students pursuant to 5 *CCR* Section 11963.4(a)(4).

Pursuant to *5 CCR* Section 11963.6(g), if during the effective period of a determination of funding, a charter school wishes to seek a higher or lower determination of funding, it shall do so by the filing of a new determination of funding request. During the effective period of a charter school's determination of funding, no more than one additional determination of funding request (which would replace the determination of funding then in effect) may be submitted by the charter school in the same fiscal year. BCHS provided FY 2013–14 data as part of its reconsideration request for FYs 2013–14 through 2014–15. For FY 2013–14, BCHS reported expenditures of 49.84 percent on certificated staff costs, expenditures of 91.66 percent on instruction and instruction related services costs, and a pupil-teacher ratio of 16.89:1, which qualifies the charter school for a 100 percent determination of funding.

Based on the information provided by BCHS, which include revenues and expenditures for FY 2013–14, and pursuant to 5 *CCR* Section 11963.4(a), the CDE finds that BCHS meets the criteria for a proposed recommendation of 100 percent which would replace the determination of funding currently in effect for FYs 2013–14 through 2014–15.

The reconsideration for a funding determination request is provided in Attachments 2 and 3 of Agenda Item 4 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/accsnotice040815.asp.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE previously approved a 100 percent determination of funding for BCHS for the FYs 2009–10 through 2012–13.

At its November 2014 meeting, the SBE approved the CDE recommendation to deny BCHS' request for a 60 percent determination of funding with the consideration of the charter school's mitigating circumstances for FYs 2013–14 through 2014–15.

The SBE is responsible for approving a determination of funding to establish eligibility for apportionment funding for charter schools that offer nonclassroom-based instruction. The CDE notes that this request is a non-recurring action item for the SBE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved, the charter school listed in Attachment 1 would receive apportionment funding under the Local Control Funding Formula model.

ATTACHMENT

Attachment 1: California Department of Education Proposed Determination of Funding Recommendation for a Nonclassroom-based Charter School (1 Page)

California Department of Education
Proposed Determination of Funding Recommendation for a Nonclassroom-based Charter School

Fiscal Years 2013–14 through 2014–15

CDS Code	Charter Authorizer / County	Charter Name / Charter Number	First Year of Operation	Percent Spent on Certificated Staff Compensation^ Previously Approved Request / Reconsideration Request	Percent Spent on Instruction and Instruction Related Services^ Previously Approved Request / Reconsideration Request	Pupil-Teacher Ratio^	Current SBE Approved Funding Determination and Years*	Reconsideration of Funding Determination and Years Requested by Charter School	CDE Proposed Recommendation Funding Determination and Years**
54-75523-0114348	Porterville Unified / Tulare	Butterfield Charter High School / 867	2007–08	37.22% / 49.84%	47.21% / 91.66%	16.89:1	Denial 2013–14 through 2014–15	100% 2013–14 through 2014–15	100% 2013–14 through 2014–15

^Spending percentages and pupil-teacher ratio correspond to the charter school's funding determination request as originally submitted to the California Department of Education.
*Approved at the November 2014 State Board of Education (SBE) Meeting.
**At its September 2014 meeting, the SBE approved a request to waive specific portions of *California Code of Regulations* Title 5, Section 11963.6(c), for the fiscal periods of July 1, 2013 to June 29, 2015.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 21

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Consideration of Requests for Determination of Funding as Required for Nonclassroom-based Charter Schools Pursuant to California *Education Code* Sections 47612.5 and 47634.2, and Associated *California Code of Regulations,* Title 5.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE

California *Education Code* (*EC*) sections 47612.5 and 47634.2 established the eligibility requirements for apportionment funding for charter schools that offer nonclassroom-based instruction. The statutes specify that a charter school may receive apportionment funding for nonclassroom-based instruction only if a determination of funding is made by the State Board of Education (SBE). The California Department of Education (CDE) reviews a charter school's determination of funding request and presents it for consideration to the Advisory Commission on Charter Schools (ACCS), pursuant to relevant *California Code of Regulations*, Title 5 (5 *CCR*).

RECOMMENDATION

The CDE proposes to recommend that the SBE approve the determinations of funding and the periods specified for the 25 nonclassroom-based charter schools as provided in Attachment 1.

Advisory Commission on Charter Schools Recommendation

The ACCS met on February 10, 2015, and voted unanimously to approve the CDE recommendation that the SBE approve the determination of funding and the period specified for Renew Virtual Academy K12 #1 as provided in Table 1 of Attachment 1.

The ACCS met on April 8, 2015, and voted unanimously to approve the CDE recommendation that the SBE approve the determinations of funding and the periods specified for the 24 nonclassroom-based charter schools as provided in Table 2 of Attachment 1.

BRIEF HISTORY OF KEY ISSUES

The nonclassroom-based charter schools listed in Attachment 1 each submitted a request to obtain a determination of funding by the SBE to establish eligibility to receive apportionment funding.

