



# **California State Board of Education**

## **Meeting Agenda Items for July 8-9, 2015**

# Bylaws

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

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## 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*.

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## 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.

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## 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*

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## 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.
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## **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.
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## 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.

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## 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

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## **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*

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## **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.*

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## **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.

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## **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.

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## **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.

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## **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.

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## 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 <i>Education Code</i>
GC	California <i>Government Code</i>
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 July 2015

Agenda for the California State Board of Education (SBE) meeting on July 8-9, 2015.

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## 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 Shimosaki, Student Member

## Secretary & Executive Officer

- Hon. Tom Torlakson

## Executive Director

- Karen Stapf Walters

Schedule of Meeting	Location
<b>Wednesday, July 8, 2015</b> 8:30 a.m. Pacific Time ±  STATE BOARD OF EDUCATION <b>Public Session, adjourn to Closed Session – IF NECESSARY.</b>	<b>California Department of Education</b> 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.

Schedule of Meeting	Location
<b>Thursday, July 9, 2015</b> 8:30 a.m. Pacific Time ±  STATE BOARD OF EDUCATION <b>Public Session. The Closed Session will take place at approximately 8:30 a.m. (The Public may not attend.)</b>	<b>California Department of Education</b> 1430 N Street, Room 1101 Sacramento, California 95814 916-319-0827

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.

## 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, 1<sup>st</sup> 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
- *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, 2<sup>nd</sup> 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.

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 Day 1**

**Wednesday, July 8, 2015**

**Wednesday, July 8, 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
- Agenda Items
- Adjournment

*Public notice is hereby given that special presentations for informational purposes may take place during this session.*

## AGENDA ITEMS DAY 1

### [Item 01](#) (DOC)

**Subject:** Developing a New Accountability System: Update on the Local Control Funding Formula Evaluation Rubrics as specified in California *Education Code* Section 52064.5; Discussion on SBE Guiding Principles for Accountability System Planning; Review of Other Emerging State Accountability Systems to Inform the Policy Framework and Implementation Plan for California's Accountability System.

**Type of Action:** Action, Information

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### [Item 02](#) (DOC)

**Subject:** School Accountability Report Card: Approve the Template for the 2014–15 School Accountability Report Card.

**Type of Action:** Action, Information

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### [Item 03](#) (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), Technology, Primary Language Assessment Stakeholder Meetings, California Alternate Assessment Field Test, California Next Generation Science Standards Assessments, and Outreach Activities.

**Type of Action:** Action, Information

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### [Item 04](#) (DOC)

**Subject:** California Assessment of Student Performance and Progress: California Alternate Assessment Blueprints.

**Type of Action:** Action, Information

- [Item 04 Attachment 1](#) (XLS)
  - [Item 04 Attachment 2](#) (XLS)
  - [Item 04 Attachment 3](#) (XLS)
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### [Item 05](#) (DOC)

**Subject:** Update on the Activities of the California Department of Education and State Board of Education Regarding Implementation of the California English Language Development Standards.

**Type of Action:** Action, Information

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### [Item 06](#) (DOC)

**Subject:** Recommendations for Approval of the Correspondence Study Report, and Request that the Augmentation Document to the *California English Language Development Standards* Be Opened for Public Comment.

**Type of Action:** Action, Information

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### [Item 07](#) (DOC)

**Subject:** Elementary and Secondary Education Act: Supplemental Educational Services Providers: Approvals and/or Denials of Applicants for the 2015–17 State Board of Education Supplemental Educational Services Approved Provider List After Rereading all

Submitted Applications Not Previously Approved.

**Type of Action:** Action, Information

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## 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.

FEDERAL PROGRAM WAIVER (Carl D. Perkins Vocational and Technical Education Improvement Act)

[Item W-01](#) (DOC)

**Subject:** Request by 12 school districts for a waiver of Section 131(c)(1) of the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (Public Law 109-270).

**Waiver Numbers:**

- Academy of Science and Engineering Charter High School Fed-10-2015
- Bishop Unified School District Fed-11-2015
- Dunsmuir Joint Union High School District Fed-4-2015
- Ferndale Unified School District Fed-5-2015
- Hilmar Unified School District Fed-9-2015
- Klamath-Trinity Joint Unified School District Fed-13-2015
- Lammersville Joint Unified School District Fed-3-2015
- Modoc Joint Unified School District Fed-8-2015
- Shoreline Unified School District Fed-2-2015
- Southern Humboldt Joint Unified School District Fed-7-2015
- Summerville Union High School District Fed-6-2015
- Sutter Union High School District Fed-12-2015

(Recommended for APPROVAL)

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Open Enrollment (Removal From the List of LEAs)

[Item W-02](#) (DOC)

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

**Waiver Number:** 1-4-2015

(Recommended for DENIAL)

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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:**

- Evergreen Elementary School District 2-4-2015
- Saddleback Valley Unified School District 17-3-2015
- Saddleback Valley Unified School District 18-3-2015

(Recommended for APPROVAL WITH CONDITIONS)

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Open Enrollment (Removal From the List of LEAs)

[Item W-04](#) (DOC)

**Subject:** Request by Saddleback Valley Unified School District to waive California *Education Code* Section 48352(a) and *California Code of Regulations*, Title 5, Section 4701, to remove Linda Vista Elementary School from the Open Enrollment List of "low-achieving schools" for the 2015–16 school year.

**Waiver Number:** 16-3-2015

(Recommended for DENIAL)

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

[Item W-05](#) (DOC)

**Subject:** Request by five 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:**

- El Centro Elementary School District 9-3-2015
- Imperial County Office of Education 27-2-2015
- Imperial County Office of Education 28-2-2015
- Lammersville Joint Unified School District 28-3-2015
- Oceanside Unified School District 13-4-2015
- South Bay Union School District 14-4-2015

(Recommended for APPROVAL WITH CONDITIONS)

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Special Education Program (Resource Teacher Caseload)

[Item W-06](#) (DOC)

**Subject:** Request by two local educational agencies under the authority of California *Education Code (EC)* Section 56101 and *California Code of Regulations*, Title 5, Section 3100, to waive *EC* Section 56362(c). Approval of this waiver will allow the resource specialists to exceed the maximum caseload of 28 students by no more than four students (32 maximum).

**Waiver Numbers:**

- San Ramon Valley Unified School District 20-3-2015
- San Ramon Valley Unified School District 25-3-2015
- San Ramon Valley Unified School District 29-2-2015
- Union Elementary School District 16-4-2015

(Recommended for APPROVAL WITH CONDITIONS)

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Charter School Program (Nonclassroom-Based Funding)

[Item W-07](#) (DOC)

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

**Waiver Numbers:**

- ~~El Dorado County Office of Education 5-4-2015~~  
[Note: The preceding waiver was withdrawn by the El Dorado County Office of Education on June 29, 2015.]
- ~~El Dorado County Office of Education 6-4-2015~~

[Note: The preceding waiver was withdrawn by the El Dorado County Office of Education on June 29, 2015.]

- ~~Fresno Unified School District 19-4-2015~~

[Note: The preceding waiver was withdrawn by the Fresno Unified School District on June 29, 2015.]

- Madera County Office of Education 26-3-2015

(Recommended for APPROVAL)

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Equity Length of Time (Equity Length of Time)

[Item W-08](#) (DOC)

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

**Waiver Numbers:**

- Anaheim City School District 12-3-2015
- Junction City Elementary School District 9-4-2015
- Orinda Union Elementary School District 23-4-2015
- Poway Unified School District 21-3-2015

(Recommended for APPROVAL WITH CONDITIONS)

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Independent Study Program (Pupil Teacher Ratio)

[Item W-09](#) (DOC)

**Subject:** Request by Kingsburg Elementary Charter 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 ratios to allow an increase from 25:1 to a 27.5:1 pupil-to-teacher ratio at Central Valley Home School.

**Waiver Number:** 18-4-2015

(Recommended for APPROVAL WITH CONDITIONS)

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Sale or Lease of Surplus Property (Sale of Surplus Property)

[Item W-10](#) (DOC)

**Subject:** Request by Livermore Valley Joint Unified School District to waive California *Education Code* sections 17472, 17473, and 17474 and portions of 17455, 17466, 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 599 Sonoma Ave., Livermore, CA, referred to as Sonoma School.

**Waiver Number:** 17-4-2015

(Recommended for APPROVAL WITH CONDITIONS)

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Sale or Lease of Surplus Property (Sale of Surplus Property)

[Item W-11](#) (DOC)

**Subject:** Request by Ramona City Unified School District to waive portions of California *Education Code* sections 17466, 17472, and 17475 and all of 17473 and 17474, which will allow the district to sell one piece of property using a "request for proposal" process, that will provide the most benefit to the district. The district property for which the waiver is requested is located on San Vicente Road known as the district's Cagney Property.

**Waiver Number:** 11-4-2015

(Recommended for APPROVAL WITH CONDITIONS)

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

[Item W-12](#) (DOC)

**Subject:** Request by five districts to waive one or more of the following California *Education Code* sections 15102, 15106, 15268, and 15270(a), related to bonded indebtedness limits. Total bonded indebtedness may not exceed 1.25 percent of the taxable assessed valuation of property for high school and elementary school districts or 2.5 percent for unified school districts. Depending on the type of bond, a tax rate levy limit of \$30 per \$100,000 of assessed value for high school and elementary school districts or \$60 per \$100,000 for unified districts, may also apply.

**Waiver Numbers:**

- Alum Rock Union Elementary School District 4-4-2015
- Natomas Unified School District 7-4-2015
- Oxnard School District 2-5-2015
- Robla Elementary School District 10-4-2015
- Stockton Unified School District 34-3-2015
- Stockton Unified School District 35-3-2015

(Recommended for APPROVAL WITH CONDITIONS)

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School District Reorganization (Elimination of Election Requirement)

[Item W-13](#) (DOC)

**Subject:** Request by Val Verde Unified School District 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 Number:** 3-5-2015

(Recommended for APPROVAL)

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School District Reorganization (Lapsation of a Small District)

[Item W-14](#) (DOC)

**Subject:** Request by Bogus 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:** 6-5-2015

(Recommended for APPROVAL)

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Schoolsite Council Statute (Number and Composition of Members)

[Item W-15](#) (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:**

- Delhi Unified School District 13-3-2015
- Eastern Sierra Unified School District 22-2-2015
- Eastern Sierra Unified School District 23-2-2015
- Marin County Office of Education 23-3-2015
- Santa Barbara County Office of Education 36-3-2015
- Terra Bella Union Elementary School District 8-4-2015
- Trinity Center Elementary School District 3-3-2015
- Woodland Joint Unified School District 14-3-2015
- Woodland Joint Unified School District 15-3-2015

(Recommended for APPROVAL WITH CONDITIONS)

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Special Education Program (Algebra I Requirement for Graduation)

[Item W-16](#) (DOC)

**Subject:** Request by three local educational agencies to waive California *Education Code* Section 51224.5(b), the requirement that all students graduating in the 2014–2015 school year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation, for seven special education student(s) based on *Education Code* Section 56101, the special education waiver authority.

**Waiver Numbers:**

- Los Banos Unified School District 33-3-2015
- Natomas Unified School District 4-3-2015
- Pleasanton Unified School District 9-5-2015

(Recommended for APPROVAL WITH CONDITIONS)

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Special Education Program (Child Specific/NPA or NPS Certification)

[Item W-17](#) (DOC)

**Subject:** Request by Siskiyou County Office of Education to waive California *Education Code* Section 56366.1(a), the requirement for state certification to allow an uncertified out-of-state nonpublic school, KidsPeace National Centers located in Orefield, Pennsylvania, to provide services to one special education student.

**Waiver Number:** 3-4-2015

(Recommended for APPROVAL)

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State Testing Apportionment Report (CAHSEE)

[Item W-18](#) (DOC)

**Subject:** Request by two local educational agencies to waive the State Testing Apportionment Information Report deadline as stipulated 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)(3)(A), regarding the California High School Exit Examination; or Title 5, Section 862(b)(2)(A) prior to February 2014, regarding the Standardized Testing and Reporting Program; or Title 5, Section 862(b)(2)(A), regarding the California Assessment of Student Performance and Progress System.

**Waiver Numbers:**

- Alisal Union School District 30-3-2015
- Marin County Office of Education 29-3-2015

(Recommended for APPROVAL)

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Class Size Penalties (Over Limit on Grades 1-3)

[Item W-19](#) (DOC)

**Subject:** Request by three school districts, under the authority of California *Education Code* Section 41382, to waive portions of *Education Code* sections 41376(a), (c), and (d) and/or 41378(a) through (e), relating to class size penalties for kindergarten through grade three. For kindergarten, the overall class size average is 31 to one with no class larger than 33. For grades one through three, the overall class size average is 30 to one with no class larger than 32.

**Waiver Numbers:**

- Hemet Unified School District 6-3-2015
- Santa Rita Union Elementary School District 27-3-2015
- Whittier City Elementary School District 19-3-2015

(Recommended for APPROVAL WITH CONDITIONS)

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Class Size Penalties (Over Limit on Grades 4-8)

[Item W-20](#) (DOC)

**Subject:** Request by Whittier City Elementary School District to waive portions of California *Education Code* Section 41376(b) and (e), relating to class size penalties for grades four through eight. A district's current class size maximum is the greater of the 1964 statewide average of 29.9 to one or the district's 1964 average.

**Waiver Number:** 22-3-2015

(Recommended for APPROVAL WITH CONDITIONS)

**END OF WAIVERS**

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[Item 08](#) (DOC)

**Subject:** Approval of 2014–15 Consolidated Applications.

**Type of Action:** Action, Information

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[Item 09](#) (DOC)

**Subject:** Elementary and Secondary Education Act: Approval of Local Educational Agency Plans, Title I, Section 1112.

**Type of Action:** Action, Information

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[Item 10](#) (DOC; 1MB)

**Subject:** School Improvement Grant: Request a Waiver to Carry Over 100 Percent of the Fiscal Year 2014 School Improvement Grant Allocation Under Section 1003(g) of the Elementary and Secondary Education Act.

**Type of Action:** Action, Information

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[Item 11](#) (DOC)

**Subject:** Procedures for Reviewing Proposed Revisions to Adopted Instructional Materials—Approve Commencement of a 15-Day Public Comment Period for Proposed Amendments to *California Code of Regulations*, Title 5, Section 9526.

- [Item 11 Attachment 4](#) (PDF)
- [Alternative Accessible Version of Item 11 Attachment 4](#)

**Type of Action:** Action, Information

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[Item 12](#) (DOC)

**Subject:** Modification to the State Board Adopted Guidelines for the *Science Framework for California Public Schools*.

**Type of Action:** Action, Information

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[Item 13](#) (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

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[Item 14](#) (DOC)

**Subject:** Consideration of Retroactive 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

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[Item 15](#) (DOC)

**Subject:** Consideration of a Retroactive Request for Determination of Funding with “Reasonable Basis”/Mitigating Circumstances 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

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[Item 16](#) (DOC)

**Subject:** Consideration of a Request for Determination of Funding with “Reasonable Basis”/Mitigating Circumstances 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

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[Revised Item 17](#) (DOC; **Posted** 29-Jun-2015)

This version updates a data entry error in Attachment 1, page 2, for Charter #1754, correcting the county listing to be “Tehama” and not “Cottonwood.”

[Item 17](#) (DOC)

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

**Type of Action:** Action, Information

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[Item 18](#) (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

## ADJOURNMENT OF DAY'S SESSION

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### CALIFORNIA STATE BOARD OF EDUCATION

#### FULL BOARD AGENDA Public Session Day 2

Thursday, July 9, 2015

Thursday, July 9, 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 DAY 2

### [Item 19](#) (DOC)

**Subject:** Appoint Michelle Zumot and Glen Price Chief Deputy Superintendents of Public Instruction in accordance with Article IX, Section 2.1, of the Constitution of the State of California.

**Type of Action:** Action, Information

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### [Item 20](#) (DOC)

**Subject:** 2015 California State Plan to Ensure Equitable Access to Excellent Educators.

**Type of Action:** Action, Information

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### [Item 21](#) (DOC)

**Subject:** California's Application to the United States Department of Education for Funds Available Through the Federal Charter Schools Program: Consideration of Proposed Content, Final Approval, and Submission.

**Type of Action:** Action, Information

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## PUBLIC HEARINGS

Public Hearings on the following five agenda items will commence no earlier than 10:00 a.m. on Thursday, July 9, 2015. The Public Hearings will be held as close to 10:00 a.m. as the business of the State Board permits.

### [Item 22](#) (DOC)

**Subject:** Synergy Charter School: Consider a Material Revision of the Charter Petition to Revise the Governance Structure and the Educational Program.

**Type of Action:** Action, Information, Hearing

- [Item 22 Attachment 2](#) (PDF)
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### [Item 23](#) (DOC)

**Subject:** Petition for Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of the Olive Grove Charter School, which was denied by the Cuyama Joint Unified School District and the Santa Barbara County Office of Education.

**Type of Action:** Action, Information, Hearing

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### [Item 24](#) (DOC)

**Subject:** Renewal Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of the New City Public Schools, which was denied by the Long Beach Unified School District and considered for denial by the Los Angeles County Board of Education.

**Type of Action:** Action, Information, Hearing

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### [Item 25](#) (DOC)

**Subject:** Anahuacalmecac International University Preparatory High School: Consider a Material Revision of the Charter to Change from Grade Nine through Grade Twelve to Transitional Kindergarten through Grade Twelve.

**Type of Action:** Action, Information, Hearing

- [Item 25 Attachment 2](#) (PDF)

## END OF PUBLIC HEARINGS

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[Item 26](#) (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

## ADJOURNMENT OF MEETING

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**This agenda is posted on the [State Board of Education's Web site](http://www.cde.ca.gov/be/ag/) [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](mailto: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 July 3, 2015, the Friday prior to the meeting.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

<b>SUBJECT</b>	
Developing a New Accountability System: Update on the Local Control Funding Formula Evaluation Rubrics as specified in California <i>Education Code</i> Section 52064.5; Discussion on SBE Guiding Principles for Accountability System Planning; Review of Other Emerging State Accountability Systems to Inform the Policy Framework and Implementation Plan for California's Accountability System.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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On July 1, 2013, the Governor signed Assembly Bill (AB) 97 (Chapter 47, Statutes of 2013) to enact the Local Control Funding Formula (LCFF). California's new accountability system will build on the foundations of the LCFF, consisting of 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. The new accountability policy framework and implementation plan will operationalize a systems approach to continuous learning and improvement, equity, and transparency and will be grounded in state and local partnerships to sustain its implementation.

This item features an update on the development of the LCFF evaluation rubrics consistent with California *Education Code* (EC) Section 52064.5. In addition, a review of the State Board of Education (SBE) guiding principles for accountability system planning and other emerging state accountability systems is included to inform the policy framework and implementation plan for California's new accountability system.

This agenda item is the third in a series of regular updates to demonstrate progress on the implementation of LCFF as the proposed foundation of the new accountability system to the SBE and the public.

#### **RECOMMENDATION**

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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**

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Although California is still in the early stages of LCFF implementation, substantial progress has been made in establishing LCFF as the foundation for California's new

accountability system. Local educational agencies (LEAs) are required to complete an LCAP every year, and beginning this year, 2015–16, LEAs will complete the Annual Update as well. The LCAP is intended to be a comprehensive planning tool and represents a three-year plan for an upcoming school year and the two years that follow. For example, as of July 1, 2015, LEAs will have completed an LCAP and Annual Update for adoption and approval that reflects the planning for 2015–16 through 2017–18 with a review of progress for 2014–15. The goals contained in the LCAP align with the term of the LEA budget and multiyear budget projections in order to strengthen the alignment between LEA resource allocations and implementation of actions and services to support local goals.

For charter schools, the inclusion and description of goals for state priorities in the LCAP may be modified to meet the grade levels served and the nature of the programs provided, including modifications to reflect only the statutory requirements explicitly applicable to charter schools. Charter schools may also align to the term of the charter school's budget that is submitted to a school's authorizer.

While much work remains to be done, LEAs are building the foundation for meaningful and sustained support to improve learning for all students. 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 driving continuous improvement in the long-term. The next component to be implemented within the system is the LCFF evaluation rubrics (Attachment 1). The evaluation rubrics will serve as tools to ensure LEAs are able to align resources to implement strategies that result in meaningful student outcomes. The evaluation rubrics will also direct attention to areas in need of additional support to increase growth and improvement in district and school performance relative to the state priorities.

Regular updates on the options for designing the rubrics have been provided to the SBE since September 2014. As the updates transitioned from concepts to specific examples, the SBE requested that the final version be grounded in the larger accountability policy context and be based on empirical research. In the wake of the SBE's discussion in May 2015 about the misalignment between the statutory deadline for adopting the rubrics and the time needed to ensure the rubrics are built on a solid evidence-based foundation and implemented as part of a coherent accountability system, the Legislature extended the timeline by one year in AB 104 (Chapter 13, Statutes of 2015). The design of the evaluation rubrics requires a thoughtful, phased in approach that entails more research, data analysis and technical assistance to better serve LEAs and to become a key component of the new local and state accountability system.

In June 2015, the SBE received the first in a series of information memoranda that provides the background research and operational components of the evaluation rubrics to inform the board's policy decisions. These memos will also inform the policy framework and implementation plan for the LCFF performance and accountability system.

Attachment 1 provides an update on the LCFF evaluation rubrics with a summary analysis of existing research that has been completed to date

(<http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-jun15item01.doc>) and a proposal for future research and analysis that will inform the development of the rubrics.

Attachment 2 includes the draft set of guiding principles for accountability system planning that were presented and discussed at the May 2015 SBE meeting. These principles are intended to help frame the conversation as the SBE continues to deliberate the development of the LCFF evaluation rubrics in the context of transitioning to a new accountability system.

Attachment 3 reviews other states' emerging accountability systems (<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-jun15item01.doc>) to provide learning and evidence that can inform the design of California's accountability system.