Pursuant to 5 *CCR* Section 11963.4(a), a nonclassroom-based charter school may qualify for either 70 percent, 85 percent, 100 percent full funding, or may be denied. To qualify for a proposed recommendation of 100 percent funding, a nonclassroom-based charter school must meet the following criteria:

- At least 40 percent of the school's public revenues are to be spent on salaries and benefits for all employees who possess a valid teaching certificate.

- At least 80 percent of all revenues are to be spent on instruction and instruction-related services.

- The ratio of average daily attendance for independent study pupils to full-time certificated employees does not exceed a pupil-teacher ratio of 25:1 or the pupil-teacher ratio of the largest unified school district in the county or counties in which the charter school operates.

5 *CCR* Section 11963.6(c) specifies that a determination of funding shall be for a minimum of two years and a maximum of five years in length.

5 *CCR* Section 11963.6(a) requires a determination of two years for a new charter school in its first year of operation.

EC Section 47612.5(d)(2) requires a determination of five years for a charter school that has achieved a rank of six or greater on the Academic Performance Index (API) for the two years immediately prior to receiving a determination of funding. However, *EC* Section 52056(a) requiring API ranking of schools was repealed. Alternatives were authorized by Assembly Bill (AB) 484 (Chapter 489, Statutes of 2013) to meet legislative and/or programmatic requirements. For purposes of meeting the API requirement pursuant to *EC* Section 47612.5(d)(2), the CDE considers the following alternatives as proposed by AB 484: (a) the most recent API calculation; or (b) an average of the three most recent annual API calculations; whichever is higher.

When making a recommendation for a funding determination, the CDE also considers the number of years a charter school has been in operation and the number of years requested for the determination of funding by the charter school. As provided in Attachment 1, there are 23 charter schools that are requesting a determination of five years. For these charter schools, the CDE proposes to recommend five years for two charter schools that meet the API requirement. For the remaining charter schools that do not meet the API requirement, the CDE proposes to recommend four years for 16 charter schools that have been in operation for three or more years, and three years for five charter schools that have been in operation less than three years. In addition, the

CDE proposes to recommend three years for one school that is requesting three years and two years for a new charter school in its first year of operation.

The funding determination request for Renew Virtual Academy K12 #1 is provided in Attachment 17 of Agenda Item 1 on the ACCS February 10, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/accsnotice021015.asp

The remaining funding determination requests are provided in Attachments 2 through 25 of Agenda Item 1 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/accsnotice040815.asp

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE is responsible for approving a determination of funding to establish eligibility for apportionment funding for charter schools that offer nonclassroom-based instruction. The CDE notes that this request is a recurring action item for the SBE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved, the charter schools listed in Attachment 1 would receive apportionment funding under the Local Control Funding Formula model.

ATTACHMENT

Attachment 1: California Department of Education Proposed Determination of Funding Recommendation for Nonclassroom-based Charter Schools (6 Pages)

California Department of Education
Proposed Determination of Funding Recommendation for Nonclassroom-based Charter Schools

Proposed Recommendation – New Charter School

Table 1

County-District-School Code	Charter Authorizer	County	Charter School (Charter Number)	First Year of Operation	Percent Spent on Certificated Staff Compensation^	Percent Spent on Instruction and Instruction Related Services^	Pupil-Teacher Ratio^	Funding Determination and Years Requested by Charter School	CDE Proposed Recommendation Funding Determination and Years
39-68627-0129361	New Jerusalem Elementary	San Joaquin	Renew Virtual Academy K12 #1 (1598)	2014–15	51.49%	89.12%	25:1	100% for 2 Years (2014–15 through 2015–16)	*100% for 2 Years (2014–15 through 2015–16)

*The California Department of Education was notified that Renew Virtual Academy K12 #1 closed effective March 7, 2015. Pursuant to *California Code of Regulations*, Title 5 (5 *CCR*) Section 11960(b), the State Superintendent of Public Instruction shall proportionately reduce the amount of funding that would otherwise have been apportioned to a charter school on the basis of average daily attendance for a fiscal year, if school was actually taught in the charter school on fewer than 175 calendar days during that fiscal year. As a result, the charter school will be approved for a two-year funding determination; however, pursuant to 5 *CCR* Section 11960(b), the funding apportioned to the charter school will be proportionately reduced so that it is equivalent to the amount of days school was actually taught in the charter school.

California Department of Education
Proposed Determination of Funding Recommendation for Nonclassroom-based Charter Schools

Proposed Recommendation – Continuing Charter Schools

Table 2

County-District-School Code	Charter Authorizer	County	Charter School (Charter Number)	First Year of Operation	Percent Spent on Certificated Staff Compensation^	Percent Spent on Instruction and Instruction Related Services^	Pupil-Teacher Ratio^	Funding Determination and Years Requested by Charter School	CDE Proposed Recommendation Funding Determination and Years
09-73783-0121566	Black Oak Mine Unified	El Dorado	American River Charter School (1176)	2010–11	45.89%	80.06%	20.0:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)
10-10108-0119628	Fresno County Office of Education	Fresno	Big Picture High School - Fresno (1085)	2009–10	56.59%	82.01%	20.0:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)
10-62117-0118018	Clovis Unified	Fresno	Clovis Online School (1006)	2009–10	61.10%	87.18%	24.78:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)
19-73452-0120600	Rowland Unified	Los Angeles	iQ Academy California-Los Angeles (1135)	2010–11	58.16%	88.74%	15.0:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)
19-76869-0128728	Wiseburn Unified	Los Angeles	Da Vinci Innovation Academy (1597)	2013–14	64.39%	80.46%	21.1:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 3 Years (2015–16 through 2017–18)

County-District-School Code	Charter Authorizer	County	Charter School (Charter Number)	First Year of Operation	Percent Spent on Certificated Staff Compensation^	Percent Spent on Instruction and Instruction Related Services^	Pupil-Teacher Ratio^	Funding Determination and Years Requested by Charter School	CDE Proposed Recommendation Funding Determination and Years
23-65623-0112300	Willits Unified	Mendocino	La Vida Charter School (822)	2006–07	49.49%	84.11%	14.0:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)
27-10272-2730232	Monterey County Office of Education	Monterey	Monterey County Home Charter School (327)	2002–03	89.82%	119.43%	23.17:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)
36-67777-0124214	Morongo Unified	San Bernardino	Hope Academy Charter (1322)	2011–12	47.98%	89.84%	20.0:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)
37-67983-0128579	Borrego Springs Unified	San Diego	Oxford Preparatory Academy (1590)	2013–14	50.02%	80.89%	25.0:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 3 Years (2015–16 through 2017–18)
37-68049-6119564	Dehesa Elementary	San Diego	Dehesa Charter School (419)	2001–02	56.38%	84.78%	19.0:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)
37-68213-0123240	Mountain Empire Unified	San Diego	Pivot Charter School – San Diego(1266)	2010–11	40.33%	83.25%	22.93:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)

County-District-School Code	Charter Authorizer	County	Charter School (Charter Number)	First Year of Operation	Percent Spent on Certificated Staff Compensation^	Percent Spent on Instruction and Instruction Related Services^	Pupil-Teacher Ratio^	Funding Determination and Years Requested by Charter School	CDE Proposed Recommendation Funding Determination and Years
37-68213-0127035	Mountain Empire Unified	San Diego	Academy of Arts and Sciences – El Cajon Elementary (1451)	2013–14	64.26%	126.21%	25.0:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 3 Years (2015–16 through 2017–18)
37-68338-0128744	San Diego Unified	San Diego	Laurel Preparatory Academy (1600)	2013–14	58.30%	81.82%	22.45:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 3 Years (2015–16 through 2017–18)
37-68403-6120893	Spencer Valley Elementary	San Diego	California Virtual Academy @ San Diego (493)	2002–03	43.64%	87.62%	20.7:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)
39-10397-0120717	San Joaquin County Office of Education	San Joaquin	one.Charter (1146)	2010–11	47.65%	82.89%	22.53:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)
49-70870-0106344	Piner-Olivet Union Elementary	Sonoma	Northwest Prep Charter School (526)	2004–05	65.54%	83.17%	18.0:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)
50-71100-6112627	California State Board of Education	Stanislaus	Hickman Community Charter School (D4)	1994–95	68.74%	87.76%	23.0:1	100% for 5 Years (2015–16 through 2019–20)	**100% for 5 Years (2015–16 through 2019–20)

County-District-School Code	Charter Authorizer	County	Charter School (Charter Number)	First Year of Operation	Percent Spent on Certificated Staff Compensation^	Percent Spent on Instruction and Instruction Related Services^	Pupil-Teacher Ratio^	Funding Determination and Years Requested by Charter School	CDE Proposed Recommendation Funding Determination and Years
51-71415-0129007	Meridian Elementary	Sutter	California Virtual Academy at Sutter (1606)	2013–14	40.17%	86.47%	24.0:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 3 Years (2015–16 through 2017–18)
54-71803-0112458	Alpaugh Unified	Tulare	Central California Connections Academy (804)	2006–07	40.59%	83.63%	26.0:1^^	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)
54-72140-0123273	Stone Corral Elementary	Tulare	Crescent Valley Public Charter (1269)	2010–11	40.25%	80.99%	22.3:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)
56-10561-0122713	Ventura County Office of Education	Ventura	River Oaks Academy (1256)	2010–11	48.61%	80.66%	25.0:1	100% for 3 Years (2015–16 through 2017–18)	*100% for 3 Years (2015–16 through 2017–18)
56-72470-5630363	Mesa Union Elementary	Ventura	Golden Valley Charter School (356)	2001–02	44.88%	81.75%	22.38:1	100% for 5 Years (2015–16 through 2019–20)	**100% for 5 Years (2015–16 through 2019–20)
56-72520-5630405	Ojai Unified	Ventura	Valley Oak Charter (501)	2002–03	48.01%	83.65%	19.0:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)