Attachment 4 outlines the revised timeline for the proposed transition to a new accountability system and development of the LCFF evaluation rubrics.

The item concludes with Attachment 5, sections of the California *EC* related to the implementation of the LCFF.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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In June 2015, the SBE received the following information memoranda: (1) research to inform the development of the LCFF evaluation rubrics (<http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-jun15item01.doc>), and (2) review of measures being used by other states for college and career readiness (<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-jun15item01.doc>).

In May 2015, the SBE discussed guiding principles that will be used to frame their future discussions for recommending a framework and implementation plan to align the new accountability system with LCFF. Dr. Linda Darling-Hammond presented on a new concept of accountability that promotes high quality teaching and learning in all schools, provides tools for continuous improvement, and a means for identifying and addressing problems that require correction. Dr. David Conley presented on system coherence and a systems approach to accountability to emphasize that California schools are strongly embedded in their local contexts and while a set of common statewide indicators is necessary for equity purposes, additional indicators should be included to capture performance in the local context.

<http://www.cde.ca.gov/be/ag/ag/yr15/documents/may15item10.doc>

Additionally, the SBE received an update on the LCFF evaluation rubrics that featured major revisions to the rubrics to emphasize data analysis and provide the outcome and practice analyses as complementary tools.

<http://www.cde.ca.gov/be/ag/ag/yr15/documents/may15item10a3.doc>.

As a result of the May SBE discussion, it was determined that more time is needed to develop the evaluation rubrics.

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 a 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>

In December 2014, the SBE received an information memorandum on the summary of findings and potential next steps for the plan alignment project. Specifically, it was recommended that the state align school plan and reporting requirements with the LCAP state priorities (e.g., School Accountability Report Card), initiate the next phase of plan alignment analyses and activities (e.g., Title III and Special Education), continue outreach efforts to expand stakeholder engagement to strengthen an integrated system of state support, pursue streamlined submissions of required plans through an electronic process, and identify a process for LEAs to align and coordinate state and federal planning requirements.

<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-iad-dec4item01.doc>

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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When the LCFF was adopted in the 2013–14 budget year, the budget projections for 2015–16 were approximately \$47 billion. With rising state revenues the 2015–16 state budget signed by the Governor allocates \$53 billion this coming year. This provides an increase of \$6 billion to support the continued implementation of LCFF and build upon the investment of over \$6 billion provided over the last two years. As a result, the reinvestment provides an opportunity to correct historical inequities and implement the formula well ahead of schedule. Specifically, this reinvestment translates to approximately \$3,000 more per student in 2015–16 over the 2011–12 levels and closes more than 51 percent of the remaining LCFF funding target. Additionally, \$40 million will be provided to county offices of education to support their new responsibilities required under the evolving accountability structure of LCFF and develop greater capacity and consistency within and between county offices of education.

**ATTACHMENT(S)**

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Attachment 1: Local Control Funding Formula Update: Evaluation Rubrics (3 Pages)

Attachment 2: Guiding Principles for Accountability System Planning (2 Pages)

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## **Local Control Funding Formula Update: Evaluation Rubrics**

When the Local Control Funding Formula (LCFF) took effect in July 2013 it made immediate changes to the manner in which local educational agencies (LEAs) receive funding and the expectations regarding the use of such funding. As specified in the LCFF legislation, the State Board of Education (SBE) was tasked with adopting the following: (1) spending regulations, (2) a template for the Local Control and Accountability Plan (LCAP), and (3) evaluation rubrics. The SBE took action to adopt the spending regulations and the LCAP template in January 2014 (emergency regulations) and September 2014 (permanent regulations), which supported the development of LCAPs by LEAs.

In July 2014, WestEd presented to the SBE a plan for developing evaluation rubrics. According to California *Education Code (EC)* Section 52064.5, the evaluation rubrics will allow LEAs to evaluate their strengths, weaknesses, and areas that require improvement; assist county superintendents of schools to identify needs and focus technical assistance; and assist the State Superintendent of Public Instruction to direct interventions when warranted. Furthermore, the rubrics should provide standards for school districts and individual school site performance and expectations for improvement as related to the identified LCFF state priorities.

Since that time the SBE has received regular updates regarding the process and progress of designing the evaluation rubrics, including evolving examples of potential content and formats for the design and development of evaluation rubrics. Given the board's policy discussion at the May 2015 meeting, SBE members provided the following direction and preferences for the development of the evaluation rubrics:

- Ground and frame the development of the rubrics in research related to accountability indicators and current California context.
- Make them simple and locally relevant.
- Ensure the rubrics support growth in LEA, school, and subgroup performance.
- Incorporate evidence or practice expectations to more closely resemble traditional rubric structures.
- Address resource alignment.

Members of the SBE also suggested that the statutory deadline of October 1, 2015 for the SBE to adopt evaluation rubrics may not provide sufficient time to develop evaluation rubrics grounded and validated by research, including research based on California data. On June 24, 2015, Governor Brown signed Assembly Bill (AB) 104 (Chapter 13, Statutes of 2015), which will extend the deadline for adoption of the evaluation rubrics to October 1, 2016.

### **Benefits of Extended Development Timeline**

The additional time will allow WestEd to work in collaboration with the California Department of Education (CDE) to prepare analyses of data related to state priorities to inform recommendations regarding the content and structure of the evaluation rubrics. This includes an analysis of the 2015 California Assessment of Student Performance

and Progress (CAASPP) results and data for foster youth, English learners, low-income, and other numerically significant student groups. Additional time also provides opportunities to align the evaluation rubrics to other emerging elements of California's accountability and support system, such as the California Collaborative for Educational Excellence (CCEE) and overall state accountability system.

## Research to Inform Evaluation Rubrics Design

Following the May SBE meeting, WestEd organized a meeting of research, assessment, and policy specialists to discuss ideas regarding research and approaches to multiple measures accountability systems. In addition, WestEd has compiled a summary of research to share with the SBE in the form of a memo (<http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-jun15item01.doc>). The research provides the potential value and benefit of an evidenced-based foundation and possible organization of the LCFF priorities within the rubrics to support coherence and clarity. Based on an analysis of this research, the following is recommended to the SBE:

- Develop the evaluation rubrics to align with state priorities and values related to certain conditions (i.e., *Williams* settlement legislation), graduation, and college and career readiness. The latter two areas are reflected in the research with relationships made to most of the LCFF priority areas. The inclusion of these conditions reflects current state policy and is a major contributor to ensuring positive learning environments. This approach would evolve the evaluation rubrics from a list of indicators based upon priority area groupings to clusters of key outcomes with their associated indicators.
- Incorporate into the evaluation rubrics descriptions of practices and exemplars for each of the state priorities grounded in research and best practices. Such statements would address concerns that the evaluation rubrics place too much emphasis on data over practices.
- Conduct further research that reflects actual experience in California related to the indicators identified in research including data analysis of existing measures. This would include validating relationships among indicators noted in research, such as relationships between course taking, advancement placement, and graduation.

Conduct analyses to address the following research questions that are underway with results to be shared in future items and/or memoranda to the SBE:

- Are there demonstrated relationships between participation in career pathway programs and high school graduation?
- What is the correlation or relationship among state priority metrics and specific college and career readiness metrics (e.g., graduation rate, California High School Exit Examination passage, A-G completion, and Advanced Placement passage) for students from low-income families, English learners, and foster youth?
- What, if any, early indicators can be validated as indicators of secondary outcomes? [For example, research has shown that reading by grade three, meeting grade level

expectations in mathematics at grade eight, and chronic absenteeism are potential early indicators of on time graduation]

- Is there a correlation between students that repeat courses in a mathematics or ELA sequence in intermediate and/or middle grade levels and their graduation rates?

### **Potential SBE Policy Frame for the Evaluation Rubrics**

The SBE provides state-level policy direction that informs the development, implementation and management of local systems, programs, and initiatives. Once developed, the evaluation rubrics will clearly signal the SBE's policy frame as captured by descriptions of practice and identification of indicators that provide focus and intention within the evaluation rubrics. Based on existing state priorities and research, the following are examples of statements that could be referenced as the policy frame for the evaluation rubrics.

- All students are provided with access and opportunities that support learning.
  - They are taught by well prepared and qualified teachers.
  - Their schools are safe and clean.
  - They are provided with basic learning materials
- All students exhibit early and continuing signs of college and career readiness:
  - They regularly attend school, with particular attention to Kindergarten and grade six.
  - They read by grade three.
  - They meet or exceed grade level standards for mathematics in grade eight.
  - English learners are proficient in English within six years of being enrolled in school.
- All students graduate from high school.
- All students are college and career ready:
  - They complete CTE, A-G, IB, and/or dual enrollment courses.
  - They have access to courses that prepare them for college and career options.

The above statements are offered as a starting point in developing a coherent policy framework for the evaluation rubrics. Input and direction from the SBE will allow staff and WestEd to refine the policy framework statements. These statements will be used to organize the rubrics in a manner that reflects a holistic, multidimensional, and evidence-based assessment. This assessment will reflect school district and schoolsite performance and includes standards and expectations for improvement in regard to each of the state priorities, with particular attention to key outcomes for all students and how these outcomes may vary across student subgroups. Establishing a clear policy framework will support coherence and alignment among the elements of the emerging state and local accountability system. It also will aid LEAs in engaging with data as a source of information to identify strengths, areas in need of improvement, and continuous improvement around widely agreed upon expectations for California's education system.

## **Guiding Principles for Accountability System Planning**

The passage of the Local Control Funding Formula (LCFF) introduces significant changes to California's accountability landscape. With the focus on aligning local resources with student needs to support continuous improvement, California is embarking on a transition to a new accountability system that is dependent on successful state and local partnerships.

In May, the State Board of Education (SBE) discussed draft guiding principles for planning accountability systems. The SBE requested that these principles be incorporated into a cohesive framework to provide the necessary infrastructure to conceptualize and operationalize a multiple measures approach to accountability. These principles are presented below and are integrated into the revised timeline to guide the SBE's future discussions on accountability system planning (Attachment 4).

### **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.

As the state considers a framework to guide the new accountability system, there is a need to review the existing state accountability components in relation to the guiding principles. By building on the guiding principles, the state can begin to create connections within the components to support a systems approach that is coordinated and aligned. This coordinated framework will provide the operational infrastructure that is necessary to plan, develop, implement, evaluate, and sustain the accountability system at all levels. The SBE will receive information on the relationship between the existing state accountability components and the guiding principles at the September meeting.

6-26-15 [State Board of Education]

## **Transitioning to a New Accountability System: A Review of States' Emerging Accountability Systems**

With college and career readiness expectations now embedded in many state and federal accountability requirements, state educational agencies and local educational agencies (LEAs) are working together to align policies, programs and initiatives with higher education and workforce agencies to advance college and career readiness (CCR). Specific to accountability, many states are beginning to measure their progress in achieving CCR through multiple measures that emphasize innovation and continuous improvement (Forum Guide to College and Career Ready Data, [http://nces.ed.gov/forum/pub\\_2015157.asp](http://nces.ed.gov/forum/pub_2015157.asp)).

The California Department of Education (CDE) provided a June information memorandum highlighting other states' measures of college and career readiness (<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-jun15item01.doc>). The memorandum included an overview of eight states' college and career indicators, based on a multiple measures approach. Three of the states (Florida, Indiana, and Oklahoma) have a letter grade (A–F) accountability system, four states (Georgia, Kentucky, New Mexico, and Oregon) have an accountability system based on a 100 point scale, and Texas has a rating scale based on four indexes. Additionally, at least 5 states that use a single measure for college and career readiness (Arkansas, Delaware, New Hampshire, Nevada, and New York), multiple states that use more than a single measure, and an additional 11 states that do not currently have a specific college and career measure. The selected measures identified in the June Memorandum focus on high school measures only.

In summary, all of the states referenced in the June memorandum are federal waiver states and as such, their accountability systems are aligned to state goals and meet specific expectations of ESEA waiver requirements. States receive flexibility by adopting reforms in three key areas: college- and career-readiness standards and assessments, systems of differentiated accountability and support, and teacher and principal evaluations. In general, all of the states use multiple measures to determine school and district performance in the areas of assessment, graduation, college and career readiness, and school environment; provide incentives for preparing the hardest-to-serve students for college and career, including comparing the performance of schools and districts with similar student populations; and, set a range of targets for accountability measures that are grounded in research and past performance.

### *Next Generation of State Accountability System Policies and Practices*

An October 2014 report from the Center for American Progress and the Council of Chief State School Officers, *Next-Generation Accountability Systems, An Overview of Current State Policies and Practices*, provides an overview of examples of accountability concepts being implemented by other states. The report describes five broad categories of states' goals and provides examples for each section:

**Measuring progress toward college and career readiness** - Many states are rethinking mechanisms for measuring progress based on assessments and are including additional measures of college and career readiness such as the percentage of high school graduates who require remediation coursework in college.

**Diagnosing and responding to challenges via school-based quality improvement** - Many states and districts are using a broad array of local indicators, such as parent volunteer hours and attendance data, to measure school success and develop school-improvement plans, as well as making use technical assistance providers to assist schools.

**State systems of support and intervention** - States and districts are rethinking the way they support struggling schools. Some of the most prevalent strategies include school support teams, pairing high-growth schools with low-performing schools, networks of low-performing schools, and engaging external providers.

**Resource accountability** - Some states and districts are focusing more intently on the connections between resource allocation and outcomes, and several have tried to tackle inequitable school funding with new state funding formulas. Others are working to increase transparency and accountability for how funds are being spent to ensure that high-need students are receiving adequate support.

**Professional accountability** - Most states have adopted new systems for evaluating and supporting teachers and leaders, a requirement for both Race to the Top funds and federal waivers. However, some states are leveraging these new evaluation systems to create more robust on-site embedded professional development systems and developing school leaders, such as principals, to effectively carry out teacher-evaluation systems and instructional leadership. In addition, a number of states are also rethinking other aspects of the teaching profession, including teacher licensure, teacher-preparation program approval and accreditation, and selection, retention, and tenure.

SBE and CDE staff will continue to research and share examples of emerging state and district accountability systems in an effort to inform the accountability framework and implementation plan.

#### Citation

Center for American progress and the Council of Chief State School Officers, "Next-Generation Accountability Systems, An Overview of Current State Policies and Practices," available at <https://cdn.americanprogress.org/wp-content/uploads/2014/10/Accountability-report.pdf> (accessed June 2015).

6-26-15 [State Board of Education]

## **Revised Timeline for the Proposed Transition to a New Accountability System, Including the Development of the LCFF Evaluation Rubrics and Updates on LCAP Template and Implementation Process**

In May, the State Board of Education (SBE) expressed a shared opinion that the October 2015 deadline to develop the Local Control Funding Formula (LCFF) evaluation rubrics needed to be adjusted. The primary impetus for this request was to allow for more time to ensure the evaluation rubrics are built on a solid foundation of research and data analysis. Additionally, this new timeline allows for the integration of developing the evaluation rubrics with California's transition to a new accountability system that 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 all function as components of the new accountability system. 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.

### **Communication and Outreach**

Ongoing communication with the field continues to be a major priority for the California Department of Education (CDE) and the SBE staff with support from WestEd. This includes statewide outreach and correspondence through webinars, conference presentations, information updates and public comment opportunities at meetings of the SBE:

- The online posting of resources specific to the Local Control Funding Formula (LCFF) information and implementation is located on the CDE LCFF Web page at <http://www.cde.ca.gov/fg/aa/lc/index.asp>. Some of the more recent resources include:
  - The LCFF Funding Snapshot provides a summary of the LCFF budget allocations for each school district and charter school (<http://ias.cde.ca.gov/lcffsnapshot/lcff.aspx>).
  - The Quality Schooling Framework (QSF) provides tools and practices to guide effective planning, policy, expenditure, and instructional decisions at all schools and districts (<http://www.cde.ca.gov/qs/>).
- Information on the development of the LCFF evaluation rubrics and additional implementation resources is located on the WestEd LCFF Web page at <http://lcff.wested.org/>.
- Regular information updates are distributed to local educational agencies (LEAs) and interested stakeholders through the CDE LCFF listserv. To receive updates regarding the LCFF via e-mail notification, subscribe to the LCFF listserv by sending a "blank" message to [join-LCFF-list@mlist.cde.ca.gov](mailto:join-LCFF-list@mlist.cde.ca.gov).

### *Outreach Webinars*

WestEd will continue to provide updates on the LCFF evaluation rubrics through live and recorded webinars. These webinars will provide education practitioners, policy experts and advocates with information on progress on the development of the evaluation rubrics web application system. Upcoming webinars will also feature promising practices that include but are not limited to the following: parent engagement, charter schools, alternative education, priority based budgeting, and selection criteria for local metrics.

### *Rubric Design & Technical Expert Groups*

The Rubric Design Group (RDG) is comprised of educational leaders representing school districts, charter schools, and county offices of education. The RDG has been meeting since January 2015 and will continue to meet to provide input on the LCFF evaluation rubrics development process. In particular, the RDG will be part of designing, deploying, and engaging LEAs and stakeholders in the testing of prototypes and samples of evaluation rubric components in real time planning and implementation. This will include, but is not limited to data displays, practice guides, practice descriptors, among other components and resources.

Members of the SBE requested that the content of the LCFF evaluation rubrics reflect insight from policy and research experts. Following the May 2015 meeting of the SBE, WestEd convened a small group of researchers and assessment experts from LEAs, CDE, SBE, and WestEd. These experts provided research based references to inform the policy frame for accountability and evaluation rubrics. This feedback generated concrete and actionable ideas to incorporate metrics into the LCFF evaluation rubrics that support growth in student outcomes (Attachment 1).

Both the RDG and the technical experts will continue to engage in online and in-person discussions as the development of the evaluation rubrics moves forward.

### *User Acceptance Testing (UAT)*

A state representative sample of LEAs will participate in a pilot test of select components of the LCFF evaluation rubrics. The pilot participants will provide information on the user interface with the system (e.g., user access, file upload and interface with front-end data display). Recommendations from the UAT will be used to develop the technical requirements of the system. The goal will be to test portions of the developing system with the UAT so that the system as a whole (data, outcome, and practice analyses) will be finalized based upon research and the reported usefulness by LEA users.

*Revised Timeline- Next Steps for Development and Continued Public Engagement*

Following is a revised outline of anticipated topics for future State Board of Education (SBE) meetings. This outline includes the list of SBE guiding principles for accountability system planning and the new timeline for the development of the Local Control Funding Formula (LCFF) evaluation rubrics. In addition to accountability and the evaluation rubrics, the integrated timeline includes proposed topics related to the Local Control and Accountability Plan (LCAP) implementation process. The information that is shared will culminate in the creation of a policy framework and implementation plan that will need to be developed in conjunction with related legislation to complete the transition to LCFF as the foundation for a new accountability system. In particular, the transition to the new accountability system must afford the public with the opportunity to comment on the system as it evolves so stakeholders may weigh in on key questions for the SBE's consideration.

<b>SBE Meeting</b>	<b>Proposed Transition to New Accountability System</b>	<b>Development of LCFF Evaluation Rubrics</b>	<b>Update on LCAP Template/ Implementation Process</b>
<b>June 2015</b>	SBE Information Memorandum on states' emerging accountability systems.	SBE Information Memorandum that summarizes research related to indicators of college and career readiness, early warning systems, and indicator selection.	Field test the electronic LCAP template.
<b>July 2015 SBE Meeting</b>	Review and reflections of emerging college and career accountability systems from other states that can inform the design of California's system.	Present SBE updated evaluation rubrics development plan and seek feedback regarding policy frame for the evaluation rubrics.	
<b>July 2015-September 2015 Development Activities completed by CDE/SBE/ &amp; WestEd Staff</b>	Develop an Information Memorandum that reviews California accountability components relative to the LCFF state priorities and SBE guiding principles.	Develop evaluation rubrics prototypes. Analyze data and present findings in an SBE Information Memorandum to define California context for the LCFF evaluation rubrics.	Analysis of LCAP electronic template pilot.

<b>SBE Meeting</b>	<b>Proposed Transition to New Accountability System</b>	<b>Development of LCFF Evaluation Rubrics</b>	<b>Update on LCAP Template/ Implementation Process</b>
<b>September 2015 SBE Meeting</b>	Present recommendations for proposed policy framework that articulate expectations for districts, schools, charter schools and county offices of education. These recommendations will create support structures to foster transparency, flexibility, and equity.	Present recommendations for proposed policy framework to structure the evaluation rubrics prototype to align with the SBE’s policy frame. Discuss the decision points on standards and expectations for improvement and parameters for local metrics to support the proposed framework.	Report on LCAP electronic template pilot test results.
<b>September 2015-December 2015 Development Activities</b>	Analysis of “underbrush” of the existing accountability statutes and regulations that may need to be modified to align with and support California’s new accountability system.	Provide process to gather user feedback for select components of the evaluation rubrics based on state representative sample of LEAs participating in User Acceptance Testing (UAT).	
<b>November 2015 SBE Meeting</b>	<b>Recommendations for a Framework and Implementation Plan for Accountability System</b> – Comprehensive design architecture with specifications reflecting policy implications for a new accountability system.	Update on UAT piloting select components of the LCFF evaluation rubrics design options and integration of data.	Lessons learned from submitting Year 2 LCAP and first year Annual Update.

<b>SBE Meeting</b>	<b>Proposed Transition to New Accountability System</b>	<b>Development of LCFF Evaluation Rubrics</b>	<b>Update on LCAP Template/ Implementation Process</b>
<b>January 2016 SBE Meeting</b>	Develop components that provide useful information that helps parents, districts, charter schools, and county offices of education and policymakers make important decisions.	Present the SBE with final design features of the evaluation rubrics based on user pilot experiences and feedback.	Present the proposed electronic LCAP template to be released in February 2016.
<b>March 2016</b>	Discuss strategies to build capacity and increase support for districts, charter schools and county offices.	Present the SBE with update on use and evaluation of the rubrics prototype.	Discussion on efforts to diagnose and respond to challenges through school-based quality improvement.
<b>May 2016</b>	Present system elements that encourage continuous improvement focused on student-level outcomes, using multiple measures for state and local priorities.	Finalize evaluation rubrics based on guidance from the SBE, feedback from LEAs, COEs and as appropriate input from stakeholders.	
<b>July 2016</b>	Promote system-wide integration and innovation.	<b>Final LCFF Evaluation Rubrics for SBE Adoption.</b>	

6-26-15 [State Board of Education]

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

Please note: the California *Education Code* sections referenced below do not reflect the changes included in the 2015-2016 budget adoption and the enacted revisions to legislation through the recently passed budget bills.