County-District-School Code	Charter Authorizer	County	Charter School (Charter Number)	First Year of Operation	Percent Spent on Certificated Staff Compensation^	Percent Spent on Instruction and Instruction Related Services^	Pupil-Teacher Ratio^	Funding Determination and Years Requested by Charter School	CDE Proposed Recommendation Funding Determination and Years
56-73940-0121426	Moorpark Unified	Ventura	IvyTech Charter School (1202)	2010–11	54.70%	80.06%	23.67:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 4 Years (2015–16 through 2018–19)

^Spending percentages and pupil-teacher ratio (PTR) correspond to the charter school's funding determination request as originally submitted to the California Department of Education (CDE).
^^At its January 2014 meeting, the State Board of Education approved a request to increase the PTR for Central California Connections Academy from 25:1 to 27.5:1 for the period of July 1, 2013 through June 29, 2015.
*For the funding determination effective period, the CDE considers the number of years a charter school has been in operation and the number of years requested for the determination of funding by the charter school.
***Education Code* (*EC*) Section 47612.5(d)(2) requires a determination of five years for a charter school that has achieved a rank of six or greater on the Academic Performance Index (API) for the two years immediately prior to receiving a determination of funding. However, *EC* Section 52056(a) requiring API ranking of schools was repealed. Alternatives were authorized by Assembly Bill (AB) 484 (Chapter 489, Statutes of 2013) to meet legislative and/or programmatic requirements. For purposes of meeting the API requirement pursuant to *EC* Section 47612.5(d)(2), the CDE considers the following alternatives as proposed by AB 484: (a) the most recent API calculation; or (b) an average of the three most recent annual API calculations; whichever is higher.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 22

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Consideration of "Reasonable Basis"/Mitigating Circumstances Requests for Determination of Funding as Required for Nonclassroom-based Charter Schools Pursuant to California *Education Code* sections 47612.5 and 47634.2, and Associated *California Code of Regulations*, Title 5.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE

California *Education Code* (*EC*) sections 47612.5 and 47634.2 established the eligibility requirements for apportionment funding for charter schools that offer nonclassroom-based instruction. The statutes specify that a charter school may receive apportionment funding for nonclassroom-based instruction only if a determination of funding is made by the State Board of Education (SBE). The California Department of Education (CDE) reviews a charter school's determination of funding request and presents it for consideration by the Advisory Commission on Charter Schools (ACCS), pursuant to relevant *California Code of Regulations*, Title 5 (5 *CCR*). The ACCS may include the consideration of mitigating circumstances in conjunction with a recommendation to the SBE.

RECOMMENDATION

The CDE recommends that the SBE approve the mitigating circumstances requests and the proposed determination of funding for charter schools that offer nonclassroom-based instruction as provided in Attachment 1.

Advisory Commission on Charter Schools Recommendation

The ACCS met on April 8, 2015, and voted unanimously to approve the CDE recommendation that the SBE approve the mitigating circumstances requests and the determinations of funding as provided in Attachment 1.

BRIEF ANALYSIS OF THE ISSUE

Come Back Kids and Coronado Pathways Charter School each submitted a request to obtain a determination of funding by the SBE with the consideration of mitigating circumstances to establish eligibility to receive apportionment funding.

Pursuant to 5 *CCR*, Section 11963.4(a), a nonclassroom-based charter school may qualify for 70 percent, 85 percent, or 100 percent funding, or may be denied. To qualify for a proposed recommendation of 100 percent funding, a nonclassroom-based charter school must meet the following criteria:

- At least 40 percent of the school's public revenues are to be spent on salaries and benefits for all employees who possess a valid teaching certificate.

- At least 80 percent of all revenues are to be spent on instruction and instruction-related services.

- The ratio of average daily attendance for independent study pupils to full-time certificated employees does not exceed a pupil-teacher ratio of 25:1 or the pupil-teacher ratio of the largest unified school district in the county or counties in which the charter school operates.

However, 5 *CCR* Section 11963.4(e) states that the ACCS may find a "reasonable basis" (also referred to as mitigating circumstances) by which to make a recommendation other than one that results from the criteria specified in the regulations.

5 *CCR* Section 11963.6(c) specifies that a determination of funding approved by the SBE shall be prospective (not for the current year) and shall be in increments of a minimum of two years and a maximum of five years in length. *EC* Section 47612.5(d)(2) requires a determination of five years for a charter school that has achieved a rank of six or greater on the Academic Performance Index (API) for the two years immediately prior to receiving a determination of funding. However, *EC* Section 52056(a) requiring API ranking of schools was repealed. Alternatives were authorized by Assembly Bill (AB) 484 (Chapter 489, Statutes of 2013) to meet legislative and/or programmatic requirements. For purposes of meeting the API requirement pursuant to *EC* Section 47612.5(d)(2), the CDE considers the following alternatives as proposed by AB 484: (a) the most recent API calculation; or (b) an average of the three most recent annual API calculations; whichever is higher. When making a recommendation for a funding determination, the CDE also considers the number of years a charter school has been in operation and the number of years requested for the determination of funding by the charter school.