***Education Code Section 52064.5.***

(a) On or before October 1, 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.

6-26-15 [State Board of Education]



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

<b>SUBJECT</b>	
School Accountability Report Card: Approve the Template for the 2014–15 School Accountability Report Card.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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The State Board of Education (SBE) annually approves the School Accountability Report Card (SARC) template in accordance with the requirements of state law (California *Education Code* [EC] sections 32286, 33126, 33126.1, 35256, 35258, and 41409).

The 2014–15 SARC includes 36 data tables and narrative descriptions, making it a comprehensive accountability tool.

Beginning in 2013–14, the SARC template was reformatted, to the extent possible, to group the data according to the eight state priorities required under the Local Control Accountability Plan (LCAP) (Attachment 2). However, legislation is needed to fully align the SARC with the LCAP. Therefore, the California Department of Education (CDE) is only recommending three minor changes to the 2014–15 SARC template:

1. Update the state assessment tables;
2. Update the state and federal accountability tables;
3. Add a new student group, where applicable.

#### **RECOMMENDATION**

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The CDE recommends that the SBE approve the proposed template for the 2014–15 SARC that will be published during the 2015–16 school year (Attachment 1).

The 2014–15 SARC template has been modified based on the administration of the California Assessment of Student Performance and Progress (CAASPP), the revision of the state and federal accountability reporting requirements, and the addition of a new student group, with the dates updated accordingly.

The CDE recommends these minor changes to be consistent with accountability reporting requirements, thereby continuing to be responsive to state and federal requirements. The SARC template continues to be a user-friendly and comprehensive accountability tool for parents/guardians and community members to gauge the condition and performance of schools.

## **BRIEF HISTORY OF KEY ISSUES**

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Included in Proposition 98, passed in 1988, the SARC is an accountability tool that reports data on various indicators. The purpose of the SARC is to apprise parents/guardians and members of the public about school conditions and performance.

The CDE is responsible for annually preparing a SARC template for SBE approval that includes all legally required data elements. Beginning with the 2012–13 SARC, the CDE provided an online SARC Web application. The application is pre-populated with approximately 75 percent of the data necessary to complete the SARC. The SARC Web application allows SARC Coordinators to complete their SARCs online free of charge. For the 2013–14 SARCs, approximately 86 percent of California’s schools (kindergarten through grade twelve) posted their SARCs using the SARC Web application.

Any material changes to the required data elements in the SARC must be legislated. However, the State Superintendent of Public Instruction (SSPI), the CDE, and the SBE have considerable flexibility in making changes to the formatting of the SARC template, including how the data elements are displayed (e.g., tables or graphics) and the order in which the data elements appear in the SBE-approved SARC template.

The CDE has historically produced a Data Element Definitions document that corresponds to the SBE-approved SARC template to provide information on data descriptions and data sources. Pending approval of the 2014–15 SARC template, the CDE will modify the Data Element Definitions document to include data descriptions similar to those previously used in the SARC template.

The CDE and the SBE continue to make the SARC responsive to state and federal accountability reporting requirements. The following three broad areas of modifications, pending SBE approval, have been made to the proposed 2014–15 SARC template, to be published during the 2015–16 school year.

### **1. Update to the Academic Assessment Tables**

- The Standardized Testing and Reporting (STAR) Program was last administered in 2012–13; therefore, the STAR table has been deleted.
- The 2014–15 CAASPP results for English language arts/literacy (ELA) and mathematics (grades three through eight and eleven) are displayed in a table for school, district, and state levels (SARC template, page 7 of 14).

## **2. Update to the State and Federal Accountability Tables**

- During the March 2014 meeting, the SBE approved not calculating the 2014 Growth and Base Academic Performance Indexes (APIs), and 2015 Growth and Base APIs. As a result, for the 2014–15 SARC template, the two API accountability tables have been deleted.
- The Adequate Yearly Progress (AYP) table will again include AYP determinations for all schools and local educational agencies (LEAs). Last year's SARC (2013–14) included AYP determinations exclusively of high schools and high school districts serving only students in grades nine through twelve, per a one-year waiver of Title I of the Elementary and Secondary Education Act approved by the U.S. Department of Education on March 7, 2014.

## **3. New Student Group Added to Accountability Tables**

- Foster youth has been added as a student group, where data are available (SARC tables: Student Enrollment by Student Group [page 4 of 14], California Standards Tests Results by Student Group in Science [page 7 of 14], California High School Exit Examination Grade Ten Results by Student Group [page 9 of 14], and Completion of High School Graduation Requirements – Graduating Class of 2014 [page 11 of 14]).

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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In July 2014, the SBE approved the 2013–14 SARC template that was used for SARCs published during the 2014–15 school year. The approved SARC template was formatted to align with the LCAP, which included how the data elements were displayed and the order in which data elements appeared in the template; updates to the state assessment tables; and updates to the state and federal accountability tables. These changes were intended to provide parents/guardians and members of the public with additional information, that would enhance their understanding of the SARC and facilitate comparisons between school and LEA-level test results.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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If approved by the SBE, the recommended action will result in ongoing costs to the CDE to prepare and publish the SARC. All costs associated with the preparation of the SARCs are included in the CDE's Analysis, Measurement, and Accountability Reporting Division budget. No additional costs would be imposed on LEAs and schools as a result of approving the SARC template.

The costs of maintaining the SARC Web application are contained in an existing contract with the San Joaquin County Office of Education.

**ATTACHMENT(S)**

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Attachment 1: 2014–15 School Accountability Report Card Template (Word Version)  
(14 pages)

Attachment 2: The Alignment Between the Eight State Priority Areas and the School  
Accountability Report Card (2 pages)

# 2014–15 School Accountability Report Card Template (Word Version)

(To be used to meet the state reporting requirement  
by February 1, 2016)

**Prepared by:**  
California Department of Education  
Analysis, Measurement, and Accountability Reporting Division

**Posted to the CDE Web site:**  
September XX, 2015

**Contact:**  
SARC Team  
916-319-0406  
sarc@cde.ca.gov

**Important!**

**Please delete this page  
before using the SARC template**

California Department of Education  
**School Accountability Report Card**  
**Reported Using Data from the 2014–15 School Year**  
*Published During 2015–16*

*For ...School*

**Address:**  
**Principal:**

**Phone:**  
**Grade Span:**

By February 1 of each year, every school in California is required by state law to publish a School Accountability Report Card (SARC). The SARC contains information about the condition and performance of each California public school. Under the Local Control Funding Formula (LCFF) all local educational agencies (LEAs) are required to prepare a Local Control Accountability Plan (LCAP), which describes how they intend to meet annual school-specific goals for all pupils, with specific activities to address state and local priorities. Additionally, data reported in an LCAP is to be consistent with data reported in the SARC.

- For more information about SARC requirements, see the California Department of Education (CDE) SARC Web page at <http://www.cde.ca.gov/ta/ac/sa/>.
- For more information about the LCFF or LCAP, see the CDE LCFF Web page at <http://www.cde.ca.gov/fg/aa/lc/>.
- For additional information about the school, parents/guardians and community members should contact the school principal or the district office.

**Throughout this document the letters DPL mean data provided by the LEA, and the letters DPC mean data provided by the CDE.**

## About This School

### District Contact Information – Most Recent Year

District Name	DPC
Phone Number	DPC
Superintendent	DPC
E-mail Address	DPC
Web Site	DPC

### School Contact Information – Most Recent Year

School Name	DPC
Street	DPC
City, State, Zip	DPC
Phone Number	DPC
Principal	DPC
E-mail Address	DPC
Web Site	DPC
County-District-School (CDS) Code	DPC

### School Description and Mission Statement – Most Recent Year

<p><b><i>Narrative provided by the LEA</i></b></p> <p><i>Use this space to provide information about the school, its program, and its goals.</i></p>
--

### Student Enrollment by Grade Level (School Year 2014–15)

Grade Level	Number of Students
Kindergarten	DPC
Grade 1	DPC
Grade 2	DPC
Grade 3	DPC
Grade 4	DPC
Grade 5	DPC
Grade 6	DPC
Grade 7	DPC
Grade 8	DPC
Ungraded Elementary	DPC
Grade 9	DPC
Grade 10	DPC
Grade 11	DPC
Grade 12	DPC
Ungraded Secondary	DPC
Total Enrollment	DPC

## Student Enrollment by Student Group (School Year 2014–15)

Student Group	Percent of Total Enrollment
Black or African American	DPC
American Indian or Alaska Native	DPC
Asian	DPC
Filipino	DPC
Hispanic or Latino	DPC
Native Hawaiian or Pacific Islander	DPC
White	DPC
Two or More Races	DPC
Socioeconomically Disadvantaged	DPC
English Learners	DPC
Students with Disabilities	DPC
Foster Youth	DPC

## A. Conditions of Learning

### State Priority: Basic

The SARC provides the following information relevant to the State priority: Basic (Priority 1):

- Degree to which teachers are appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching;
- Pupils have access to standards-aligned instructional materials; and
- School facilities are maintained in good repair

### Teacher Credentials

Teachers	School 2013–14	School 2014–15	School 2015–16	District 2015–16
With Full Credential	DPL	DPL	DPL	DPL
Without Full Credential	DPL	DPL	DPL	DPL
Teaching Outside Subject Area of Competence (with full credential)	DPL	DPL	DPL	DPL

### Teacher Misassignments and Vacant Teacher Positions

Indicator	2013–14	2014–15	2015–16
Misassignments of Teachers of English Learners	DPL	DPL	DPL
Total Teacher Misassignments	DPL	DPL	DPL
Vacant Teacher Positions	DPL	DPL	DPL

Note: "Misassignments" refers to the number of positions filled by teachers who lack legal authorization to teach that grade level, subject area, student group, etc.

\* Total Teacher Misassignments includes the number of Misassignments of Teachers of English learners.

**Core Academic Classes Taught by Highly Qualified Teachers  
(School Year 2014–15)**

Location of Classes	Percent of Classes In Core Academic Subjects Taught by Highly Qualified Teachers	Percent of Classes In Core Academic Subjects Not Taught by Highly Qualified Teachers
This School	DPC	DPC
All Schools in District	DPC	DPC
High-Poverty Schools in District	DPC	DPC
Low-Poverty Schools in District	DPC	DPC

Note: High-poverty schools are defined as those schools with student eligibility of approximately 40 percent or more in the free and reduced price meals program. Low-poverty schools are those with student eligibility of approximately 39 percent or less in the free and reduced price meals program.

**Quality, Currency, Availability of Textbooks and Instructional Materials – Most Recent Year**

Year and month in which data were collected:           DPL          

Subject	Textbooks and Instructional Materials/year of Adoption	From Most Recent Adoption?	Percent Students Lacking Own Assigned Copy
Reading/Language Arts	DPL	DPL	DPL
Mathematics	DPL	DPL	DPL
Science	DPL	DPL	DPL
History-Social Science	DPL	DPL	DPL
Foreign Language	DPL	DPL	DPL
Health	DPL	DPL	DPL
Visual and Performing Arts	DPL	DPL	DPL
Science Laboratory Equipment (grades 9-12)	N/A	N/A	DPL

**School Facility Conditions and Planned Improvements – Most Recent Year**

***Narrative provided by the LEA***

Using the most recent Facility Inspection Tool (FIT) data (or equivalent) provide the following:

- Description of the safety, cleanliness, and adequacy of the school facility
- Description of any planned or recently completed facility improvements
- Description of any needed maintenance to ensure good repair

### School Facility Good Repair Status – Most Recent Year

Using the most recent FIT data (or equivalent), provide the following:

- Determination of repair status for systems listed
- Description of any needed maintenance to ensure good repair
- The year and month in which the data were collected
- The overall rating

*Year and month in which data were collected:* \_\_\_\_\_ DPL \_\_\_\_\_

System Inspected	Repair Needed and Action Taken or Planned			
	Good	Fair	Poor	
<b>Systems:</b> Gas Leaks, Mechanical/HVAC, Sewer	DPL	DPL	DPL	DPL
<b>Interior:</b> Interior Surfaces	DPL	DPL	DPL	DPL
<b>Cleanliness:</b> Overall Cleanliness, Pest/ Vermin Infestation	DPL	DPL	DPL	DPL
<b>Electrical:</b> Electrical	DPL	DPL	DPL	DPL
<b>Restrooms/Fountains:</b> Restrooms, Sinks/ Fountains	DPL	DPL	DPL	DPL
<b>Safety:</b> Fire Safety, Hazardous Materials	DPL	DPL	DPL	DPL
<b>Structural:</b> Structural Damage, Roofs	DPL	DPL	DPL	DPL
<b>External:</b> Playground/School Grounds, Windows/ Doors/Gates/Fences	DPL	DPL	DPL	DPL

### Overall Facility Rate – Most Recent Year

*Year and month in which data were collected:* \_\_\_\_\_ DPL \_\_\_\_\_

Overall Rating	Exemplary	Good	Fair	Poor
	DPL	DPL	DPL	DPL

## B. Pupil Outcomes

### State Priority: Pupil Achievement

The SARC provides the following information relevant to the State priority: Pupil Achievement (Priority 4):

- Statewide assessments (i.e., California Assessment of Student Performance and Progress [CAASPP], Science California Standards Tests); and
- 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

### California Assessment of Student Performance and Progress Results for All Students (School Year 2014–15)

Subject	Percent of Students Meeting or Exceeding the State Standards		
	School	District	State
English Language Arts/ Literacy (grades 3-8 and 11)	DPC	DPC	DPC
Mathematics (grades 3-8 and 11)	DPC	DPC	DPC

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

### California Standards Tests for All Students in Science – Three-Year Comparison

Subject	Percent of Students Scoring at Proficient or Advanced (meeting or exceeding the state standards)								
	School			District			State		
	2012–13	2013–14	2014–15	2012–13	2013–14	2014–15	2012–13	2013–14	2014–15
Science (grades 5, 8, and 10)	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC

Note: Scores are not shown when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

### California Standards Tests Results by Student Group in Science (School Year 2014–15)

Student Group	Percent of Students Scoring at Proficient or Advanced
All Students in the LEA	DPC
All Students at the School	DPC
Male	DPC
Female	DPC
Black or African American	DPC
American Indian or Alaska Native	DPC
Asian	DPC
Filipino	DPC
Hispanic or Latino	DPC
Native Hawaiian or Pacific Islander	DPC
White	DPC
Two or More Races	DPC
Socioeconomically Disadvantaged	DPC
English Learners	DPC
Students with Disabilities	DPC
Students Receiving Migrant Education Services	DPC
Foster Youth	DPC

Note: Scores are not shown when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

## Career Technical Education Programs (School Year 2014–15)

***Narrative provided by the LEA***

*Use this space to provide information about Career Technical Education (CTE) programs including:*

- *Programs and classes offered that are specifically focused on career preparation and or preparation for work*
- *How these programs and classes are integrated with academic courses and how they support academic achievement*
- *How the school addresses the needs of all students in career preparation and/or preparation for work, including needs unique to defined special populations of students*
- *The measurable outcomes of these programs and classes, and how they are evaluated*
- *State the primary representative of the district's CTE advisory committee and the industries represented on the committee*

## Career Technical Education Participation (School Year 2014–15)

Measure	CTE Program Participation
Number of Pupils Participating in CTE	DPL
Percent of Pupils Completing a CTE Program and Earning a High School Diploma	DPL
Percent of CTE Courses Sequenced or Articulated Between the School and Institutions of Postsecondary Education	DPL

## Courses for University of California and/or California State University Admission

UC/CSU Course Measure	Percent
2014–15 Pupils Enrolled in Courses Required for UC/CSU Admission	DPC
2013–14 Graduates Who Completed All Courses Required for UC/CSU Admission	DPC

## State Priority: Other Pupil Outcome

The SARC provides the following information relevant to the State priority: Other Pupil Outcomes (Priority 8):

- Pupil outcomes in the subject areas of English, mathematics, and physical education

**California High School Exit Examination Results for Grade Ten Students – Three-Year Comparison (if applicable)**

Subject	Percent of Students Scoring at Proficient or Advanced								
	School			District			State		
	2012–13	2013–14	2014–15	2012–13	2013–14	2014–15	2012–13	2013–14	2014–15
<b>English-Language Arts</b>	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC
<b>Mathematics</b>	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

**California High School Exit Examination Grade Ten Results by Student Group (School Year 2014–15) (if applicable)**

Student Group	English-Language Arts			Mathematics		
	Percent Not Proficient	Percent Proficient	Percent Advanced	Percent Not Proficient	Percent Proficient	Percent Advanced
<b>All Students in the LEA</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>All Students at the School</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>Male</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>Female</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>Black or African American</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>American Indian or Alaska Native</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>Asian</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>Filipino</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>Hispanic or Latino</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>Native Hawaiian or Pacific Islander</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>White</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>Two or More Races</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>Socioeconomically Disadvantaged</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>English Learners</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>Students with Disabilities</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>Students Receiving Migrant Education Services</b>	DPC	DPC	DPC	DPC	DPC	DPC
<b>Foster Youth</b>	DPC	DPC	DPC	DPC	DPC	DPC

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

### California Physical Fitness Test Results (School Year 2014–15)

Grade Level	Percent of Students Meeting Four of Six Fitness Standards	Percent of Students Meeting Five of Six Fitness Standards	Percent of Students Meeting Six of Six Fitness Standards
5	DPC	DPC	DPC
7	DPC	DPC	DPC
9	DPC	DPC	DPC

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

## C. Engagement

### State Priority: Parental Involvement

The SARC provides the following information relevant to the State priority: Parental Involvement (Priority 3):

- Efforts the school district makes to seek parent input in making decisions for the school district and each schoolsite

### Opportunities for Parental Involvement – Most Recent Year

***Narrative provided by the LEA***

*Use this space to provide information on how parents can become involved in school activities, including contact information pertaining to organized opportunities for parent involvement.*

### State Priority: Pupil Engagement

The SARC provides the following information relevant to the State priority: Pupil Engagement (Priority 5):

- High school dropout rates; and
- High school graduation rates

### Dropout Rate and Graduation Rate (Four-Year Cohort Rate)

Indicator	School			District			State		
	2011–12	2012–13	2013–14	2011–12	2012–13	2013–14	2011–12	2012–13	2013–14
Dropout Rate	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC
Graduation Rate	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC

## Completion of High School Graduation Requirements – Graduating Class of 2014

Group	School	District	State
All Students	DPC	DPC	DPC
Black or African American	DPC	DPC	DPC
American Indian or Alaska Native	DPC	DPC	DPC
Asian	DPC	DPC	DPC
Filipino	DPC	DPC	DPC
Hispanic or Latino	DPC	DPC	DPC
Native Hawaiian or Pacific Islander	DPC	DPC	DPC
White	DPC	DPC	DPC
Two or More Races	DPC	DPC	DPC
Socioeconomically Disadvantaged	DPC	DPC	DPC
English Learners	DPC	DPC	DPC
Students with Disabilities	DPC	DPC	DPC
Foster Youth	DPC	DPC	DPC

## State Priority: School Climate

The SARC provides the following information relevant to the State priority: School Climate (Priority 6):

- Pupil suspension rates;
- Pupil expulsion rates; and
- Other local measures on the sense of safety

## Suspensions and Expulsions

Rate	School			District			State		
	2012–13	2013–14	2014–15	2012–13	2013–14	2014–15	2012–13	2013–14	2014–15
Suspensions	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC
Expulsions	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC

## School Safety Plan – Most Recent Year

***Narrative provided by the LEA***

*Use this space to provide information about the school's comprehensive safety plan, including the dates on which the safety plan was last reviewed, updated, and discussed with faculty and a student representative; as well as a brief description of the key elements of the plan.*

## D. Other SARC Information

The information in this section is required to be in the SARC but is not included in the state priorities for LCFF.

### Adequate Yearly Progress Overall and by Criteria (School Year 2014–15)

AYP Criteria	School	District	State
Made AYP Overall	DPC	DPC	DPC
Met Participation Rate - English-Language Arts	DPC	DPC	DPC
Met Participation Rate - Mathematics	DPC	DPC	DPC
Met Percent Proficient - English-Language Arts	DPC	DPC	DPC
Met Percent Proficient - Mathematics	DPC	DPC	DPC
Met Attendance Rates	DPC	DPC	DPC
Met Graduation Rate	DPC	DPC	DPC

### Federal Intervention Program (School Year 2015–16)

Indicator	School	District
Program Improvement Status	DPC	DPC
First Year of Program Improvement	DPC	DPC
Year in Program Improvement	DPC	DPC
Number of Schools Currently in Program Improvement	N/A	DPC
Percent of Schools Currently in Program Improvement	N/A	DPC

Note: Cells with NA values do not require data.

### Average Class Size and Class Size Distribution (Elementary)

Grade Level	Avg. Class Size	2012–13 Number of Classes*			Avg. Class Size	2013–14 Number of Classes*			Avg. Class Size	2014–15 Number of Classes*		
		1-20	21-32	33+		1-20	21-32	33+		1-20	21-32	33+
K	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC
1	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC
2	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC
3	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC
4	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC
5	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC
6	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC
Other	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC

\* Number of classes indicates how many classes fall into each size category (a range of total students per class).