5 *CCR* Section 11963.4(e) provides specific examples of the types of mitigating circumstances and for the ACCS to consider well documented "one-time or unique or exceptional circumstances." Mitigating circumstances described by a charter school in the funding determination process clarify and provide guidance as to whether or not a specific charter school meets the percentage requirements for a funding determination as expressed in 5 *CCR* Section 11963.4(a).

Pursuant to 5 *CCR* Section 11963.4(e):

> A reasonable basis for the Advisory Commission on Charter Schools to make a recommendation other than one that results from the criteria specified in subdivision (a) may include, but not be limited to, the

> following: the information provided by the charter school pursuant to paragraphs (2) through (8), inclusive, of subdivision (b) of section 11963.3, documented data regarding individual circumstances of the charter school (e.g., one-time or unique or exceptional expenses for facilities, acquisition of a school bus, acquisition and installation of computer hardware not related to the instructional program, special education charges levied on the charter school by a local educational agency, restricted state, federal, or private grants of funds awarded to the charter school that cannot be expended for teacher salaries, or contracted instructional services other than those for special education), the size of the charter school, and how many years the charter school has been in operation. The Advisory Commission on Charter Schools shall give charter schools with less than a total of one hundred (100) units of prior year second period average daily attendance or that are in their first year of operation serious consideration of full funding.

Come Back Kids and Coronado Pathways Charter School do not meet the criteria to qualify for a proposed recommendation of 100 percent funding based on reported fiscal year (FY) 2013–14 data. Therefore, these schools each submitted a request to consider mitigating circumstances. A summary of the request from each charter school is provided below and in Attachment 1.

Come Back Kids (#1568) is requesting a 100 percent determination of funding with the consideration of the charter school's mitigating circumstances. The charter school reported expenditures of 49.83 percent on certificated staff costs and expenditures of 56.84 percent on instruction and instruction related services costs, which make the charter school ineligible for a determination of funding. Based on Come Back Kids' reported expenditure percentages, the charter school's nonclassroom-based instruction is not substantially dedicated to the instructional benefit of the students pursuant to 5 *CCR* Section 11963.4(a)(4). Under these conditions, the regulation requires the ACCS to recommend that the SBE deny the request unless there is a reasonable basis to recommend otherwise.

The charter school's mitigating circumstances request cites insufficient funding due to deferrals, a significant increase of its Average Daily Attendance (ADA) late in the fiscal year, and consideration that the school was in its first year of operation in FY 2013–14. As a newly operational charter school in FY 2013–14, the CDE finds that the information submitted supports the claim for mitigating circumstances that, in Come Back Kids' first year of operation, the deferrals constrained the charter school's cash flow which limited its spending ability to meet the full-funding thresholds. However, because the charter school failed to meet the spending thresholds for any funding determination percentage without the consideration of mitigating circumstances and has only one year of financial data available, the CDE recommends a funding determination of 100 percent for two years (2015–16 through 2016–17) instead of the three years requested by the charter school as provided in Attachment 1.

Coronado Pathways Charter School (#1421) is requesting a 100 percent determination of funding with the consideration of the charter school's mitigating circumstances. The

charter school reported expenditures of 151.01 percent on certificated staff costs; however, it reported expenditures of 62.95 percent on instruction and instruction related services, which qualifies the charter school for a 70 percent determination of funding. The charter school's mitigating circumstances request cites lower growth in attendance, use of the federal Public Charter Schools Grant Program (PCSGP) for marketing expenses, and having less than 100 prior year second period ADA. The CDE finds that the information submitted supports the claim for mitigating circumstances in that Coronado Pathways Charter School's PCSGP expenditures for FY 2013–14 include approximately $56,000 of federal revenues received by the charter school that limited its spending ability to meet the full-funding thresholds, as the expenditures do not qualify for instruction and instruction-related services. The charter school is requesting a determination of funding for five years; however, it does not meet the API requirement. Furthermore, the charter school almost failed to meet the spending thresholds for any funding determination percentage without the consideration of mitigating circumstances and has only one year of financial data available, therefore, the CDE recommends a funding determination of 100 percent for two years (2015–16 through 2016–17) instead of the five years requested by the charter school as provided in Attachment 1.

The funding determination requests are provided in Attachments 2 through 5 of Agenda Item 3 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/accsnotice040815.asp.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE is responsible for approving a determination of funding to establish eligibility for apportionment funding for charter schools that offer nonclassroom-based instruction. The CDE notes that this request is a non-recurring action item for the SBE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved, the charter schools listed in Attachment 1 would receive apportionment funding under the Local Control Funding Formula model.