### Average Class Size and Class Size Distribution (Secondary)

Subject	Avg. Class Size	2012–13 Number of Classes*			Avg. Class Size	2013–14 Number of Classes*			Avg. Class Size	2014–15 Number of Classes*		
		1-22	23-32	33+		1-22	23-32	33+		1-22	23-32	33+
English	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC
Mathematics	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC
Science	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC
Social Science	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC	DPC

\* Number of classes indicates how many classrooms fall into each size category (a range of total students per classroom). At the secondary school level, this information is reported by subject area rather than grade level.

**Academic Counselors and Other Support Staff (School Year 2014–15)**

Title	Number of FTE* Assigned to School	Average Number of Students per Academic Counselor
Academic Counselor	DPL	DPL
Counselor (Social/Behavioral or Career Development)	DPL	N/A
Library Media Teacher (librarian)	DPL	N/A
Library Media Services Staff (paraprofessional)	DPL	N/A
Psychologist	DPL	N/A
Social Worker	DPL	N/A
Nurse	DPL	N/A
Speech/Language/Hearing Specialist	DPL	N/A
Resource Specialist (non-teaching)	DPL	N/A
Other	DPL	N/A

Note: Cells with N/A values do not require data.

\* One Full Time Equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

**Expenditures Per Pupil and School Site Teacher Salaries (Fiscal Year 2013–14)**

Level	Total Expenditures Per Pupil	Expenditures Per Pupil (Supplemental/Restricted)	Expenditures Per Pupil (Basic/Unrestricted)	Average Teacher Salary
School Site	DPL	DPL	DPL	DPL
District	N/A	N/A	DPL	DPC
Percent Difference – School Site and District	N/A	N/A	DPL	DPL
State	N/A	N/A	DPC	DPC
Percent Difference – School Site and State	N/A	N/A	DPL	DPL

Note: Cells with N/A values do not require data.

**Types of Services Funded (Fiscal Year 2014–15)**

<b><i>Narrative provided by the LEA</i></b>
<i>Provide specific information about the types of programs and services available at the school that support and assist students. For example, this narrative may include information about supplemental educational services related to the school's federal Program Improvement status.</i>

### Teacher and Administrative Salaries (Fiscal Year 2013–14)

Category	District Amount	State Average For Districts In Same Category
Beginning Teacher Salary	DPC	DPC
Mid-Range Teacher Salary	DPC	DPC
Highest Teacher Salary	DPC	DPC
Average Principal Salary (Elementary)	DPC	DPC
Average Principal Salary (Middle)	DPC	DPC
Average Principal Salary (High)	DPC	DPC
Superintendent Salary	DPC	DPC
Percent of Budget for Teacher Salaries	DPC	DPC
Percent of Budget for Administrative Salaries	DPC	DPC

For detailed information on salaries, see the CDE Certificated Salaries & Benefits Web page at <http://www.cde.ca.gov/ds/fd/cs/>.

### Advanced Placement Courses (School Year 2014–15)

Subject	Number of AP Courses Offered*	Percent of Students In AP Courses
Computer Science	DPC	N/A
English	DPC	N/A
Fine and Performing Arts	DPC	N/A
Foreign Language	DPC	N/A
Mathematics	DPC	N/A
Science	DPC	N/A
Social Science	DPC	N/A
All Courses	DPC	DPC

Note: Cells with N/A values do not require data.

\* Where there are student course enrollments.

Note: AP means Advanced Placement.

### Professional Development – Most Recent Three-Years

***Narrative provided by the LEA***

*Use this space to share information on the number of days provided for professional development and continuous professional growth in the most recent three year period. Questions that may be answered include:*

- *What are the primary/major areas of focus for staff development and specifically how were they selected? For example, was student achievement data used to determine the need for professional development in reading instruction?*
- *What are the methods by which professional development is delivered (e.g., after school workshops, conference attendance, individual mentoring, etc.)?*
- *How are teachers supported during implementation (e.g., through in-class coaching, teacher-principal meetings, student performance data reporting, etc.)?*

## The Alignment Between the Eight State Priority Areas and the School Accountability Report Card<sup>1</sup>

Local Control Funding Formula Requirements		Data Required in the 2014–15 SARC (Yes/No)
<b>A. Conditions of Learning</b>		
Basic (Priority 1)	Degree to which teachers are appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching ( <i>Education Code [EC] Section 52060 [d][1]</i> )	Yes
	Pupils have access to standards-aligned instructional materials ( <i>EC Section 52060 [d][1]</i> )	Yes
	School facilities are maintained in good repair ( <i>EC Section 52060 [d][1]</i> )	Yes
Implementation of State Standards (Priority 2)	Implementation of academic content and performance standards adopted by the state board for all students, including English language development standards for English learners ( <i>EC Section 52060 [d][2]</i> )	No
Course Access (Priority 7)	Pupils have access to and are enrolled in a broad course of study that includes all subject areas ( <i>EC Section 52060 [d][7]</i> )	No
<b>B. Pupil Outcomes</b>		
Pupil Achievement (Priority 4)	Statewide assessments (e.g., California Assessment of Student Performance and Progress) ( <i>EC Section 52060 [d][4][A]</i> )	Yes
	The Academic Performance Index ( <i>EC Section 52060 [d][4][B]</i> )	Yes
	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 ( <i>EC Section 52060 [d][4][C]</i> )	Yes
	The percentage of English learners who make progress toward English proficiency (i.e., California English Language Development Test) ( <i>EC Section 52060 [d][4][D]</i> )	No
	The English learner reclassification rate ( <i>EC Section 52060 [d][4][E]</i> )	No
	The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher ( <i>EC Section 52060 [d][4][F]</i> )	No
	The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program ( <i>EC Section 52060 [d][4][G]</i> )	No

<sup>1</sup> Priority 9 (expelled pupils) and Priority 10 (foster youth) are only applicable to county offices of education, and therefore are not included in this table.

<b>Local Control Funding Formula Requirements</b>		<b>Data Required in the 2014–15 SARC (Yes/No)</b>
Other Pupil Outcomes (Priority 8)	Pupil outcomes in subject areas such as English, mathematics, social sciences, science, visual and performing arts, health, physical education, career technical education, and other studies prescribed by the governing board (EC Section 52060 [d][8])	Yes <sup>2</sup>
<b>C. Engagement</b>		
Parental Involvement (Priority 3)	Efforts the school district makes to seek parent input in making decisions for the school district and each schoolsite (EC Section 52060 [d][3])	Yes
Pupil Engagement (Priority 5)	School attendance rates (EC Section 52060 [d][5][A])	No
	Chronic absenteeism rates (EC Section 52060 [d][5][B])	No
	Middle school dropout rates (EC Section 52060 [d][5][C])	No
	High school dropout rates (EC Section 52060 [d][5][D])	Yes
School Climate (Priority 6)	High school graduation rates (EC Section 52060 [d][5][E])	Yes
	Pupil suspension rates (EC Section 52060 [d][6][A])	Yes
	Pupil expulsion rates (EC Section 52060 [d][6][B])	Yes
	Other local measures including surveys of students, parents, and teachers on the sense of safety and school connectedness (EC Section 52060 [d][6][C])	Yes <sup>3</sup>

<sup>2</sup> English, mathematics, and physical education are the only subject areas included in Other Pupil Outcomes (Priority 8) that are reflected in the 2014–15 SARC template.

<sup>3</sup> School safety plan is the only other local measure of School Climate (Priority 6) that is reflected in the 2014–15 SARC template.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 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), Technology, Primary Language Assessment Stakeholder Meetings, California Alternate Assessment Field Test, California Next Generation Science Standards Assessments, and Outreach Activities.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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This item reflects the collaboration of the Assessment Development and Administration Division (ADAD), the Educational Data Management Division (EDMD), 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) for the testing window that lasted until the last day of instruction. As of June 19, 2015, the CDE estimates that 3.2 million students have started at least one test and 1,815 LEAs have started testing. The CDE will provide a verbal update as summative testing will continue through August. In addition, the CDE will provide observations about the summative assessments from LEAs. Generally, this year's operational test has run smoothly and the administration benefitted from last year's field test of all eligible students in grades three through eight and eleven in English language arts/literacy and mathematics.

#### *Post-test Training Workshops*

Educational Testing Service (ETS) conducted post-test training workshops at five locations throughout the state. Morning and afternoon sessions were conducted to increase the number of LEA CAASPP coordinators who could participate. These post-test trainings were 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. The post-test training covered the following topics: (1) interpretation of results, (2) overview of aggregate summary reports, (3)

overview of individual student score reports, and (4) appropriate uses of CAASPP assessment data.

### *Online Reporting System (ORS) to Report Preliminary Smarter Balanced Summative Assessment Results*

On May 4, the CDE launched the ORS for LEA CAASPP coordinators that is accessed through the Test Operations Management System (TOMS). ORS is a secure Web site that provides *partial and preliminary* individual student summative results and aggregate reports by LEA, school, content area, grade level, and student groups. These results are available approximately four weeks after a student completes a test in one of the content areas. Users will be able to view the average scale score for a specific group or entity and the number of completed assessments. Note, users will only have access to their specific LEA or school. For example, an LEA CAASPP coordinator will have access to aggregate results for the LEA and all schools within his or her LEA; whereas, a site coordinator will only have access to his or her school-level data. These preliminary reports will provide LEA and school staff with information sooner than in previous years. LEAs and their educators can use the preliminary aggregate results to guide program evaluation and curriculum development. Access to the ORS will be granted to site coordinators beginning in August. The CDE is developing a plan as part of the transition to the new CAASPP contract to give teachers access to partial and preliminary results.

The CDE will provide a brief demonstration of the ORS during the July Board meeting.

### *Public Web Reporting of Statewide CAASPP Results*

The CDE will be releasing aggregate results for both the Smarter Balanced Summative Assessments as well as the legacy assessments for science and reading language arts in Spanish to the public on the CDE DataQuest Web site after testing has been completed. Staff anticipates that this release will occur in August 2015. Similar to the previous Standardized Testing and Reporting (STAR) Program public reporting site, this public Web site will provide state-, county-, LEA-, and school-level reports by student groups (e.g., gender, race/ethnicity, and economic status). The legacy assessments will be reported using the same platform as in previous years. The Smarter Balanced Summative Assessment public reports will be designed to improve the user experience with the reporting site.

### *Post-test Survey and Focus Group Update*

The CDE provided information, in a June 2015 SBE Memorandum, regarding the results from a pre-test survey. The June 2014 SBE Memorandum can be found on the SBE June Information Memorandum Web page at <http://www.cde.ca.gov/be/pn/im/infomemojun2015.asp>. The CDE will share the preliminary results of the post-test survey verbally to the State Board of Education (SBE). In addition, the CDE will provide preliminary findings from the focus groups that were conducted in June. Three focus groups were held in Sacramento on June 15, and three in Southern California on June 16.

## *Enhanced Assessment Instruments Grant Program*

The CDE submitted an application to the U.S. Department of Education on June 29, 2015 to be the fiscal agent for the Smarter Balanced Assessment Consortium Enhanced Assessment Grant (EAG). The project aims to enhance and improve career and college readiness validity evidence drawn from the Smarter Balanced assessments.

### **Update on Smarter Balanced Interim Assessments**

More than 1.6 million interim assessments have been started across more than 1,100 California LEAs. In response to requests from California educators, the CDE has made an Interim Assessment Viewing System available to LEA staff who have access to the interim assessments. This “view only” interface, which was made available in May 2015, allows educators to access and view the full range of interim assessments prior to administering them. Also in May 2015, to further support LEA staff in preparing to hand score interim assessments, the training guides and exemplars that originally appeared only in the Interim Assessment Hand Scoring System were also made available on the TOMS Help page under the “Training” tab. This feature allows authorized users to view the interim assessment hand scoring training guides and exemplars before starting hand scoring of the interim assessments. Links to both the Interim Assessment Viewing System and TOMS are available through the CAASPP Web site at <http://caaspp.org>.

### **Update on Smarter Balanced Digital Library of Formative Resources**

Access to the Smarter Balanced Digital Library includes approximately 233,000 registered California educators, a lower number than reported in May due to ongoing maintenance of the database to avoid duplication of user accounts. In response to feedback from Digital Library users, Smarter Balanced redesigned the Digital Library landing page and added new features to make it easier for users to navigate and identify resources that best meet their needs. The enhancements, which were activated on June 15, 2015 include new features such as a focused filtering system and the opportunity to subscribe to specific cross-state collaboration forums and discussions.

The CDE is developing a Digital Library training video to help kindergarten through grade twelve (K-12) educators understand the formative assessment process, how to navigate and search for resources in the Digital Library, and how to use the Digital Library cross-state collaboration features. This new video will be made available on the CDE Digital Library Web page in July 2015.

The CDE has recruited approximately 130 California educators to join the Digital Library State Network of Educators (SNE). Of those recruited, approximately 25 are continuing members from the original SNE group that was formed in 2013. The SNE is a group of educators in Smarter Balanced member states who develop and review resources for the Digital Library. Participants must be available to complete 10–15 hours of self-paced online training and be prepared to begin developing resources by mid-June 2015. SNE members are led by the State Leadership Team (SLT), a group of CDE employees that provides guidance and oversight. In July 2015, members of the SLT and SNE will

participate in an in-person workshop, hosted by Smarter Balanced, to receive training and review resources for inclusion in the Digital Library.

## **Technology Update**

For the current testing cycle, the highest number of concurrent users, 311,489, occurred on April 28. This figure is well within the maximum 500,000 concurrent users and over 100,000 more than during the field test (184,000). The CDE, in partnership with the K-12 High Speed Network (K12HSN) and the Corporation for Education Network Initiatives in California (CENIC), will continue to monitor broadband usage through the remainder of the testing cycle.

The implementation of the Broadband Infrastructure Improvement Grant (BIIG) program, which was developed to assist LEAs with network infrastructure issues, is ongoing. Through the BIIG program, there are approximately 171 sites that will receive upgraded circuits by early fall 2015. The K12HSN will coordinate this work with assistance from CENIC who will execute contracts with the selected service providers. Of the 64 original identified sites, that as a part of the BIIG program did not receive a bid from any service provider, 18 sites have found alternate solutions to network connectivity. Of the 46 sites which remain on the list, there are 9 Priority 1 sites (Note: A Priority 1 site is defined as a school that cannot test due to lack of infrastructure at the site). To assist with these nine Priority 1 sites, the K12HSN and CENIC will launch a pilot program that will use two different satellite providers to compare price and performance of the connections.

## **Primary Language Assessment Stakeholder Meetings**

In January 2015, the CDE, in collaboration with the current CAASPP testing contractor, convened two, two-day meetings in Sacramento, California to obtain input from California primary language education stakeholders regarding the development of new primary language assessments aligned with the Common Core State Standards (CCSS). As a follow-up to the stakeholder meetings, an online survey was sent out in February through various professional and community organizations. The main goal of the online survey was to provide the general public, who could not attend the meetings, an opportunity to provide individual input for the development of California primary language assessments aligned with the CCSS. The survey was available in English and Spanish.

*Education Code (EC) Section 60640(b)(5)(C)* requires that “The Superintendent shall consult with stakeholders, including assessment English learner experts, to determine the content and purpose of a stand-alone language arts summative assessment in primary languages other than English that aligns with the English language arts (ELA) content standards. The Superintendent shall consider the appropriate purpose for this assessment, including, but not necessarily limited to, support for the State Seal of Bilingualism and accountability. It is the intent of the Legislature that an assessment developed pursuant to this section be included in the state accountability system.”

## **California Alternate Assessment Field Test**

The California Alternate Assessment (CAA) Field Test window opened on April 15, and closed on June 10, 2015. Eligible students were given 15 items each in ELA and mathematics. Each content area took approximately 45–60 minutes to complete. The tests were computer-based and administered one-on-one with the examiner.

At the completion of the CAA Field Test, 59,882 tests were completed in ELA and mathematics in 747 LEAs. There was an equitable number of participants in the Field Test among the eligible students in grade levels 3-8 and grade 11.

The CDE continues to have conversations with the National Center and State Collaborative as plans are developed for the 2015–16 operational test. An item and test development plan for the CAA 2015–16 edition will be presented as part of a September SBE item.

## **Update on California Next Generation Science Standards Assessments**

The CDE is continuing its active engagement with state and national science educators and experts involved in Next Generation Science Standards (NGSS) assessment development work. The CDE is a member of the Council of Chief State School Officers (CCSSO) Science Assessment Item Collaborative (SAIC)—a collaborative of states established to develop high-quality summative science test items aligned to the NGSS that could be used by member states as they build state science assessments. The SAIC project is divided into two phases. Phase one ran from December 2014 through June 2015 and focused on the development of an assessment framework and item specifications guidelines. States participating in SAIC project have worked through Webinars and online document reviews and by participation at two in-person meetings. The first in-person meeting was held in Austin, Texas on February 22, 2015. Diane Hernandez, former Director of ADAD, and Blessing Mupanduki, CAASPP Science Assessment Consultant, represented the CDE at this meeting. The goal of the meeting was to provide an overview of the collaborative project and to gather input from states regarding details on project deliverables—the SAIC Assessment Framework and the SAIC Item Specifications Guidelines. The second of the two in-person SAIC meetings was held in Chicago, Illinois on May 14, 2015. Don Killmer, CAASPP Office Administrator, and Blessing Mupanduki represented the CDE at this meeting. The goal of the meeting was to finalize details regarding the Assessment Framework and the Item Specifications Guidelines document. Further, states provided input regarding phase two options for item development.

Phase two of the SAIC project, is anticipated to run from July 2015 to June 2016. While still under discussions, Phase two would include the development of items for states use. More information on Phase two will be made available in an August Memorandum.

The CDE is planning a joint meeting with Stanford NGSS Assessment Project (SNAP), CCSSO-SAIC, the CDE, ETS, and members of the CAASPP Technical Advisory Group (TAG). The goal of the meeting will be to discuss collaborative opportunities on CA NGSS assessment development and implementation. SNAP received a grant from the

S. D. Bechtel Jr. Foundation (Foundation) to develop a two-year project designed to assist states, including California, in building a coherent system of formative and summative science assessments aligned with the CA NGSS for grades three through five and six through eight.

### **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 continue 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 continue to work with CDE Senior Assessment Fellows, the San Joaquin County Office of Education, ETS staff, and SBE staff to continually update the 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. Recently, the CDE updated the toolkit with key messages regarding the ORS. These resources are located on the CDE CAASPP Communications Toolkit Web page at <http://www.cde.ca.gov/ta/tg/ca/communicationskit.asp>.

See Attachment 1 for a list of CDE outreach activities during May and June 2015.

### **RECOMMENDATION**

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This item is for information only. No specific action is recommended.

## **BRIEF HISTORY OF KEY ISSUES**

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### **California Assessment of Student Performance and Progress**

Per *EC* Section 60640, the CAASPP System succeeded the STAR Program on January 1, 2014.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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In June 2015, the CDE provided the SBE with Information Memoranda on the CAASPP pre-test survey results and an update on the stakeholder meeting for California Next Generation Science Standards Assessments required by the Elementary and Secondary Education Act (<http://www.cde.ca.gov/be/pn/im/infomemojun2015.asp>).

In May 2015, the SBE approved ETS as the new CAASPP contractor.

In April 2015, the CDE provided the SBE with an Information Memorandum on the process used to recruit, train, and monitor raters for the 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 CAA 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)**

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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 assessment and the formative assessment tools housed in the Digital Library are included in the CDE contract with the University of California Los Angeles (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 received a one-time credit for use in 2015–16 of approximately \$1.5 million from the Smarter Balanced Assessment Consortium as a result of: (1) the delay in the availability of the Smarter Balanced Interim Assessments to member states and (2) the use by the consortium of California field test results. The May Revise (Item 6100-113-0001) indicates this one-time credit to the member services contract may be used to provide additional training and professional development to LEA and school staff (e.g., regional CAASPP institutes, training modules for use by schools and LEAs, and the development of additional digital library resources). The CDE is exploring procurement options in anticipation of the May Revise language receiving 2015–16 Budget Act approval from the Governor.

## **ATTACHMENT(S)**

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Attachment 1: California Assessment of Student Performance and Progress Outreach Activities (14 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, focus group meetings, and presentations for numerous LEAs throughout the state. The following table lists presentations during May and June 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.

<b>Webcasts</b>				
<b>Date</b>	<b>Event Location</b>	<b>Assessment</b>	<b>Number of Attendees</b>	<b>Description</b>
5/4/2015	Webcast -- Introduction to the 2015 CAASPP Online Reporting System	All CAASPP System of assessments	506 viewers from LEAs	Webcast to introduce the CAASPP Online Reporting System (ORS) that LEA CAASPP coordinators will be using to view preliminary student results for the 2015 CAASPP assessments.  This Webcast is archived on the CAASPP Archived Webcast Web page at <a href="http://caaspp.org/rsc/videos/archived-webcast_050415.html">http://caaspp.org/rsc/videos/archived-webcast_050415.html</a> .
5/19/2015	Webcast – Smarter Balanced Provisioning	Smarter Balanced assessments	11	Webcast to gather user experiences with provisioning of users to the Smarter Balanced System.
5/19/2015	Webcast – CAASPP Student Score Report	Smarter Balanced assessments	94	Webcast to familiarize public information officers with the new Student Score reports.

5/20/2015	Webcast – Smarter Balanced Stakeholder Group	Smarter Balance assessments and California Alternate Assessments (CAA)	8	<p>Webcast to provide the Smarter Balanced Stakeholder group with an update on Smarter Balanced assessments and the CAA and gather information on current testing. The Stakeholder group consist of members from the following organizations:</p> <ul style="list-style-type: none"> <li>• CA School Boards Association</li> <li>• CA Federation of Teachers</li> <li>• CA State PTA®</li> <li>• CA County Superintendents Educational Services Association</li> <li>• CA Teachers Association</li> <li>• Special Education stakeholders</li> <li>• Public Schools Accountability Act Advisory Committee</li> </ul>
5/20/15	Webcast -- 2015 Post-Test Workshop	All CAASPP System of assessments	442	<p>Webcast to provide a deeper understanding of CAASPP assessment results, including results from the online Smarter Balanced Summative Assessments, for LEA CAASPP coordinators, curriculum directors, administrators, and others.</p> <p>This Webcast is archived on the CAASPP Archived Webcast Web page at <a href="http://caaspp.org/rsc/videos/archived-webcast_052015.html">http://caaspp.org/rsc/videos/archived-webcast_052015.html</a>.</p>
5/21/2015	Webcast – Media Briefing	Smarter Balanced assessments	24	Webcast to provide the media with information regarding the new Student Score Report.