ATTACHMENTS

Attachment 1: California Department of Education Proposed Determination of Funding Recommendation for Nonclassroom-based Charter Schools (1 Page)

California Department of Education
Proposed Determination of Funding Recommendation for Nonclassroom-based Charter Schools

Fiscal Years 2015–16 through 2016–17

CDS Code	Charter Authorizer / County	Charter School / Charter Number	First Year of Operation	Percent Spent on Certificated Staff Compensation^	Percent Spent on Instruction and Instruction Related Services^	Pupil-Teacher Ratio	Funding Determination and Years Requested by Charter School With Mitigating Circumstances	Funding Determination Without Mitigating Circumstances (5 *CCR* Section 11963.4)	CDE Recommendation Funding Determination and Years	CDE Recommendation Mitigating Circumstances Provided
33-10330-0128397	Riverside County Office of Education / Riverside	Come Back Kids / 1568	2013–14	49.83%	56.84%	25:1	100% 3 Years (2015–16 through 2017–18)	Denial	100% 2 Years (2015–16 through 2016–17)	Yes
37-68031-0126110	Coronado Unified / San Diego	Coronado Pathways Charter School / 1421	2013–14	151.01%	62.95%	25:1	100% 5 Years (2015–16 through 2019–20)	70%	100% 2 Years (2015–16 through 2016–17)**	Yes

^The spending percentages and pupil-teacher ratio correspond to the charter school's funding determination request as submitted to the California Department of Education (CDE).
***Education Code* (*EC*) Section 47612.5(d)(2) requires a determination of five years for a charter school that has achieved a rank of six or greater on the Academic Performance Index (API) for the two years immediately prior to receiving a determination of funding. However, *EC* Section 52056(a) requiring API ranking of schools was repealed. Alternatives were authorized by Assembly Bill (AB) 484 (Chapter 489, Statutes of 2013) to meet legislative and/or programmatic requirements. For purposes of meeting the API requirement pursuant to *EC* Section 47612.5(d)(2), the CDE considers the following alternatives as proposed by AB 484: (a) the most recent API calculation; or (b) an average of the three most recent annual API calculations; whichever is higher.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 23

ITEM #23

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Consideration of a Retroactive Request for Determination of Funding as Required for a Nonclassroom-based Charter School Pursuant to California *Education Code* sections 47612.5 and 47634.2, and Associated *California Code of Regulations*, Title 5.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE

California *Education Code* (*EC*) sections 47612.5 and 47634.2 established the eligibility requirements for apportionment funding for charter schools that offer nonclassroom-based instruction. The statutes specify that a charter school may receive apportionment funding for nonclassroom-based instruction only if a determination of funding is made by the State Board of Education (SBE). The California Department of Education (CDE) reviews a charter school's determination of funding request and presents it for consideration by the Advisory Commission on Charter Schools (ACCS), pursuant to relevant *California Code of Regulations*, Title 5 (5 *CCR*).

Pursuant to 5 *CCR*, Section 11963.6(c), any determination of funding request approved by the SBE for an existing nonclassroom-based charter school must be prospective (not for the current year). The CDE received a completed determination of funding request from Placer County Pathways after the required February 1, 2014, deadline, thereby making the request retroactive, not prospective. Since the charter school did not submit a completed request by the regulatory filing deadline, it was required to request a waiver for SBE approval to allow the charter school to request a non-prospective funding determination.

A waiver was submitted to the SBE requesting approval for a non-prospective funding determination for fiscal year (FY) 2014–15. The waiver was approved by the SBE at its March 2015 meeting. The waiver request is provided in the SBE March 2015, Meeting Notice for the SBE Web Page located at
http://www.cde.ca.gov/be/ag/ag/yr15/documents/mar15w09.doc

RECOMMENDATION

The CDE recommends that the SBE approve the determination of funding as provided in Attachment 1.

Advisory Commission on Charter Schools Recommendation

The ACCS met on April 8, 2015, and voted unanimously to approve the CDE recommendation that the SBE approve the determination of funding as provided in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

Placer County Pathways submitted a request to obtain a determination of funding by the SBE to establish eligibility to receive apportionment funding.

Pursuant to 5 *CCR* Section 11963.4(a), a nonclassroom-based charter school may qualify for 70 percent, 85 percent, or 100 percent funding, or may be denied. To qualify for a proposed recommendation of 100 percent funding, a nonclassroom-based charter school must meet the following criteria:

- At least 40 percent of the school's public revenues are to be spent on salaries and benefits for all employees who possess a valid teaching certificate.
- At least 80 percent of all revenues are to be spent on instruction and instruction-related services.
- The ratio of average daily attendance for independent study pupils to full-time certificated employees does not exceed a pupil-teacher ratio of 25:1 or the pupil-teacher ratio of the largest unified school district in the county or counties in which the charter school operates.

5 *CCR* Section 11963.6(c) specifies that any determination of funding approved by the SBE shall be prospective (not for the current year) and shall be in increments of a minimum of two years and a maximum of five years in length.

Placer County Pathways is requesting a 100 percent determination of funding for a five-year period for FYs 2014–15 through 2018–19. Placer County Pathways reported expenditures of 60.05 percent on certificated staff costs, 80.73 percent on instruction and instruction-related services costs, and a pupil-teacher ratio of 15.74:1, which qualifies the charter school for a 100 percent determination of funding.