<b>Focus Groups Meetings</b>					
<b>Date</b>	<b>Event Name</b>	<b>Event Location</b>	<b>Assessment</b>	<b>Number of Attendees</b>	<b>Description</b>
6/15/2015	2015 CAASPP Post-Test Focus Groups	Educational Testing Service (ETS) Sacramento Office	CAA	8-10*	Session 1 (8:00-10:30am): Collect feedback regarding instruction, technology, and the overall administration of the CAA from a group of Special Education stakeholders.
6/15/2015	2015 CAASPP Post-Test Focus Groups	ETS Sacramento Office	CAASPP Online Assessments	8-10*	Session 2 (11:00am-1:30pm): Collect feedback regarding instruction, technology, and the overall administration of the CAASPP Online Assessments from a group of CAASPP test site coordinators.
6/15/2015	2015 CAASPP Post-Test Focus Groups	ETS Sacramento Office	CAASPP Online Assessments	8-10*	Session 3 (2:30-5:00pm): Collect feedback regarding instruction, technology, and the overall administration of the CAASPP Online Assessments from a group of LEA CAASPP coordinators.
6/16/2015	2015 CAASPP Post-Test Focus Groups	Orange County Department of Education	CAA	8-10*	Session 1 (8:00-10:30am): Collect feedback regarding instruction, technology, and the overall administration of the CAA from a group of Special Education stakeholders.
6/16/2015	2015 CAASPP Post-Test Focus Groups	Orange County Department of Education	CAASPP Online Assessments	8-10*	Session 2 (11:00am-1:30pm): Collect feedback regarding instruction, technology, and the overall administration of the CAASPP Online Assessments from a group of English Learner (EL) stakeholders.

<b>Focus Groups Meetings</b>					
<b>Date</b>	<b>Event Name</b>	<b>Event Location</b>	<b>Assessment</b>	<b>Number of Attendees</b>	<b>Description</b>
6/16/2015	2015 CAASPP Post-Test Focus Groups	Orange County Department of Education	CAASPP Online Assessments	8-10*	Session 3 (2:30-5:00pm): Collect feedback regarding instruction, technology, and the overall administration of the CAASPP Online Assessments from a group of CAASPP test administrators.
5/6/15	Teacher Feedback Session	Glenwood Elementary (K-8), Linden Unified School District (USD)	Smarter Balanced Summative Assessments	5	Collect feedback on the Smarter Balanced Summative Assessments. There was one computer lab teacher and one special education teacher within the group.
5/6/15	Student Feedback Session	Consumnes River Elementary, Elk Grove USD	Smarter Balanced Summative Assessments	26	Collect feedback on the Smarter Balanced Summative Assessments. There were two special needs students and one EL student within the group.
5/15/15	Student Feedback Session	Bell Avenue Elementary, Robla Elementary School District	Smarter Balanced Summative Assessments		Collect feedback on the Smarter Balanced Summative Assessments. There were three classes of grade three students.
5/15/15	Teacher Feedback Session	Mt. Carmel High School, Poway USD	Smarter Balanced Summative Assessments	15	Collect feedback on the Smarter Balanced Summative Assessments. There was one EL teacher, two special education teachers, one Advancement via Individual Determination (AVID), one counselor, and one Teacher-on-Special-Assignment (TOSA) for Common Core State Standards implementation.

<b>Focus Groups Meetings</b>					
<b>Date</b>	<b>Event Name</b>	<b>Event Location</b>	<b>Assessment</b>	<b>Number of Attendees</b>	<b>Description</b>
5/18/15	Teacher Feedback Session	Toby Johnson Middle School, Elk Grove USD	Smarter Balanced Summative Assessments	5	Collect feedback on the Smarter Balanced Summative Assessments.
5/18/15	Student Feedback Session	Mt. Carmel High School, Poway USD	Smarter Balanced Summative Assessments	2	Collect feedback on the Smarter Balanced Summative Assessments. There were 20 students who were supposed to attend and two students attended.
5/19/15	Student Feedback Session	Hamilton Elementary (K-8), Stockton USD	Smarter Balanced Summative Assessments	9	Collect feedback on the Smarter Balanced Summative Assessments. There was one special needs student and three EL students within the group.
5/19/15	Teacher Feedback Session	Hamilton Elementary (K-8), Stockton USD	Smarter Balanced Summative Assessments	9	Collect feedback on the Smarter Balanced Summative Assessments. There was one special education teacher, one EL coordinator, and one instructional coach within the group.
5/20/15	Student Feedback Session	Two Rivers Elementary, Natomas USD	Smarter Balanced Summative Assessments	58	Collect feedback on the Smarter Balanced Summative Assessments. There were five special needs students and six EL students within the group.
5/20/15	Teacher Feedback Session	Two Rivers Elementary, Natomas USD	Smarter Balanced Summative Assessments	3	Collect feedback on the Smarter Balanced Summative Assessments. There was one resource teacher and one principal within the group.

### Focus Groups Meetings

Date	Event Name	Event Location	Assessment	Number of Attendees	Description
5/21/15	Students Feedback Session	Glenwood Elementary (K-8), Linden USD	Smarter Balanced Summative Assessments	7	Collect feedback on the Smarter Balanced Summative Assessments. There were three EL students within the group.
5/21/15	Students Feedback Session	Venture Academy (Charter), San Joaquin County Office of Education (COE)	Smarter Balanced Summative Assessments	9	Collect feedback on the Smarter Balanced Summative Assessments.
5/21/15	Students Feedback Session	Dozier Libby High School, Antioch USD	Smarter Balanced Summative Assessments	28	Collect feedback on the Smarter Balanced Summative Assessments.
5/21/15	Students Feedback Session	Antioch Middle School, Antioch USD	Smarter Balanced Summative Assessments	20	Collect feedback on the Smarter Balanced Summative Assessments.
5/21/15	Teacher Feedback Session	Baldwin Elementary (K-8), Alhambra USD	Smarter Balanced Summative Assessments	15	Collect feedback on the Smarter Balanced Summative Assessments. There were two EL teachers, one resource specialist, one Title 1 coordinator/Smarter Balanced coordinator, and one intervention teacher within the group.

<b>Focus Groups Meetings</b>					
<b>Date</b>	<b>Event Name</b>	<b>Event Location</b>	<b>Assessment</b>	<b>Number of Attendees</b>	<b>Description</b>
5/21/15	Students Feedback Session	Baldwin Elementary (K-8), Alhambra USD	Smarter Balanced Summative Assessments	14	Collect feedback on the Smarter Balanced Summative Assessments. There were four EL students within the group.
5/22/15	Teacher Feedback Session	Venture Academy (Charter), San Joaquin COE	Smarter Balanced Summative Assessments	12	Collect feedback on the Smarter Balanced Summative Assessments. There were two special education teachers within the group.
5/26/15	Teacher Feedback Session	Arroyo Vista Charter, Chula Vista Elementary School District	Smarter Balanced Summative Assessments	TBD	Collect feedback on the Smarter Balanced Summative Assessments.
5/26/15	Student Feedback Session	Main Avenue, Robla Elementary School District	Smarter Balanced Summative Assessments	26	Collect feedback on the Smarter Balanced Summative Assessments. There was one special needs student and four EL students within the group.
5/26/15	Student Feedback Session	Arroyo Vista Charter, Chula Vista Elementary School District	Smarter Balanced Summative Assessments	TBD	Collect feedback on the Smarter Balanced Summative Assessments.
5/27/15	Student Feedback Session	Breeze Hill Elementary, Vista USD	Smarter Balanced Summative Assessments	TBD	Collect feedback on the Smarter Balanced Summative Assessments.

<b>Focus Groups Meetings</b>					
<b>Date</b>	<b>Event Name</b>	<b>Event Location</b>	<b>Assessment</b>	<b>Number of Attendees</b>	<b>Description</b>
5/28/15	Student Feedback Session	Heritage High School, Liberty Union High School District	Smarter Balanced Summative Assessments	TBD	Collect feedback on the Smarter Balanced Summative Assessments.
5/28/15	Student Feedback Session	Liberty Elementary (K-8), Kerman USD	Smarter Balanced Summative Assessments	14	Collect feedback on the Smarter Balanced Summative Assessments. There are four special needs students and six EL students within this group.
5/28/15	Teacher Feedback Session	Liberty Elementary (K-8), Kerman USD	Smarter Balanced Summative Assessments	14	Collect feedback on the Smarter Balanced Summative Assessments. There are one special education teacher, one EL specialist, and a computer lab teacher within the group.
6/5/15	Student Feedback Session	Gahr High School, ABC USD	Smarter Balanced Summative Assessments	TBD	Collect feedback on the Smarter Balanced Summative Assessments.
6/5/15	Teacher Feedback Session	Gahr High School, ABC USD	Smarter Balanced Summative Assessments	TBD	Collect feedback on the Smarter Balanced Summative Assessments.

\* Estimated attendees

### CAASPP Post-Test Workshops

Date	Event Location	Number of Attendees	Description
5/22/15	Sacramento	122	In-person workshops conducted across the state to inform LEA's interpretation and use of the 2015 CAASPP assessment student results and reports. The workshops provided high-level information on the scoring of the Smarter Balanced online summative assessments, describe the various components of the new reports, and review how to use the ORS.
5/26/15	Fresno Convention Center	75	
5/27/15	Los Angeles COE	185	
5/27/15	Santa Clara COE	90	
5/29/15	San Diego	109	

### Presentations by CDE Staff

Date	Event Name	Event Location	Assessment	Number of Attendees	Description
5/14/2015	Council of Chief State School Officers (CCSSO) Science Assessment Item Collaborative (SAIC)	Chicago, IL	Next Generation Science Standards (NGSS) Assessment	32	CDE staff represented the state and participated in the collaborative work of the CCSSO-SAIC at this one day science meeting.
5/20/2015	NGSS Coalition	Sacramento	NGSS	50	CDE staff presented an update on CAASPP System specifically the NGSS science development.
5/29/15	Capital Regional	Sacramento	Smarter Balanced	30	CDE staff presented an update on Smarter Balanced.

### Presentations by CDE Staff

Date	Event Name	Event Location	Assessment	Number of Attendees	Description
	Assessment Networks				
06/18/15	Advisory Committee on Special Education	California Department of Education	CAASPP System	TBD	CDE staff presented an update on CAASPP System specifically the Smarter Balanced Summative Assessments, Digital Library, Interim Assessments, and CAA.
6/11/2015	Western Association of Schools and Colleges (WASC) Train the Trainer	Sacramento	CAASPP System	TBD	CDE staff presented information to WASC trainers on the CAASPP system.
6/17/2015	Smarter Balanced Stakeholder Group	Sacramento	Smarter Balanced assessments, CAA, Science	TBD	<p>In-person Smarter Balanced Stakeholder Group meeting to provide an update and gather information on testing and enhancements. The Stakeholder Group consists of members from the following organizations:</p> <ul style="list-style-type: none"> <li>• CA School Boards Association</li> <li>• CA Federation of Teachers</li> <li>• CA State PTA®</li> <li>• CA County Superintendents Educational Services Association</li> <li>• CA Teachers Association</li> </ul>

### Presentations by CDE Staff

Date	Event Name	Event Location	Assessment	Number of Attendees	Description
					<ul style="list-style-type: none"><li>• Special Education stakeholders</li><li>• Public Schools Accountability Act Advisory Committee</li></ul>

<b>Smarter Balanced Presentations by Senior Assessment Fellows</b>				
<b>Dates</b>	<b>Event Location</b>	<b>Number of Attendees</b>	<b>Target Audience</b>	<b>Topic</b>
5/1/2015	California Office to Reform Education (CORE) districts	20	CORE district administrators	Updates on interims and summative assessments.
5/4/2015	East Anaheim Community Center	22	Charter school administrators and CAASPP coordinators	CAASPP Update, practice/training tests, interim assessments, and Digital Library.
5/5/2015	Oceanside	25	TOSA (mathematics)	Update on CAASPP, Interim Assessments.
5/6/2015	Placentia	22	TOSA (ELA, mathematics)	Update on CAASPP, Interim Assessments.
5/6/2015	WebEx	15	District superintendents	Smarter Balanced summative reporting.
5/6/2015	Kern County Superintendent of Schools	45	LEA curriculum and instruction administrators	Update on CAASPP.
5/8/2015	Fairfield	15	LEA curriculum and instruction administrators	Interims, Smarter Balanced Summative Assessments reports, feedback from testing.
5/8/2015	Redwood City	25	LEA curriculum and instruction administrators	Interims, Smarter Balanced Summative Assessments reports, feedback from testing.
5/12/2015	Sacramento County Office of Education	10	Charter school administrators and CAASPP coordinators	CAASPP Update, practice/training tests, interim assessments, and Digital Library.
5/13/2015	Sacramento	20	RAN members	Smarter Balanced update.

<b>Smarter Balanced Presentations by Senior Assessment Fellows</b>				
<b>Dates</b>	<b>Event Location</b>	<b>Number of Attendees</b>	<b>Target Audience</b>	<b>Topic</b>
5/13/2015	Oroville	15	District curriculum and instruction administrators and CAASPP coordinators	Smarter Balanced update.
5/15/2015	Riverside COE	35	District Assessment and CAASPP Coordinators	ORS and Interim Assessments (focus).
5/16/2015	Sacramento	200	CSBA delegate assembly	Smarter Balanced update.
5/18/2015	Celerity Schools	20	Regional mathematics representatives	Smarter Balanced update.
5/18/2015	Stockton	200-250	Regional mathematics representatives	Smarter Balanced update.
5/28/2015	Downey	60	District assessment and accountability directors	Update on interim assessments.
5/29/2015	Capital Regional Assessment Networks	20	District C&I administrators and CAASPP coordinators	Reporting resources.
5/29/2015	Sacramento	20	District curriculum and instruction administrators and CAASPP coordinators	Reporting resources.
6/3/2015	Bakersfield	TBD	District curriculum and instruction administrators	CAASPP Results Update.
6/3/2015	Inglewood	TBD	Charter school administrators and staff	Interim assessment update.

<b>Smarter Balanced Presentations by Senior Assessment Fellows</b>				
<b>Dates</b>	<b>Event Location</b>	<b>Number of Attendees</b>	<b>Target Audience</b>	<b>Topic</b>
6/4/2015	Orange County Department of Education	TBD	District curriculum and instruction administrators and CAASPP coordinators	Respond to questions about Smarter Balanced and update on reports and the ORS.
6/10/2015	Orange County Department of Education	TBD	District curriculum and instruction administrators and CAASPP coordinators, information technology staff and administrators	Combined meeting for technology, information technology, and Standards and Assessment Network meeting.
6/10/2015	Solano COE	TBD	Teachers and administrators	Presentation covers both aspects of the Smarter Balanced system: Dig Library and Interims; consider use of interims in 2015-16.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

SUBJECT	
California Assessment of Student Performance and Progress: California Alternate Assessment Blueprints.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### SUMMARY OF THE ISSUE(S)

The California Alternate Assessment (CAA) is one of the state assessments used for accountability, and it must comply with the Elementary and Secondary Education Act requirements. The CAA is administered in grades three through eight and grade eleven to students with significant cognitive disabilities. The development of the CAA blueprints for English–language arts (ELA) and mathematics has focused on strengthening the link between the test items and grade-level Common Core State Standards (CCSS) and the Core Content Connectors (CCCs). The CCCs, developed by the National Center and State Collaborative (NCSC), make connections between the Learning Progressions Framework indicators and the CCSS. More information regarding the CCCs is available at <http://www.cde.ca.gov/ta/tg/ca/altassessment.asp>.

The Learning Progressions Framework project was developed by the National Center for the Improvement of Educational Assessment (NCIEA) and the National Alternate Assessment Center (NAAC). It was funded with partial support from U.S. Department of Education grants, the NAAC, and the NCIEA. The project describes research-based pathways for learning that can guide lesson planning, and K-12 curriculum and assessment development.

Blueprints were developed following the work of the NCSC and are proportional (i.e., percent of items are proportional to those of the NCSC blueprints for the same grades and content areas) to the CCSS at each grade. The blueprints take into account the same number of items at each of the three levels of complexity. The use of the blueprints will begin with the 2016 administration.

The new blueprints reflect the new CAA test design, standards, and item types. The standards assessed on the new CAA are the CCCs from NCSC, which are aligned with the CCSS. The goal of blueprint development was to align the new CAA blueprints as closely with NCSC as possible. This alignment can be observed in the percentages assessed for each domain or group of domains. The CAA test design, like that of NCSC, is a two-stage adaptive assessment. Each student, within a grade level, in stage one, will see a set of items [the Router] to route them to stage two. On the basis of the

student's performance in stage one, stage two will present the student items in one of three tiers (CAA is designed with three tiers of complexity). The blueprint format (columns titled "Within the Router," "Outside of Router," "Number of Item(s)," and "Point Range per Item") is to demonstrate the difference in content design and emphasis.

When the first batch of new CAA items were field-tested in spring 2015, the standards were equally weighted, regardless of cognitive complexity. However, as more items are developed and the CAA becomes operational, Educational Testing Service (ETS) recommends appropriately accounting for the cognitive complexity of skills by assigning multiple point values for certain standards that require multiple cognitive processes (i.e., the more steps, the more points). These standards will be given multiple points to weight them appropriately for the CAA population. For this reason, although the NCSC percentages were used as guidance, the percentages in these proposed new blueprints show small variations (i.e., changes in the percentages) due to weighting. Keeping the new CAA blueprints as close to the NCSC blueprints as possible was a guiding principle in the development of the new CAA blueprints.

The blueprints were reviewed by stakeholders (e.g., teachers and administrators) at two meetings in early June, and their comments have been incorporated into the final documents. Attachment 1 contains the blueprint for the CAA ELA assessments, and Attachments 2 and 3 include the blueprints for the CAA mathematics assessments.

## **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) take action to approve the CAA blueprints for ELA and mathematics.

## **BRIEF HISTORY OF KEY ISSUES**

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Per California *Education Code* Section 60640, the California Assessment of Student Performance and Progress System succeeded the Standardized Testing and Reporting Program on January 1, 2014. The new statewide assessment system has been designed to support the full implementation of CCSS.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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In April 2015, the SBE received a memorandum from the CDE that provided an update on the development and administration of the CAA field test. The update addressed the CAA content and field test structure, as well as outreach activities. The memorandum can be found on the SBE April 2015 Information Memoranda Web page at <http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-adad-apr15item03.doc>

In July 2014, the SBE directed the CDE to eliminate the California Alternate Performance Assessment in ELA and mathematics and explore options for developing

the CAA. The document containing this information can be found on the SBE Minutes Web page at <http://www.cde.ca.gov/be/mt/ms/documents/finalminutes0910jul2014.doc>

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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Funding for this activity was approved by the SBE in the Educational Testing Service Scope of Work Amendment 12.

### **ATTACHMENT(S)**

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Attachment 1: California Alternate Assessment Blueprint for English-language Arts  
(14 Pages)

Attachment 2: California Alternate Assessment Blueprint for Mathematics 2016  
(22 Pages)

Attachment 3: California Alternate Assessment Blueprint for Mathematics 2017–18  
(18 Pages)

California Alternate Assessment Blueprint for English-language Arts, Grade 3

Content Category	NCSC Percentages	ETS Percentages	Common Core State Standard	Core Content Connector	Essential Understanding	2016		2017, 2018	
						Number of Item(s)	Point Range Per Item	Number of Item(s)	Point Range Per Item
Reading: Literary	30%	30%	3.RL.1 Ask and answer questions to demonstrate understanding of a text, referring explicitly to the text as the basis for the answers.	3.RL.h1 Answer questions related to the relationship between characters, setting, events, or conflicts (e.g., characters and events, characters and conflicts, setting and conflicts).	Identify a character, setting, event, or conflict.*	4	5-7	6	10-12
				3.RL.i2 Answer questions (literal and inferential) and refer to text to support your answer.	Recall information in a text (e.g., repeated story lines).				
			3.RL.2 Recount stories, including fables, folktales, and myths from diverse cultures; determine central message, lesson, or moral and explain how it is conveyed through key details in text. 3.SL.2 Determine the main ideas and supporting details of a text read aloud or information presented in diverse media and formats, including visually, quantitatively, and orally.	3.RL.k2 Determine the central message, lesson, moral, and key details of a text read aloud or information presented in diverse media and formats, including visually, quantitatively, and orally.	Identify the topic of a text or information presented in diverse media.*				
Reading: Informational	25%	25%	3.RI.5 Use text features and search tools (e.g., key words, sidebars, hyperlinks) to locate information relevant to a given topic efficiently.	3.RI.h1 Identify the purpose of a variety of text features. 3.RI.5	Identify the text feature (e.g., charts, illustrations, maps, titles).	3	4-5	4	6-8
			3.RI.7 Use information gained from illustrations (e.g., maps, photographs) and the words in a text to demonstrate understanding of the text (e.g., where, when, why, and how key events occur).	3.RI.h4 Use illustrations (e.g., maps, photographs, diagrams, timelines) in informational texts to answer questions.	Identify an illustration in text.*				
			3.RI.2 Determine the main idea of a text; recount the key details and explain how they support the main idea. 3.SL.2 Determine the main ideas and supporting details of a text read aloud or information presented in diverse media and formats, including visually, quantitatively, and orally.	3.RI.i2 Determine the main idea of text read, read aloud or information presented in diverse media and formats, including visually, quantitatively, and orally.	Identify the topic of a text or information presented in diverse media.*				
			3.RI.2 Determine the main idea of a text; recount the key details and explain how they support the main idea.	3.RI.k5 Determine the main idea of a text; recount the key details and explain how they support the main idea.	Identify the topic of a text.				
Reading: Vocabulary	9%	9%	3.L.4 Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 3 reading and content, choosing flexibly from an array of strategies. 3.L.4a Use sentence-level context as a clue to the meaning of the word or phrase.	3.RWL.i2 Use sentence context as a clue to the meaning of a new word, phrase, or multiple meaning word.	Recall the meaning of frequently used nouns.*	1	1-2	2	3-5

California Alternate Assessment Blueprint for English-language Arts, Grade 3

Content Category	NCSC Percentages	ETS Percentages	Common Core State Standard	Core Content Connector	Essential Understanding	2016		2017, 2018	
						Number of Item(s)	Point Range Per Item	Number of Item(s)	Point Range Per Item
Reading: Foundation	6%	6%	<b>3.RF.4</b> Read with sufficient accuracy and fluency to support comprehension. <b>3.RF.4b</b> Read on-level prose and poetry orally with accuracy, appropriate rate, and expression on successive readings.	<b>3.RWL.h2</b> Identify grade level words with accuracy.	Identify frequently used nouns.*	1	1-2	1	1-2
Writing	30%	30%	<b>Research to Build and Present Knowledge (informative/explanatory)</b> <b>W.3.8</b> Recall information from experiences or gather information from print and digital sources; take brief notes on sources and sort evidence into provided categories.	<b>3.WI.i4</b> Sort evidence (e.g., graphic organizer) collected from print and/or digital sources into provided categories.	Identify information from print and digital sources on given topics (e.g., pictures of animals).*	4	5-7	6	10-12
			<b>Text Types and Purposes (informative/explanatory)</b> <b>W.3.2</b> Write informative/ explanatory texts to examine a topic and convey ideas and information clearly. <b>W.3.2a</b> Introduce a topic and group related information together; include illustrations when useful to aiding comprehension.	<b>3.WI.p1</b> Include text features (e.g., numbers, labels, diagrams, charts, graphics) to enhance clarity and meaning.	Identify different types of text features found in informational text.				
			<b>Production and Distribution of Writing (narrative)</b> <b>W.3.4</b> With guidance and support from adults, produce writing in which the development and organization are appropriate to task and purpose.	<b>3.WL.o1</b> With guidance and support from adults, produce a clear, coherent, permanent product that is appropriate to the specific task, purpose (e.g., to entertain), or audience.	Given a specific purpose, produce a permanent product (e.g., select text appropriate to the purpose, identify descriptive sentences, and select a concluding statement).*				
						13	16-23	19	30-39

100%

\*Static Standards, tested yearly (8)

Router Items	21
Non-Router Items	6
Total Items on Form	27

Router Items	9
Non-Router Items	16
Total Items on Form	25

California Alternate Assessment Blueprint for English-language Arts, Grade 4

Content Category	NCSC Percentages	ETS Percentages	Common Core State Standard	Core Content Connector	Essential Understanding	2016		2017, 2018	
						Number of Item(s)	Point Range Per Item	Number of Item(s)	Point Range Per Item
Reading: Literary	30%	30%	4.RL.1 Refer to details and examples in a text when explaining what the text says explicitly and when drawing inferences from the text.	4.RL.i1 Refer to details and examples in a text when explaining what the text says explicitly.	Recall a detail in a text.	4	5-7	6	10-12
			4.RL.2 Determine a theme of a story, drama, or poem from details in the text; summarize the text.	4.RL.k2 Determine the theme of a story, drama, or poem; refer to text to support answer.	Determine the topic of story or poem.*				
			4.RL.3 Describe in depth a character, setting, or event in a story or drama, drawing on specific details in the text (e.g., a characters thoughts, words, or actions).	4.RL.l1 Describe character traits (e.g., actions, deeds, dialogue, description, motivation, interactions); use details from text to support description.	Identify a character in text.*				
Reading: Informational	25%	25%	4.RI.7 Interpret information presented visually, orally, or quantitatively (e.g., in charts, graphs, diagrams, time lines, animations, or interactive elements on Web pages) and explain how the information contributes to an understanding of the text in which it appears.	4.RI.h4 Use information presented visually, orally, or quantitatively (e.g., in charts, graphs, diagrams, time lines, animations, or interactive elements on Web pages) to answer questions.	Identify basic text features (e.g., charts, graphs, diagrams, time lines, maps).	3	4-5	4	6-8
			4.RI.2 Determine the main idea of a text and explain how it is supported by key details; summarize the text.	4.RI.i3 Determine the main idea of an informational text.	Identify the topic of a text.*				
			4.RI.7 Interpret information presented visually, orally, or quantitatively (e.g., in charts, graphs, diagrams, time lines, animations, or interactive elements on Web pages) and explain how the information contributes to an understanding of the text in which it appears.	4.RI.l1 Interpret information presented visually, orally, or quantitatively (e.g., in charts, graphs, diagrams, time lines, animations, or interactive elements on Web pages) and explain how the information contributes to an understanding of the text in which it appears.	Locate information within a simplified chart, map or graph.*				
Reading: Vocabulary	9%	9%	4.L.4 Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 4 reading and content, choosing flexibly from an array of strategies. 4.L.4a Use context (e.g., definitions, examples, or restatements in text) as a clue to the meaning of the word or phrase.	4.RWL.i2 Use context as a clue to determine the meaning of unknown words, multiple meaning words, or words showing shades of meaning.	Understand that words can have more than one meaning.*	1	1-2	2	3-5
			4.L.6 Acquire and use accurately grade-appropriate general academic and domain-specific words and phrases, including those that signal precise actions, emotions, or states of being (e.g., quizzed, whined, stammered) and that are basic to a particular topic (e.g., wildlife, conversation, and endangered when discussing animal preservation).	4.RWL.j1 Use general academic and domain specific words and phrases accurately.	Identify general academic words (e.g., EDL 2 or 3- map, character, equal, book, name, paper, etc).				

California Alternate Assessment Blueprint for English-language Arts, Grade 4

Content Category	NCSC Percentages	ETS Percentages	Common Core State Standard	Core Content Connector	Essential Understanding	2016		2017, 2018	
						Number of Item(s)	Point Range Per Item	Number of Item(s)	Point Range Per Item
Reading: Foundation	6%	6%	<p><b>4.RF.3</b> Know and apply grade-level phonics and word analysis skills in decoding words.</p> <p><b>4.RF.3a</b> Use combined knowledge of all letter-sound correspondences, syllabication patterns, and morphology (e.g., roots and affixes) to read accurately unfamiliar multisyllabic words in context and out of context.</p>	<b>4.RWL.h2</b> Identify grade level words with accuracy and on successive attempts.	Identify frequently used words (e.g., EDL 2 or 3).*	1	1-2	1	1-2
Writing	30%	30%	<p><b>Text Types and Purposes (informative/explanatory)</b></p> <p><b>W.4.2</b> Write informative/ explanatory texts to examine a topic and convey ideas and information clearly.</p> <p><b>W.4.2a</b> Introduce a topic clearly and group related information in paragraphs and sections; including formatting (e.g., headings), illustrations, and multimedia when useful to aiding comprehension.</p>	<b>4.WI.p1</b> Include formatting (e.g., headings, bulleted information), illustrations, and multimedia when useful to promote understanding.	Identify a concluding sentence that signals a close of a paragraph (e.g., In conclusion..., As a result..., Finally...)*.	4	5-7	6	10-12
			<p><b>Text Types and Purposes (informative/explanatory)</b></p> <p><b>W.4.2</b> Write informative/ explanatory texts to examine a topic and convey ideas and information clearly.</p> <p><b>W.4.2e</b> Provide a concluding statement or section related to the information or explanation presented.</p>	<b>4.WI.q1</b> Provide a concluding statement or section to support the information presented.	Identify the purpose of using different formats, illustrations, or multimedia (e.g., bullets are used for listing items).				
			<p><b>Production and Distribution of Writing (narrative)</b></p> <p><b>W.4.4</b> Produce clear and coherent writing in which the development and organization are appropriate to task, purpose, and audience.</p>	<b>4.WL.o1</b> Produce a clear coherent permanent that is appropriate to the specific task, purpose (e.g. to entertain), or audience.	Given a specific purpose, produce a permanent product (e.g., select text appropriate to the purpose, identify descriptive sentences, and select a concluding statement).*				
		100%	*Static Standards, tested yearly (8)			13	16-23	19	30-39

Router Items	21
Non-Router Items	6
Total Items on Form	27

Router Items	9
Non-Router Items	16
Total Items on Form	25

California Alternate Assessment Blueprint for English-language Arts, Grade 5

Content Category	NCSC Percentages	ETS Percentages	Common Core State Standard	Core Content Connector	Essential Understanding	2016		2017, 2018	
						Number of Item(s)	Point Range Per Item	Number of Item(s)	Point Range Per Item
Reading: Literary	30%	30%	5.RL.1 Quote accurately from a text when explaining what the text says explicitly and when drawing inferences from the text	5.RL.b1 Refer to details and examples in a text when explaining what the text says explicitly.	Recall details in a text.	4	5-7	6	10-12
			5.RL.2 Determine a theme of a story, drama, or poem from details in the text, including how characters in a story or drama respond to challenges or how the speaker in a poem reflects upon a topic; summarize the text.	5.RL.c2 Summarize a text from beginning to end in a few sentences.	Identify what happens in the beginning of a story.*				
			5.RL.3 Compare and contrast two or more characters, settings, or events in a story or drama, drawing on specific details in the text (e.g., how characters interact).	5.RL.d1 Compare characters, settings, events within a story; provide or identify specific details in the text to support the comparison.	Identify characters, setting and events in a story.*				
Reading: Informational	30%	30%	5.RI.2 Determine two or more main ideas of a text and explain how they are supported by key details; summarize the text.	5.RI.c4 Determine the main idea, and identify key details to support the main idea.	Identify the topic of text.*	4	5-7	6	10-12
			5.RI.5 Compare and contrast the overall structure (e.g., chronology, comparison, cause/effect, problem/solution) of events, ideas, concepts, or information in two or more texts.	5.RI.d5 Compare and contrast the overall structure (e.g., chronology, comparison, cause/effect, problem/solution) of events, ideas, concepts, or information in two or more texts.	EU 1: Identify a similarity between two pieces of information from a text. EU 2: Identify a difference between two pieces of information from a text.				
			5.RI.8 Explain how an author uses reasons and evidence to support particular points in a text, identifying which reasons and evidence support which point(s).	5.RI.e2 Explain how an author uses reasons and evidence to support particular points in a text.	Identify main/key ideas/points in a text.*				
Reading: Vocabulary	10%	10%	5.L.4 Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 5 reading and content, choosing flexibly from an array of strategies. 5.L.4a Use context (e.g., cause/effect relationships and comparisons in text) as a clue to the meaning of the word or phrase.	5.RWL.a2 Use context to determine the meaning of unknown or multiple meaning words or phrases.	Identify multiple meaning words (e.g., EDL 3 or 4).*	1	1-2	1	2-3

California Alternate Assessment Blueprint for English-language Arts, Grade 5

Content Category	NCSC Percentages	ETS Percentages	Common Core State Standard	Core Content Connector	Essential Understanding	2016		2017, 2018	
						Number of Item(s)	Point Range Per Item	Number of Item(s)	Point Range Per Item
Writing	30%	30%	<b>Text Types and Purposes (informative/explanatory)</b> <b>W.5.2</b> Write informative/ explanatory texts to examine a topic and convey ideas and information clearly. <b>W.5.2a</b> Introduce a topic clearly, provide a general observation and focus, and group related information logically; include formatting (e.g., headings), illustrations, and multimedia when useful to aiding comprehension. <b>W.5.2b</b> Develop the topic with facts, definitions,	<b>5.WI.b3</b> Organize ideas, concepts, and information (using definition, classification, comparison/contrast, and cause/effect).	<b>Identify relationship of set of items in various categories (definition, classification, compare/contrast, cause/effect).*</b>	4	5-7	6	10-12
			<b>Production and Distribution of Writing (narrative)</b> <b>W.5.4</b> Produce clear and coherent writing in which the development and organization are appropriate to task, purpose, and audience.	<b>5.WI.d1</b> Support a topic with relevant facts, definitions, concrete details, quotations, or other information and examples.	<b>Identify facts and details related to a specified topic.</b>				
			<b>5.WL.h1</b> Produce a clear coherent permanent product that is appropriate to the specific task, purpose (e.g. to entertain), or audience.	<b>Given a specific purpose, produce a permanent product (e.g., select text appropriate to the purpose, identify descriptive sentences, and select a concluding statement).*</b>					
		100%	*Static Standards, tested yearly (7)			13	16-23	19	32-39

Router Items	21
Non-Router Items	6
<b>Total Items on Form</b>	<b>27</b>

Router Items	9
Non-Router Items	16
<b>Total Items on Form</b>	<b>25</b>

California Alternate Assessment Blueprint for English-language Arts, Grade 6

Content Category	NCSC Percentages	ETS Percentages	Common Core State Standard	Core Content Connector	Essential Understanding	2016		2017, 2018	
						Number of Item(s)	Point Range Per Item	Number of Item(s)	Point Range Per Item
Reading: Literary	20%	20%	<p><b>6.RL.1</b> Cite textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text.</p> <p><b>6.RL.2</b> Determine a theme or central idea of a text and how it is conveyed through particular details; provide a summary of the text distinct from personal opinions or judgments.</p>	<p><b>6.RL.b2</b> Refer to details and examples in a text when explaining what the text says explicitly.</p>	Recall details in a text.	3	4-5	4	6-8
				<p><b>6.RL.b3</b> Use specific details from the text (words, interactions, thoughts, motivations) to support inferences or conclusions about characters including how they change during the course of the story.</p>	Identify characters in a story.*				
				<p><b>6.RL.c3</b> Summarize a text from beginning to end in a few sentences without including personal opinions.</p>	Identify what happens in the beginning and ending of a story.*				
Reading: Informational	40%	40%	<p><b>6.RI.2</b> Determine a central idea of a text and how it is conveyed through particular details; provide a summary of the text distinct from personal opinions or judgments.</p> <p><b>6.RI.3</b> Analyze in detail how a key individual, event, or idea is introduced, illustrated, and elaborated in a text (e.g., through examples or anecdotes).</p> <p><b>6.RI.8</b> Trace and evaluate the argument and specific claims in a text, distinguishing claims that are supported by reasons and evidence from claims that are not.</p>	<p><b>6.RI.b4</b> Summarize information gained from a variety of sources including media or texts.</p>	Identify a topic from a single source.*	5	6-8	7	13-15
				<p><b>6.RI.c2</b> Provide a summary of the text distinct from personal opinions or judgments.</p>	Identify the main idea of a text.*				
				<p><b>6.RI.g4</b> Determine how key individuals, events, or ideas are elaborated or expanded on in a text.</p>	Identify a description of an event or individual in a text.				
				<p><b>6.RI.g6</b> Evaluate the claim or argument; determine if it is supported by evidence.</p>	Identify a fact from the text.*				
Reading: Vocabulary	10%	10%	<p><b>6.L.4</b> Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 6 reading and content, choosing flexibly from an array of strategies.</p> <p>6.L.4a Use context (e.g., the overall meaning of a sentence or paragraph; a word's position or function in a sentence) as a clue to the meaning of the word or phrase.</p> <p><b>6.L.6</b> Acquire and use accurately grade-appropriate general academic and domain-specific words and phrases; gather vocabulary knowledge when considering a word or phrase important to comprehension or expression.</p>	<p><b>6.RWL.a1</b> Use context to determine the meaning of unknown or multiple meaning words or phrases.</p>	Identify multiple meaning words (e.g., EDL 4 or 5).*	1	1-2	2	3-4
				<p><b>6.RWL.c1</b> Use general academic and domain specific words and phrases accurately.</p>	Identify general academic words (e.g., EDL 4 or 5).				

California Alternate Assessment Blueprint for English-language Arts, Grade 6

Content Category	NCSC Percentages	ETS Percentages	Common Core State Standard	Core Content Connector	Essential Understanding	2016		2017, 2018	
						Number of Item(s)	Point Range Per Item	Number of Item(s)	Point Range Per Item
Writing	30%	30%	<b>Text Types and Purposes (narrative)</b> <b>W.6.3</b> Write narratives to develop real or imagined experiences or events using effective technique, relevant descriptive details, and well-structured event sequences. <b>W.6.3a</b> Engage and orient the reader by establishing a context and introducing a narrator and/or characters; organize an event sequence that unfolds naturally and logically.	<b>6.WL.c1</b> Organize ideas and event so that they unfold naturally.	<b>Identify the order of events given a short passage/text (e.g., sequence a set of events from an adapted chapter).*</b>	4	5-7	6	10-12
			<b>Text Types and Purposes (narrative)</b> <b>W.6.3</b> Write narratives to develop real or imagined experiences or events using effective technique, relevant descriptive details, and well-structured event sequences. <b>W.6.3c</b> Use a variety of transition words, phrases, and clauses to convey sequence and signal shifts from one time frame or setting to another.	<b>6.WL.c3</b> Use a variety of transition words, phrases, and clauses to convey sequence and signal shifts from one time frame or setting to another.	<b>Match transition words, phrases, and clauses within a text.</b>				
			<b>Production and Distribution of Writing (informative/explanatory)</b> <b>W.6.4</b> Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.	<b>6.WI.h2</b> Produce a clear coherent permanent product that is appropriate to the specific task (e.g., topic), purpose (e.g., to inform), and audience (e.g., reader).	<b>Given a specific purpose, produce a permanent product (e.g., select text appropriate to the purpose, identify descriptive sentences, and select a concluding statement).*</b>				
		100%	<b>*Static Standards, tested yearly (8)</b>			13	16-22	19	32-39

Router Items	21
Non-Router Items	6
Total Items on Form	27

Router Items	9
Non-Router Items	16
Total Items on Form	25

California Alternate Assessment Blueprint for English-language Arts, Grade 7

Content Category	NCSC Percentages	ETS Percentages	Common Core State Standard	Core Content Connector	Essential Understanding	2016		2017, 2018	
						Number of Item(s)	Point Range Per Item	Number of Item(s)	Point Range Per Item
Reading: Literary	20%	20%	7.RL.1 Cite several pieces of textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text.	7.RL.i2 Use two or more pieces of textual evidence to support inferences, conclusions, or summaries of text.	Make an inference from a literary text.	3	4-5	4	6-8
			7.RL.2 Determine a theme or central idea of a text and analyze its development over the course of the text; provide an objective summary of the text.	7.RL.j1 Analyze the development of the theme or central idea over the course of the text.	Identify the theme or central idea of the text.*				
Reading: Informational	40%	40%	7.RI.1 Cite several pieces of textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text.	7.RI.j1 Use two or more pieces of evidence to support inferences, conclusions, or summaries of text.	Identify a conclusion from an informational text.	5	6-8	7	13-15
			7.RI.3 Analyze the interactions between individuals, events, and ideas in a text (e.g., how ideas influence individuals or events, or how individuals influence ideas or events).	7.RI.j5 Analyze the interactions between individuals, events, and ideas in a text (e.g., how ideas influence individuals or events, or how individuals influence ideas or events).	Identify the relationship between people, events, or ideas in a text.				
			7.RI.8 Trace and evaluate the argument and specific claims in a text, assessing whether the reasoning is sound and the evidence is relevant and sufficient to support the claims.	7.RI.k4 Evaluate the claim or argument to determine if they are supported by evidence.	Identify a claim from the text.*				
			7.RI.9 Analyze how two or more authors writing about the same topic shape their presentations of key information by emphasizing different evidence or advancing different interpretations of facts.	7.RI.i1 Compare/contrast how two or more authors write about the same topic.	EU 1: Identify two texts on the same topic. EU2: Compare/contrast two statements related to a single detail within topic.*				
Reading: Vocabulary	10%	10%	7.L.4 Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 7 reading and content, choosing flexibly from an array of strategies. 7.L.4a Use context (e.g., the overall meaning of a sentence or paragraph; a word's position or function in a sentence) as a clue to the meaning of the word or phrase.	7.RWL.g1 Use context as a clue to determine the meaning of a grade appropriate word or phrase.	Use context as a clue to determine the meaning of a word (e.g., EDL grade 5 or 6).	1	1-2	2	3-5

California Alternate Assessment Blueprint for English-language Arts, Grade 7

Content Category	NCSC Percentages	ETS Percentages	Common Core State Standard	Core Content Connector	Essential Understanding	2016		2017, 2018	
						Number of Item(s)	Point Range Per Item	Number of Item(s)	Point Range Per Item
Writing	30%	30%	<b>Text Types and Purposes (narrative)</b> <b>W.7.3</b> Write narratives to develop real or imagined experiences or events using effective technique, relevant descriptive details, and well-structured event sequences. <b>W.7.3e</b> Provide a conclusion that follows from and reflects on the narrated experiences or events.	<b>7.WL.o1</b> Select or provide a concluding statement or paragraph that follows from the narrated experiences or events.	<b>Provide a conclusion (concluding sentence, paragraph or extended ending) that follows from the narrated experiences or events.</b>	4	5-7	6	10-12
			<b>Text Types and Purposes (narrative)</b> <b>W.7.3</b> Write narratives to develop real or imagined experiences or events using effective technique, relevant descriptive details, and well-structured event sequences. <b>W.7.3d</b> Use precise words and phrases, relevant descriptive details, and sensory language to capture the action and convey experiences and events.	<b>7.WL.l1</b> Use precise words and phrases, relevant descriptive details, and sensory language to capture the action and convey experiences and events.	<b>Identify a visual image to match provided text.*</b>				
			<b>Production and Distribution of Writing (informative/explanatory)</b> <b>W.7.4</b> Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.	<b>7.WI.jo1</b> Produce a clear coherent permanent product (e.g. select/generate responses to form paragraph/essay) that is appropriate to the specific task (e.g., topic), purpose (e.g., to inform), or audience (reader).	<b>Given a specific purpose, produce a permanent product (e.g., select text appropriate to the purpose, identify descriptive sentences, and select a concluding statement).*</b>				
		100%	<b>*Static Standards, tested yearly (5)</b>			13	16-22	19	32-40