EC Section 47612.5(d)(2) requires a determination of five years for a charter school that has achieved a rank of six or greater on the Academic Performance Index (API) for the two years immediately prior to receiving a determination of funding. However, *EC* Section 52056(a) requiring API ranking of schools was repealed. Alternatives were authorized by Assembly Bill (AB) 484 (Chapter 489, Statutes of 2013) to meet legislative and/or programmatic requirements. For purposes of meeting the API requirement pursuant to *EC* Section 47612.5(d)(2), the CDE considers the following alternatives as proposed by AB 484: (a) the most recent API calculation; or (b) an average of the three most recent annual API calculations; whichever is higher.

When making a recommendation for a funding determination, the CDE also considers the number of years a charter school has been in operation and the number of years requested for the determination of funding by the charter school. As provided in Attachment 1, Placer County Pathways is requesting a determination of five years. However, since Placer County Pathways does not meet the API requirement, the CDE proposes to recommend a determination of four years since the charter school has been in operation for three years.

The funding determination request is provided in Attachment 2 of Agenda Item 2 on the ACCS April 8, 2015, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/accsnotice040815.asp.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At its March 2015 meeting, the SBE approved the CDE's recommendation to approve Placer County Office of Education's request to waive specific portions of 5 *CCR*, Section 11963.6(c), which allow Placer County Pathways to submit a determination of funding request for the non-prospective fiscal period of July 1, 2014, through June 30, 2015.

The SBE is responsible for approving a determination of funding to establish eligibility for apportionment funding for charter schools that offer nonclassroom-based instruction. The CDE notes that this request is a recurring action item for the SBE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved, the charter school listed in Attachment 1 would receive apportionment funding under the Local Control Funding Formula model.

ATTACHMENT

Attachment 1: California Department of Education Proposed Determination of Funding Recommendation for a Nonclassroom-based Charter School (1 Page)

California Department of Education

Proposed Determination of Funding Recommendation for a Nonclassroom-based Charter School

CDS Code	Charter Authorizer	County	Charter School / Charter Number	First Year of Operation	Percent Spent on Certificated Staff Compensation^	Percent Spent on Instruction and Instruction Related Services^	Pupil-Teacher Ratio^	Funding Determination and Years Requested by Charter School	CDE Recommendation Funding Determination and Years*
31-10314-0126904	Placer County Office of Education	Placer	Placer County Pathways / 1432	2012–13	60.05%	80.73%	15.74:1	100% for 5 Years (2014–15 through 2018–19)	100% for 4 Years (2014–15 through 2017–18)

^Spending percentages and pupil-teacher ratio correspond to the charter school's funding determination request as originally submitted to the California Department of Education (CDE).
*For the funding determination effective period, the CDE considers the number of years a charter school has been in operation and the number of years requested for the determination of funding by the charter school. At its March 2015 meeting, the State Board of Education approved a request to waive specific portions of 5 *CCR*, Section 11963.6(c), for the fiscal period of July 1, 2014 through June 30, 2015.

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 24

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Revise the Charter Term for OnePurpose School from January 16, 2015, through June 30, 2019, to July 1, 2015, through June 30, 2020.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

OnePurpose School (OPS) is currently a State Board of Education (SBE)-authorized charter school, with a five-year charter term effective January 16, 2015, through June 30, 2019.

OPS requests that the SBE approve the revision of its charter term to July 1, 2015, through June 30, 2020, consistent with the term specified in its petition.

RECOMMENDATION

The California Department of Education (CDE) proposes to recommend that the SBE approve the revised five-year charter term for OPS beginning July 1, 2015, through June 30, 2020.

BRIEF HISTORY OF KEY ISSUES

On September 23, 2014, the San Francisco Unified School District (SFUSD) voted to deny the OPS petition. The SFUSD Board of Education acts on the behalf of the city and county of San Francisco; therefore, the OPS appeal was submitted directly to the SBE. At its January 2015 meeting, the SBE approved the petition to establish OPS for a five-year term effective January 16, 2015, through June 30, 2019, under the oversight of the SBE.

OPS applied for a 2014–15 federal Public Charter Schools Grant Program (PCSGP) planning and implementation grant. The PCSGP is a sub-grant program funded by the Charter Schools Program (CSP) administered by the United States Department of Education (ED). Pursuant to federal guidance, PCSGP funds may only be used by a charter school during its charter term. As a result, OPS revised its charter term to begin

in the 2014–15 fiscal year (FY) to remain eligible to receive PCSGP planning funds. However, the ED provided clarification to CDE in January 2015 that federal statute does not provide any additional eligibility requirements for planning funds based on the status of charter authorization approval or effective term dates. Based on the ED's response, the start date of the charter term for OPS is not required to begin prior to July 1, 2015, for PCSGP eligibility. The revision to the OPS charter term will allow the charter school to operate for a full five-year period without affecting its PCSGP eligibility status.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 25 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
- One countywide benefit charter
- Eight districtwide charters operating a total of eighteen sites
- Fifteen charter schools, authorized on appeal after local or county denial

The SBE delegates oversight duties of the districtwide charters to the county office of education of the county in which the districtwide charter is located. The SBE delegates oversight duties of the remaining charter schools to the CDE.