Router Items	21
Non-Router Items	6
<b>Total Items on Form</b>	<b>27</b>

Router Items	9
Non-Router Items	16
<b>Total Items on Form</b>	<b>25</b>

California Alternate Assessment Blueprint for English-language Arts, Grade 8

Content Category	NCSC Percentages	ETS Percentages	Common Core State Standard	Core Content Connector	Essential Understanding	2016		2017, 2018	
						Number of Item(s)	Point Range Per Item	Number of Item(s)	Point Range Per Item
Reading: Literary	20%	20%	8.RL.1 Cite the textual evidence that most strongly supports an analysis of what the text says explicitly as well as inferences drawn from the text.	8.RL.i2 Use two or more pieces of evidence to support inferences, conclusions, or summaries of text.	Make an inference from a literary text	3	4-5	5	8-10
			8.RL.2 Determine a theme or central idea of a text and analyze its development over the course of the text, including its relationship to the characters, setting, and plot; provide an objective summary of the text.	8.RL.j2 Analyze the development of the theme or central idea over the course of the text including its relationship to the characters, setting and plot.	Identify the theme or central idea of the text.*				
Reading: Informational	40%	40%	8.RI.1 Cite the textual evidence that most strongly supports an analysis of what the text says explicitly as well as inferences drawn from the text.	8.RI.j1 Use two or more pieces of evidence to support inferences, conclusions, or summaries of text.	Make an inference from an informational text.	5	6-8	7	13-15
			8.RI.5 Analyze in detail the structure of a specific paragraph in a text, including the role of particular sentences in developing and refining a key concept.	8.RI.k2 Determine how the information in each section contribute to the whole or to the development of ideas.	Identify supporting key details/key information within a paragraph.*				
			8.RI.8 Delineate and evaluate the argument and specific claims in a text, assessing whether the reasoning is sound and the evidence is relevant and sufficient; recognize when irrelevant evidence is introduced.	8.RI.k4 Identify an argument or claim that the author makes.	Identify a fact from the text.*				
			8.RI.9 Analyze a case in which two or more texts provide conflicting information on the same topic and identify where the texts disagree on matters of fact or interpretation.	8.RI.l1 Analyze a case in which two or more texts provide conflicting information on the same topic and identify where the texts disagree on matters of fact or interpretation.	Identify a similar topic in two texts.*				
Reading: Vocabulary	10%	10%	8.L.4 Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 8 reading and content, choosing flexibly from an array of strategies. 8.L.4a Use context (e.g., the overall meaning of a sentence or paragraph; a word's position or function in a sentence) as a clue to the meaning of the word or phrase.	8.RWL.g1 Use context as a clue to the meaning of a grade-appropriate word or phrase.	Use context as a clue to determine the meaning of a word (e.g., EDL grade 6 or 7).*	1	1-2	1	1-2
			8.L.6 Acquire and use accurately grade-appropriate general academic and domain-specific words and phrases; gather vocabulary knowledge when considering a word or phrase important to comprehension or expression.	8.RWL.i1 Use general academic and domain specific words and phrases accurately.	Identify general academic words (e.g., EDL 6 or 7).				
			<b>Production and Distribution of Writing (informative/explanatory)</b> W.8.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.	8.WI.o1 Produce a clear coherent permanent product (e.g. select/generate responses to form paragraph/essay) that is appropriate to the specific task (e.g., topic), purpose (e.g., to inform), or audience (e.g., reader).	Given a specific purpose, produce a permanent product (e.g., select text appropriate to the purpose, identify descriptive sentences, and select a concluding statement).*				

California Alternate Assessment Blueprint for English-language Arts, Grade 8

Content Category	NCSC Percentages	ETS Percentages	Common Core State Standard	Core Content Connector	Essential Understanding	2016		2017, 2018	
						Number of Item(s)	Point Range Per Item	Number of Item(s)	Point Range Per Item
Writing	30%	30%	<b>Research to Build and Present Knowledge (argument)</b> <b>W.8.8</b> Gather relevant information from multiple print and digital sources, using search terms effectively; assess the credibility and accuracy of each source; and quote or paraphrase the data and conclusions of others while avoiding plagiarism and following a standard format for citation.	<b>8.WP.j1</b> Gather relevant information (e.g., highlight in text, quote or paraphrase from text or discussion) from print and/or digital sources.	<b>Identify sources of information relevant to the topic (e.g., print and/or digital).*</b>	4	5-7	6	10-12
			<b>Text Types and Purposes (argument)</b> <b>W.8.1</b> Write arguments to support claims with clear reasons and relevant evidence. <b>W.8.1a</b> Introduce claim(s), acknowledge and distinguish the claim(s) from alternate or opposing claims, and organize the reasons and evidence logically.	<b>8.WP.k2</b> Create an organizational structure in which ideas are logically grouped to support the writer's claim.	<b>Given a writer's claims, identify the writer's perspective on the topic (e.g., pro or con).</b>				
		100%	*Static Standards, tested yearly (7)			13	16-22	19	32-39

Router Items	21
Non-Router Items	6
<b>Total Items on Form</b>	<b>27</b>

Router Items	9
Non-Router Items	16
<b>Total Items on Form</b>	<b>25</b>

California Alternate Assessment Blueprint for English-language Arts, Grade 11

Content Category	NCSC Percentages	ETS Percentages	Common Core State Standard	Core Content Connector	Essential Understanding	2016		2017, 2018	
						Number of Item(s)	Point Range Per Item	Number of Item(s)	Point Range Per Item
Reading: Literary	15%	15%	11-12.RL.1 Cite strong and thorough textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text, including determining where the text leaves matters uncertain.	1112.RL.b1 Use two or more pieces of evidence to support inferences, conclusions, or summaries of the plot, purpose or theme within a text.	Identify a summary of the plot of a literary text.*	2	2-3	3	5-7
			11-12.RL.5 Analyze how an author's choices concerning how to structure specific parts of a text (e.g., the choice of where to begin or end a story, the choice to provide a comedic or tragic resolution) contribute to its overall structure and meaning.	1112.RL.d1 Analyze how an author's choices concerning how to structure specific parts of a text (e.g., the choice of where to begin or end a story, the choice to provide a comedic or tragic resolution) contribute to its overall structure and meaning.	Identify elements of a story's plot (e.g., exposition, rising action, climax, falling action, resolution).				
Reading: Informational	45%	45%	11-12.RI.1 Cite strong and thorough textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text, including determining where the text leaves matters uncertain.	1112.RI.b1 Use two or more pieces of evidence to support inferences, conclusions, or summaries or text.	Identify a conclusion from an informational text.*	6	9-12	9	15-17
			11-12.RI.2 Determine two or more central ideas of a text and analyze their development over the course of the text, including how they interact and build on one another to provide a complex analysis; provide an objective summary of the text.	1112.RI.b5 Determine how key details support the development of the central idea of a text.	Identify the central idea or key detail of a text.*				
			11-12.RI.6 Determine an author's point of view or purpose in a text in which the rhetoric is particularly effective, analyzing how style and content contribute to the power, persuasiveness or beauty of the text.	1112.RI.d1 Determine the author's point of view or purpose in a text.	Identify what an author tells about a topic.				
			11-12.RI.7 Integrate and evaluate multiple sources of information presented in different media or formats (e.g., visually, quantitatively) as well as in words in order to address a question or solve a problem.	1112.RI.e1 Integrate and evaluate multiple sources of information presented in different media or formats (e.g., visually, quantitatively) as well as in words in order to address a question or solve a problem.	Locate information within a text related to a given topic.*				
Reading: Vocabulary	10%	10%	11-12.L.4 Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 11-12 reading and content, choosing flexibly from an array of strategies. 11-12.L.4a Use context (e.g., the overall meaning of a sentence, paragraph, or text; a word's position or function in a sentence) as a clue to the meaning of a word or phrase.	1112.RWL.b1 Use context (e.g., the overall meaning of a sentence, paragraph, or text; a word's position in a sentence) as a clue to the meaning of a word or phrase.	Use context as a clue to determine the meaning of a word in text (e.g., EDL grade 8 or 9).*	1	1-2	2	2-3

California Alternate Assessment Blueprint for English-language Arts, Grade 11

Content Category	NCSC Percentages	ETS Percentages	Common Core State Standard	Core Content Connector	Essential Understanding	2016		2017, 2018	
						Number of Item(s)	Point Range Per Item	Number of Item(s)	Point Range Per Item
			<b>11-12.RI.6</b> Determine an author's point of view or purpose in a text in which the rhetoric is particularly effective, analyzing how style and content contribute to the power, persuasiveness, or beauty of the text.	<b>11112.RWL.c3</b> Develop and explain ideas for why authors made specific word choices within text.	<b>Identify a word or words used to describe a person, place, thing, action or event in a text (e.g., EDL grade 8 or 9).</b>				
Writing	30%	30%	<b>Text Types and Purposes (informative/explanatory)</b> <b>W.11-12.2</b> Write informative/ explanatory texts to examine and convey complex ideas, concepts, and information clearly and accurately through the effective selection, organization, and analysis of content. <b>W.11-12.2a</b> Introduce a topic; organize complex ideas, concepts, and information so that each new element builds on that which precedes it to create a unified whole; include formatting (e.g., headings), graphics (e.g., figures, tables), and multimedia when useful to aiding comprehension.	<b>1112.WI.b2</b> Create an organizational structure for writing that groups information logically (e.g., cause/effect, compare/contrast, descriptions and examples), to support paragraph focus.	<b>Identify information that doesn't belong in a paragraph based on an organizational structure (e.g., examples, descriptions, cause/effect, compare/contrast).</b>	4	5-7	5	8-10
			<b>Text Types and Purposes (informative/explanatory)</b> <b>W.11-12.2</b> Write informative/ explanatory texts to examine and convey complex ideas, concepts, and information clearly and accurately through the effective selection, organization, and analysis of content. <b>W.11-12.2b</b> Develop the topic thoroughly by selecting the most significant and relevant facts, extended definitions, concrete details, quotations, or other information and examples appropriate to the audience's knowledge of the topic.	<b>1112.WI.b4</b> Select the facts, extended definitions, concrete details, quotations, or other information and examples that are most relevant to the focus and appropriate for the audience.	<b>Match details, facts, or examples to a topic.*</b>				
			<b>Production and Distribution of Writing (argument)</b> <b>W.11-12.4</b> Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.	<b>1112.WP.f1</b> Produce a clear coherent permanent product that is appropriate to the specific task, purpose (to persuade), and audience.	<b>Given a specific purpose, produce a permanent product (e.g., select text appropriate to the purpose, identify descriptive sentences, and select a concluding statement).*</b>				
		<b>100%</b>	<b>*Static Standards, tested yearly (7)</b>			<b>13</b>	<b>16-24</b>	<b>19</b>	<b>30-37</b>

NCSC = National Center and State Collaborative  
ETS = Educational Testing Service

Router Items	21
Non-Router Items	6
<b>Total Items on Form</b>	<b>27</b>

Router Items	9
Non-Router Items	16
<b>Total Items on Form</b>	<b>25</b>

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 3

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Operations & Algebraic Thinking	30%	30%	<b>3.OA.A.1</b> Interpret products of whole numbers, e.g., interpret $5 \times 7$ as the total number of objects in 5 groups of 7 objects each. <i>For example, describe a context in which a total number of objects can be expressed as <math>5 \times 7</math>.</i>	<b>3.NO.2d3</b> Solve multiplication problems with neither number greater than 5.	Create an array of sets (e.g., 3 rows of 2).	0	3	0	0
Operations & Algebraic Thinking			<b>3.OA.D.8</b> Solve two-step word problems using the four operations. Represent these problems using equations with a letter standing for the unknown quantity. Assess the reasonableness of answers using mental computation and estimation strategies including rounding.	<b>3.NO.2e1</b> Solve or solve and check one or two-step word problems requiring addition, subtraction or multiplication with answers up to 100.	Combine (+), decompose (-), and multiply (x) with concrete objects; use counting to get the answers. Match the action of combining with vocabulary (i.e., in all; altogether) or the action of decomposing with vocabulary (i.e., have left; take away) in a word problem.	3	0	1	0
Operations & Algebraic Thinking			<b>3.OA.D.9</b> Identify arithmetic patterns (including patterns in the addition table or multiplication table), and explain them using properties of operations. <i>For example, observe that 4 times a number is always even, and explain why 4 times a number can be decomposed into two equal addends.</i>	<b>3.PRF.2d1</b> Identify multiplication patterns in a real world setting.	Concrete understanding of a pattern as a set that repeats regularly or grows according to a rule; Ability to identify a pattern that grows (able to show a pattern) (shapes, symbols, objects).	0	0	0	1

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 3

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Number & Operations in Base Ten	20%	35%	3.NBT.A.1 Use place value understanding to round whole numbers to the nearest 10 or 100.	3.NO.1j3 Use place value to round to the nearest 10 or 100.	Identify ones or tens in bundled sets – Similar/different with concrete representations (i.e., is this set of manipulatives (8 ones) closer to this set (a ten) or this set (a one)?).	0	3	0	0
Number & Operations in Base Ten			3.NBT.A.2 Fluently add and subtract within 1000 using strategies and algorithms based on place value, properties of operations, and/or the relationship between addition and subtraction.	3.NO.2c1 Solve multi-step addition and subtraction problems up to 100.	Combine (+) or decompose (-) with concrete objects; use counting to get the answers.	3	0	0	0
Number & Operations—Fractions	20%		3.NF.A.1 Understand a fraction $1/b$ as the quantity formed by 1 part when $a$ whole is partitioned into $b$ equal parts; understand a fraction $a/b$ as the quantity formed by $a$ parts of size $1/b$ .	3.NO.1i3 Identify the fraction that matches the representation (rectangles and circles; halves, fourths, and thirds, eighths).	Identify part and whole when item is divided. Count the number of the parts selected (3 of the 4 parts; have fraction present but not required to read $\frac{3}{4}$ ).	0	0	0	1
Number & Operations—Fractions			3.NF.A.3d Compare two fractions with the same numerator or the same denominator by reasoning about their size. Recognize that comparisons are valid only when the two fractions refer to the same whole. Record the results of comparisons with the symbols $>$ , $=$ , or $<$ , and justify the conclusions, e.g., by using a visual fraction model.	3.SE.1g1 Use $=$ , $<$ , or $>$ to compare two fractions with the same numerator or denominator.	Concrete representation of a fractional part of a whole as greater than, less than, equal to another.	0	3	0	0

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 3

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Measurement & Data	20%	35%	<b>3.MD.B.3</b> Draw a scaled picture graph and a scaled bar graph to represent a data set with several categories. Solve one- and two-step "how many more" and "how many less" problems using information presented in scaled bar graphs. <i>For example, draw a bar graph in which each square in the bar graph might represent 5 pets.</i>	<b>3.DPS.1g1</b> Collect data, organize into picture or bar graph.	Organize data into a graph using objects (may have number symbols).	3	0	1	0
Measurement & Data			<b>3.MD.C.6</b> Measure areas by counting unit squares (square cm, square m, square in, square ft, and improvised units).	<b>3.ME.1d2</b> Measure area of rectangular figures by counting squares.	Ability to identify the area of a rectangular figure.	0	0	0	1
Geometry	10%		<b>3.G.A.2</b> Partition shapes into parts with equal areas. Express the area of each part as a unit fraction of the whole. <i>For example, partition a shape into 4 parts with equal area, and describe the area of each part as 1/4 of the area of the shape.</i>	<b>3.GM.1i1</b> Partition rectangles into equal parts with equal area.	Concept of equal parts; Partitioning with concrete objects; Find the rectangle that is the same or match two congruent rectangles.	0	3	0	1
						0	0	0	0
						18	12	4	4
						9	12	2	4
						<b>Total items</b>		<b>27</b>	
						<b>Total points</b>		<b>38</b>	

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 4

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Operations & Algebraic Thinking	30%	30%	4.OA.A.1 Interpret a multiplication equation as a comparison, e.g., interpret $35 = 5 \times 7$ as a statement that 35 is 5 times as many as 7 and 7 times as many as 5. Represent verbal statements of multiplicative comparisons as multiplication equations.	4.NO.2d7 Determine how many objects go into each group when given the total number of objects and groups where the number in each group or number of groups is not $> 10$ .	Create an array of objects given a specific number of rows and the total number, place one object in each group/row at a time.	0	3	0	0
Operations & Algebraic Thinking			4.OA.A.2 Multiply or divide to solve word problems involving multiplicative comparison, e.g., by using drawings and equations with a symbol for the unknown number to represent the problem, distinguishing multiplicative comparison from additive comparison.	4.PRF.1e3 Solve multiplicative comparisons with an unknown using up to 2-digit numbers with information presented in a graph or word problem (e.g., an orange hat cost \$3. A purple hat cost 2 times as much. How much does the purple hat cost? [ $3 \times 2 = p$ ]).	Identify visual multiplicative comparisons (e.g., which shows two times as many tiles as this set?).	3	0	0	0
Operations & Algebraic Thinking			4.OA.A.3 Solve multistep word problems posed with whole numbers and having whole-number answers using the four operations, including problems in which remainders must be interpreted. Represent these problems using equations with a letter standing for the unknown quantity. Assess the reasonableness of answers using mental computation and estimation strategies including rounding.	4.NO.2e2 Solve or solve and check one or two step word problems requiring addition, subtraction, or multiplication with answers up to 100.	Select the representation of manipulatives on a graphic organizer to show addition/multiplication equation; Match to same for representations of equations with equations provided (may be different objects but same configuration).	0	3	0	0

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 4

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Number & Operations in Base Ten	10%	40%	<b>4.NBT.A.3</b> Use place value understanding to round multi-digit whole numbers to any place.	<b>4.NO.1j5</b> Use place value to round to any place (i.e., ones, tens, hundreds, thousands).	Identify ones, tens, hundreds in bundled sets – Similar/different with concrete representations (i.e., is this set of manipulatives (8 tens) closer to this set (a hundred) or this set (a ten)?).	0	3	0	1
Number & Operations—Fractions	30%		<b>4.NF.A.1</b> Explain why a fraction $a/b$ is equivalent to a fraction $(n \times a)/(n \times b)$ by using visual fraction models, with attention to how the number and size of the parts differ even though the two fractions themselves are the same size. Use this principle to recognize and generate equivalent fractions.	<b>4.NO.1m1</b> Determine equivalent fractions.	Equivalency: what is and what is not equivalent; this may begin with numbers/sets of objects: e.g., 3=3 or two fraction representations that are identical (two pies showing 2/3).	0	0	1	0
Number & Operations—Fractions			<b>4.NF.A.2</b> Compare two fractions with different numerators and different denominators, e.g., by creating common denominators or numerators, or by comparing to a benchmark fraction such as 1/2. Recognize that comparisons are valid only when the two fractions refer to the same whole. Record the results of comparisons with symbols >, =, or <, and justify the conclusions, e.g., by using a visual fraction model.	<b>4.NO.1n2</b> Compare up to 2 given fractions that have different denominators.	Differentiate between parts and a whole.	3	0	1	0
Number & Operations—Fractions			<b>4.NF.A.2</b> Compare two fractions with different numerators and different denominators, e.g., by creating common denominators or numerators, or by comparing to a benchmark fraction such as 1/2. Recognize that comparisons are valid only when the two fractions refer to the same whole. Record the results of comparisons with symbols >, =, or <, and justify the conclusions, e.g., by using a visual fraction model.	<b>4.SE.1g2</b> Use =, <, or > to compare 2 fractions (fractions with a denominator of 10 or less).	Concrete representation of a fractional part of a whole as greater than, less than, equal to another.	0	0	0	1

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 4

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router		
						2 Pt	1 Pt	2 Pt	1 Pt	
Measurement & Data	20%	30%	<b>4.MD.A.3</b> Apply the area and perimeter formulas for rectangles in real world and mathematical problems. <i>For example, find the width of a rectangular room given the area of the flooring and the length, by viewing the area formula as a multiplication equation with an unknown factor.</i>	<b>4.ME.1g2</b> Solve word problems using perimeter and area where changes occur to the dimensions of a rectilinear figure.	Identify the perimeter; Identify the area; Show each when size of figure changes.	0	3	0	0	
Measurement & Data			<b>4.MD.B.4</b> Make a line plot to display a data set of measurements in fractions of a unit (1/2, 1/4, 1/8). Solve problems involving addition and subtraction of fractions by using information presented in line plots. <i>For example, from a line plot find and interpret the difference in length between the longest and shortest specimens in an insect collection.</i>	<b>4.DPS.1g3</b> Collect data, organize in graph (e.g. picture graph, line plot, bar graph).	Identify data set based on a single attribute (e.g., pencils vs. markers); Identify data set with more or less (e.g., this bar represents a set with more); Organize the data into a graph using objects (may have number symbols).	3	0	0	0	
Geometry	10%		<b>4.G.A.2</b> Classify two-dimensional figures based on the presence or absence of parallel or perpendicular lines, or the presence or absence of angles of a specified size. Recognize right triangles as a category, and identify right triangles.	<b>4GM.1h2</b> Classify two-dimensional shapes based on attributes (# of angles).	Identify attributes within a 2-dimensional figure (e.g., rectangles have sides – student identifies sides of rectangle – and angles – student identifies angles in rectangle).	0	0	0	2	
						<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
						points	18	12	4	4
						items	9	12	2	4
						<b>Total items</b>				<b>27</b>
						<b>Total points</b>				<b>38</b>