FISCAL ANALYSIS (AS APPROPRIATE)

None

ATTACHMENT(S)

None

California State Board of Education

Meeting Agenda Items for May 6-7, 2015

ITEM 25

CALIFORNIA STATE BOARD OF EDUCATION

MAY 2015 AGENDA

SUBJECT	
Approval of the Charter School Numbers Assigned to Newly Established Charter Schools.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

The State Board of Education (SBE) is responsible for assigning a number to each approved charter petition. California Department of Education (CDE) staff present this routine request for assignment of charter numbers as a standard action item.

RECOMMENDATION

The CDE recommends that the SBE assign charter numbers to the charter schools identified in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

Since the charter school law was enacted in 1992, the SBE has assigned numbers to 1,726 charter schools, including some approved by the SBE after denial by local educational agencies. Separate from that numbering system, eight all-charter districts that currently serve a total of 18 school sites, have been jointly approved by the State Superintendent of Public Instruction and the SBE.

California *Education Code* (*EC*) Section 47602 requires the SBE to assign a number to a charter school that has been approved by a local entity in the chronological order in which it was received. Each number assigned shall correspond to a single petition that identifies a charter school that will operate within the geographic and site limitations of this part. Charter schools that share educational programs and serve similar pupil populations may not be counted as separate schools. This numbering system ensures that the state stays within a statutory cap on the total number of charter schools authorized to operate within California. The cumulative statutory cap for the fiscal year 2014–15 is 1,850. The statutory cap is not subject to waiver.

The charter schools listed in Attachment 1 were recently authorized by local boards of education and the SBE as noted. Copies of the charter petitions are on file in the Charter Schools Division.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE is responsible for assigning a number to each approved charter petition. The CDE presents this routine request for assignment of charter numbers as a standard action item.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact to the state resulting from the assignment of numbers to recently authorized charter schools.

ATTACHMENT(S)

Attachment 1: Assignment of Numbers for Charter School Petitions (2 Pages)

Assignment of Numbers for Charter School Petitions

Number	Term	Charter Name	County	Authorizing Entity	Classroom-Based/ Nonclassroom-Based
1727	7/1/2015–6/30/2018	Paseo Grande Charter School	Sacramento	Robla School District	Nonclassroom-Based
1728	6/30/2015–6/30/2017	Golden Valley Charter School II	San Joaquin	San Juan Unified School District	Classroom-Based
1729	7/1/2015–6/30/2020	Delta Charter Online #2	San Joaquin	New Jerusalem Elementary School District	Nonclassroom-Based
1730	7/1/2015–6/30/2020	The Academy	San Joaquin	New Jerusalem Elementary School District	Nonclassroom-Based
1731	7/1/2015–6/30/2020	Delta Bridges Charter School	San Joaquin	New Jerusalem Elementary School District	Classroom-Based
1732	7/1/2015–6/30/2020	Science Technology Engineering and Mathematics Charter School	San Joaquin	Lincoln Unified School District	Classroom-Based
1733	7/1/2015–6/30/2020*	OnePurpose School	San Francisco	State Board of Education	Classroom-Based
1734	7/1/2015–6/30/2020	Albert Einstein Academy Letter, Arts and Sciences – STEM	Los Angeles	Acton Agua Dulce Unified School District	Classroom-Based

* The California Department of Education is recommending that the State Board of Education (SBE) approve a revised term for the OnePurpose School beginning July 1, 2015, through June 30, 2020, as provided in the SBE May 2015 Agenda Item 12.

Number	Term	Charter Name	County	Authorizing Entity	Classroom-Based/ Nonclassroom-Based
1735	7/1/2015–6/30/2019	KIPP Exelencia Community Preparatory	San Mateo	Redwood City School District	Classroom-Based
1736	7/1/2015–6/30/2019	Rocketship Redwood City	San Mateo	Redwood City School District	Classroom-Based
1737	7/1/2015–6/30/2020	Alpha: Cindy Avitia High School	Santa Clara	East Side Union High School District	Classroom-Based
1738	7/1/2015–6/30/2020	Alliance 6-12 College-Ready No 21	Los Angeles	Los Angeles Unified School District	Classroom-Based
1739	7/1/2015–6/30/2020	Aspire Richmond California College Preparatory Academy	Contra Costa	West Contra Costa Unified School District	Classroom-Based
1740	7/1/2015–6/30/2020	Aspire Richmond Technology Academy	Contra Costa	West Contra Costa Unified School District	Classroom-Based
1741	6/30/2015–6/29/2020	John Henry High School	Contra Costa	West Contra Costa Unified School District	Classroom-Based
1742	7/1/2015–6/30/2020	The New School of San Francisco	San Francisco	The State Board of Education	Classroom-Based