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 5

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Operations & Algebraic Thinking	10%	15%	<b>5.OA.B.3</b> Generate two numerical patterns using two given rules. Identify apparent relationships between corresponding terms. Form ordered pairs consisting of corresponding terms from the two patterns, and graph the ordered pairs on a coordinate plane. <i>For example, given the rule “Add 3” and the starting number 0, and given the rule “Add 6” and the starting number 0, generate terms in the resulting sequences, and observe that the terms in one sequence are twice the corresponding terms in the other sequence. Explain informally why this is so.</i>	<b>5.PRF.2b1</b> Generate or select a comparison between two graphs from a similar situation.	Compare two pieces of information provided in a single display.	3	0	0	0
Number & Operations in Base Ten	40%		<b>5.NBT.A.3a</b> Read and write decimals to thousandths using base-ten numerals, number names, and expanded form, e.g., $347.392 = 3 \times 100 + 4 \times 10 + 7 \times 1 + 3 \times (1/10) + 9 \times (1/100) + 2 \times (1/1000)$ .	<b>5.NO.1b1</b> Read, write, or select a decimal to the hundredths place.	Recognize part whole using materials divided into tenths – Count tenths to determine how many (e.g., 4 tenths) (.4 have the decimal present but not required to read).	0	0	0	1
Number & Operations in Base Ten			<b>5.NBT.A.4</b> Use place value understanding to round decimals to any place.	<b>5.NO.1b4</b> Round decimals to the next whole number.	Identify place value to the ones, tens, hundreds, thousands.	0	0	0	1
Number & Operations in Base Ten			<b>5.NBT.B.6</b> Find whole-number quotients of whole numbers with up to four-digit dividends and two-digit divisors, using strategies based on place value, the properties of operations, and/or the relationship between multiplication and division. Illustrate and explain the calculation by using equations, rectangular arrays, and/or area models.	<b>5.NO.2a5</b> Solve word problems that require multiplication or division.	Combine (x) or decompose (÷) with concrete objects; use counting to get the answers.	3	0	1	0

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 5

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Number & Operations in Base Ten		55%	5.NBT.B.7 Add, subtract, multiply, and divide decimals to hundredths, using concrete models or drawings and strategies based on place value, properties of operations, and/or the relationship between addition and subtraction; relate the strategy to a written method and explain the reasoning used.	5.NO.2c1 Solve 1 step problems using decimals.	Combine (+) or decompose (-) with concrete objects; use counting to get the answers; Match the action of combining with vocabulary (i.e., in all; altogether) or the action of decomposing with vocabulary (i.e., have left; take away) in a word problem.	0	0	0	1
Number & Operations—Fractions	20%		5.NF.A.2 Solve word problems involving addition and subtraction of fractions referring to the same whole, including cases of unlike denominators, e.g., by using visual fraction models or equations to represent the problem. Use benchmark fractions and number sense of fractions to estimate mentally and assess the reasonableness of answers. <i>For example, recognize an incorrect result <math>2/5 + 1/2 = 3/7</math>, by observing that <math>3/7 &lt; 1/2</math>.</i>	5.NO.2c2 Solve word problems involving the addition, subtraction, multiplication or division of fractions.	Identify what to do with the parts when given the key word (using the fractional parts).	3	0	1	0
Number & Operations—Fractions			5.NF.B.5b Explaining why multiplying a given number by a fraction greater than 1 results in a product greater than the given number (recognizing multiplication by whole numbers greater than 1 as a familiar case); explaining why multiplying a given number by a fraction less than 1 results in a product smaller than the given number; and relating the principle of fraction equivalence $a/b = (n \times a)/(n \times b)$ to the effect of multiplying $a/b$ by 1.	5.PRF.1a1 Determine whether the product will increase or decrease based on the multiplier.	Limit to whole numbers and 1 or more; Show what happens to set when have one of these (1x) versus some other number (e.g., 2x).	0	3	0	0

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 5

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router		
						2 Pt	1 Pt	2 Pt	1 Pt	
Measurement & Data	20%	30%	5.MD.A.1 Convert among different-sized standard measurement units within a given measurement system (e.g., convert 5 cm to 0.05 m), and use these conversions in solving multi-step, real world problems.	5.ME.1b2 Convert standard measurements of length.	To measure an object or quantity using 2 different units to show they mean the same thing (e.g., 12 inches and 1 foot). If larger unit, there are less; smaller units, you need more.	0	3	0	0	
Measurement & Data			5.MD.A.1 Convert among different-sized standard measurement units within a given measurement system (e.g., convert 5 cm to 0.05 m), and use these conversions in solving multi-step, real world problems.	5.ME.2a1 Solve problems involving conversions of standard measurement units when finding area, volume, time-lapse, or mass.	Identify what measures time (clock used to measure time; calendar used to measure days); identify past/present (for lapsed time).	0	3	0	0	
Geometry	10%		5.G.A.1 Use a pair of perpendicular number lines, called axes, to define a coordinate system, with the intersection of the lines (the origin) arranged to coincide with the 0 on each line and a given point in the plane located by using an ordered pair of numbers, called its coordinates. Understand that the first number indicates how far to travel from the origin in the direction of one axis, and the second number indicates how far to travel in the direction of the second axis, with the convention that the names of the two axes and the coordinates correspond (e.g., x-axis and x-coordinate, y-axis and y-coordinate).	5.GM.1c3 Use ordered pairs to graph given points.	Identify the x- and y-axis; or concept of intersection.	0	3	1	0	
						0	0	0	0	
						points	18	12	6	3
						items	9	12	3	3
						<b>Total items</b>				<b>27</b>
						<b>Total points</b>				<b>39</b>

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 6

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Ratios & Proportional Relationships	30%	30%	<p><b>6.RP.A.1</b> Understand the concept of a ratio and use ratio language to describe a ratio relationship between two quantities. <i>For example, “The ratio of wings to beaks in the bird house at the zoo was 2:1, because for every 2 wings there was 1 beak.” “For every vote candidate A received, candidate C received nearly three votes.”</i></p>	<p><b>6.PRF.1c1</b> Describe the ratio relationship between two quantities for a given situation.</p>	Match/identify a simple ratio (1:X) to the relationship between two quantities.	3	0	1	0
Ratios & Proportional Relationships			<p><b>6.RP.A.3c</b> Find a percent of a quantity as a rate per 100 (e.g., 30% of a quantity means 30/100 times the quantity); solve problems involving finding the whole, given a part and the percent.</p>	<p><b>6.NO.1f1</b> Find a percent of a quantity as rate per 100.</p>	State a relationship to a quantity out of 100.	0	3	0	0
The Number System	30%		<p><b>6.NS.A.1</b> Interpret and compute quotients of fractions, and solve word problems involving division of fractions by fractions, e.g., by using visual fraction models and equations to represent the problem. <i>For example, create a story context for <math>(2/3) \div (3/4)</math> and use a visual fraction model to show the quotient; use the relationship between multiplication and division to explain that <math>(2/3) \div (3/4) = 8/9</math> because <math>3/4</math> of <math>8/9</math> is <math>2/3</math>. (In general, <math>(a/b) \div (c/d) = ad/bc</math>.) How much chocolate will each person get if 3 people share <math>1/2</math> lb of chocolate equally? How many <math>3/4</math>-cup servings are in <math>2/3</math> of a cup of yogurt? How wide is a rectangular strip of land with length <math>3/4</math> mi and area <math>1/2</math> square mi? .</i></p>	<p><b>6.NO.2c3</b> Solve one-step, addition, subtraction, multiplication, or division problems with fractions or decimals.</p>	Concept of +, -, x, ÷. Concept of fraction and decimal. Use concrete object to represent the removal (subtraction) or addition of one half from/to a whole object.	3	0	0	0

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 6

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
		25%	<b>6.NS.B.3</b> Fluently add, subtract, multiply, and divide multi-digit decimals using the standard algorithm for each operation.						
The Number System			<b>6.NS.C.5</b> Understand that positive and negative numbers are used together to describe quantities having opposite directions or values (e.g., temperature above/below zero, elevation above/below sea level, credits/debits, positive/negative electric charge); use positive and negative numbers to represent quantities in real-world contexts, explaining the meaning of 0 in each situation.	<b>6.NO.1d4</b> Select the appropriate meaning of a negative number in a real world situation.	Ability to select the appropriate representation of more than or less than 0 in a real world situation.	0	0	1	0
The Number System			<b>6.NS.C.6a</b> Recognize opposite signs of numbers as indicating locations on opposite sides of 0 on the number line; recognize that the opposite of the opposite of a number is the number itself, e.g., $-(-3) = 3$ , and that 0 is its own opposite.	<b>6.NO.1d2</b> Locate positive and negative numbers on a number line.	Recognize how values/numbers lie on either side of zero.	0	0	0	1

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 6

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Expressions & Equations	20%	25%	6.EE.A.2 Write, read, and evaluate expressions in which letters stand for numbers.	6.PRF.1d1 Solve real world single-step linear equations.	Recognize the intended outcome of a word problem based on a linear equation.	0	3	0	0
Expressions & Equations			6.EE.C.9 Use variables to represent two quantities in a real-world problem that change in relationship to one another; write an equation to express one quantity, thought of as the dependent variable, in terms of the other quantity, thought of as the independent variable. Analyze the relationship between the dependent and independent variables using graphs and tables, and relate these to the equation. For example, in a problem involving motion at constant speed, list and graph ordered pairs of distances and times, and write the equation $d = 65t$ to represent the relationship between distance and time.	6.ME.2a2 Solve one-step real world measurement problems involving unit rates with ratios of whole numbers when given the unit rate (3 inches of snow falls per hour, how much in 6 hours).	Identify a familiar unit rate.	0	0	1	0
Expressions & Equations			6.EE.B.7 Solve real-world and mathematical problems by writing and solving equations of the form $x + p = q$ and $px = q$ for cases in which $p$ , $q$ and $x$ are all nonnegative rational numbers.	6.NO.2a6 Solve problems or word problems using up to three digit numbers and any of the four operations.	Decompose ( $\div$ ) with concrete objects; use counting to get the answer.	3	0	0	0
Geometry	10%	10%	6.G.A.1 Find the area of right triangles, other triangles, special quadrilaterals, and polygons by composing into rectangles or decomposing into triangles and other shapes; apply these techniques in the context of solving real-world and mathematical problems.	6.GM.1d1 Find the area of quadrilaterals.	Use manipulatives to measure the area of a rectangle (e.g., tiling).	0	3	0	1

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 6

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router		
						2 Pt	1 Pt	2 Pt	1 Pt	
Statistics & Probability	10%	10%	6.SP.A.2 Understand that a set of data collected to answer a statistical question has a distribution which can be described by its center, spread, and overall shape.	6.DPS.1d3 Select statement that matches mean, mode, and spread of data for 1 measure of central tendency for given data set.	Identify the highest and lowest value in a data set given a number line and matching symbols; Identify the representation (Plastic snap cubes, wiki sticks) of the mode; Use concrete materials to produce the mean (leveled plastic snap cubes).	0	3	0	1	
						points	18	12	6	3
						items	9	12	3	3
						<b>Total items</b>		<b>27</b>		
						<b>Total points</b>		<b>39</b>		

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 7

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Ratios & Proportional Relationships	40%	35%	7.RP.A.2 Recognize and represent proportional relationships between quantities.	7.NO.2f1 Identify the proportional relationship between two quantities (use rules or symbols to show quantitative relationships).	Recognize the constancy of one object to its parts (i.e., one fact, two eyes).	0	0	0	1
Ratios & Proportional Relationships			7.RP.A.2a Decide whether two quantities are in a proportional relationship, e.g., by testing for equivalent ratios in a table or graphing on a coordinate plane and observing whether the graph is a straight line through the origin.	7.NO.2f2 Determine if two quantities are in a proportional relationship using a table of equivalent ratios or points graphed on a coordinate plane.	Use a table to recognize the quantity of two entries, without counting, to determine which is relatively larger.	0	3	0	0
			7.RP.A.2b Identify the constant of proportionality (unit rate) in tables, graphs, equations, diagrams, and verbal descriptions of proportional relationships.			0	0	0	0
Ratios & Proportional Relationships			7.RP.A.3 Use proportional relationships to solve multistep ratio and percent problems. Examples: simple interest, tax, markups and markdowns, gratuities and commissions, fees, percent increase and decrease, percent error.	7.PRF.1f1 Use proportional relationships to solve multistep percent problems in real world situations.	Identify how one variable changes in relation to another variable in a directly proportional relationship (e.g., $a/b = c/d$ , if $a$ increases, what will happen to $c$ ?).	0	0	1	1
Ratios & Proportional Relationships			7.RP.A.3 Use proportional relationships to solve multistep ratio and percent problems. Examples: simple interest, tax, markups and markdowns, gratuities and commissions, fees, percent increase and decrease, percent error.	7.NO.2f6 Solve word problems involving ratios.	Show rate when asked; Show proportion when asked; Select a set for the ratio given (Maria stamps three letters every minute which we write as 3:1. Show me the letters she stamps in a minute).	3	0	0	0

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 7

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
The Number System	20%	15%	7.NS.A.2 Apply and extend previous understandings of multiplication and division and of fractions to multiply and divide rational numbers.	7.NO.2i1 Solve multiplication problems with positive/negative numbers.	Create an array of objects for the mathematical equation and match answer symbol (+ or -) following multiplication rules for an equation.	0	3	0	0
The Number System			7.NS.A.2 Apply and extend previous understandings of multiplication and division and of fractions to multiply and divide rational numbers.	7.NO.2i2 Solve division problems with positive/negative numbers.	Create an array of objects for the mathematical equation and match answer symbol (+ or -) following division rules for an equation.	0	3	0	0
Expressions & Equations	10%	20%	7.EE.B.4 Use variables to represent quantities in a real-world or mathematical problem, and construct simple equations and inequalities to solve problems by reasoning about the quantities.	7.PRF.1g2 Use variables to represent quantities in a real-world or mathematical problem, and construct simple equations and in-equalities to solve problems by reasoning about the quantities.	Record/replace a variable in an equation with a fact from a story on a graphic organizer.	3	0	1	0
Geometry	20%	15%	7.G.B.4 Know the formulas for the area and circumference of a circle and use them to solve problems; give an informal derivation of the relationship between the circumference and area of a circle.	7.ME.2d1 Apply formula to measure area and circumference of circles.	Recognize the area of a circle and the circumference when shown a graphic representation.	0	0	1	0
Geometry			7.G.B.6 Solve real-world and mathematical problems involving area, volume and surface area of two- and three-dimensional objects composed of triangles, quadrilaterals, polygons, cubes, and right prisms.	7.GM.1h2 Find the surface area of three-dimensional figures using nets of rectangles or triangles.	Demonstrate the concept of the surface area of a rectangular prism; Fill rectangular prism.	0	3	0	1

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 7

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Statistics & Probability	10%	15%	7.SP.B.4 Use measures of center and measures of variability for numerical data from random samples to draw informal comparative inferences about two populations. <i>For example, decide whether the words in a chapter of a seventh-grade science book are generally longer than the words in a chapter of a fourth-grade science book.</i>	7.DPS.1k1 Analyze graphs to determine or select appropriate comparative inferences about two samples or populations.	Understand basic information from simple graphs (e.g., interpret a bar graph using the understanding that the taller column on a graph has a higher frequency, the shorter column on a graph has a lower frequency).	3	0	0	0
						18	12	6	3
						9	12	3	3
						<b>Total items</b>		<b>27</b>	
						<b>Total points</b>		<b>39</b>	

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 8

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
The Number System	10%	10%	<b>8.NS.A.2</b> Use rational approximations of irrational numbers to compare the size of irrational numbers, locate them approximately on a number line diagram, and estimate the value of expressions (e.g., $\pi^2$ ). <i>For example, by truncating the decimal expansion of <math>\sqrt{2}</math>, show that <math>\sqrt{2}</math> is between 1 and 2, then between 1.4 and 1.5, and explain how to continue on to get better approximations.</i>	<b>8.NO.1k3</b> Use approximations of irrational numbers to locate them on a number line.	Recognize how values/numbers can lie between whole number values on a number line.	0	3	0	0
Expressions & Equations	20%	35%	<b>8.EE.B.5</b> Graph proportional relationships, interpreting the unit rate as the slope of the graph. Compare two different proportional relationships represented in different ways. For example, compare a distance-time graph to a distance-time equation to determine which of two moving objects has greater speed.	<b>8.PRF.1e2</b> Represent proportional relationships on a line graph.	Recognize a positive relationship between two variables.	0	0	1	0
Expressions & Equations			<b>8.EE.C.7</b> Solve linear equations in one variable.	<b>8.PRF.1g3</b> Solve linear equations with 1 variable.	Use manipulatives or graphic organizer to solve a problem.	0	3	0	0
Functions	20%		<b>8.F.B.4</b> Construct a function to model a linear relationship between two quantities. Determine the rate of change and initial value of the function from a description of a relationship or from two (x, y) values, including reading these from a table or from a graph. Interpret the rate of change and initial value of a linear function in terms of the situation it models, and in terms of its graph or a table of values.	<b>8.PRF.2e2</b> Identify the rate of change (slope) and initial value (y-intercept) from graphs.	Indicate the point on a line that crosses the y-axis.	0	0	1	0

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 8

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Functions			<b>8.F.B.5</b> Describe qualitatively the functional relationship between two quantities by analyzing a graph (e.g., where the function is increasing or decreasing, linear or nonlinear). Sketch a graph that exhibits the qualitative features of a function that has been described verbally.	<b>8.PRF.1f2</b> Describe or select the relationship between the two quantities given a line graph of the situation.	Use a graph to recognize the quantity in two sets, without counting, to determine which is relatively larger.	3	0	0	0
Geometry	30%	30%	<b>8.G.A.2</b> Understand that a two-dimensional figure is congruent to another if the second can be obtained from the first by a sequence of rotations, reflections, and translations; given two congruent figures, describe a sequence that exhibits the congruence between them.	<b>8.GM.1g1</b> Recognize congruent and similar figures.	Demonstrate the concept of congruent and similar (e.g., match concrete examples of congruent shapes, match concrete examples of similar shapes).	0	0	0	1
Geometry			<b>8.G.A.4</b> Understand that a two-dimensional figure is similar to another if the second can be obtained from the first by a sequence of rotations, reflections, translations, and dilations; given two similar two-dimensional figures, describe a sequence that exhibits the similarity between them.	<b>8.ME.1e1</b> Describe the changes in surface area, area, and volume when the figure is changed in some way (e.g., scale drawings).	Recognize how the space inside a figure increases when the sides are lengthened.	3	0	1	0
Geometry			<b>8.G.C.9</b> Know the formulas for the volumes of cones, cylinders, and spheres and use them to solve real-world and mathematical problems.	<b>8.ME.2d2</b> Apply the formula to find the volume of 3-dimensional shapes (i.e., cubes, spheres, and cylinders).	Ability to recognize attributes of a 3-dimensional shape.	0	3	0	1

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 8

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router		
						2 Pt	1 Pt	2 Pt	1 Pt	
Statistics & Probability	20%	25%	<b>8.SP.A.1</b> Construct and interpret scatter plots for bivariate measurement data to investigate patterns of association between two quantities. Describe patterns such as clustering, outliers, positive or negative association, linear association, and nonlinear association.	<b>8.DPS.1h1</b> Graph bivariate data using scatter plots and identify possible associations between the variable.	Locate points on the x-axis and y-axis of an adapted grid (not necessarily numeric).	0	3	0	1	
Statistics & Probability			<b>8.SP.A.4</b> Understand that patterns of association can also be seen in bivariate categorical data by displaying frequencies and relative frequencies in a two-way table. Construct and interpret a two-way table summarizing data on two categorical variables collected from the same subjects. Use relative frequencies calculated for rows or columns to describe possible association between the two variables. <i>For example, collect data from students in your class on whether or not they have a curfew on school nights and whether or not they have assigned chores at home. Is there evidence that those who have a curfew also tend to have chores?</i>	<b>8.DPS.1k2</b> Analyze displays of bivariate data to develop or select appropriate claims about those data.	Use graphic supports (e.g., highlighted transparency of an association) to identify the appropriate statement when given a relationship between two variables.	3	0	0	0	
						points	18	12	6	3
						items	9	12	3	3
							<b>Total items</b>		<b>27</b>	
							<b>Total points</b>		<b>39</b>	

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 11

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Number and Quantity: The Real Number System	20%	20%	<b>HSN-RN.A.2</b> Rewrite expressions involving radicals and rational exponents using the properties of exponents.	<b>HS.NO.1a1</b> Simplify expressions that include exponents.	Create an array with a number multiplied by itself (Show me 3 rows of 3).	0	3	0	0
Number and Quantity: Quantities			<b>HSN-Q.A.1</b> Use units as a way to understand problems and to guide the solution of multi-step problems; choose and interpret units consistently in formulas; choose and interpret the scale and the origin in graphs and data displays.	<b>H.ME.1a2</b> Solve real world problems involving units of measurement.	Ability to solve real world measurement problems that require interpretation and use of a table.	3	0	0	0
Algebra: Creating Equations	50%	50%	<b>HSA-CED.A.1</b> Create equations and inequalities in one variable and use them to solve problems. <i>Include equations arising from linear and quadratic functions, and simple rational and exponential functions.</i>	<b>H.PRF.2b1</b> Translate a real-world problem into a one-variable linear equation.	Match an equation with one variable to the real world context.	0	0	2	0
Algebra: Creating Equations			<b>HSA-REI.A.1</b> Explain each step in solving a simple equation as following from the equality of numbers asserted at the previous step, starting from the assumption that the original equation has a solution. Construct a viable argument to justify a solution method.	<b>H.PRF.2b2</b> Solve equations with one or two variables using equations or graphs.	Count and arrange a given number of objects into two sets in multiple combinations.	0	3	0	0
Algebra: Creating Equations			<b>HSA-REI.B.3</b> Solve linear equations and inequalities in one variable, including equations with coefficients represented by letters.	<b>H.ME.1b2</b> Solve a linear equation to find a missing attribute given the area, surface area, or volume and the other attribute.	Identify the unknown quantity when given an equation and labeled figure.	0	0	1	0
Functions: Interpreting Functions			<b>HSF-LE.A.1</b> Distinguish between situations that can be modeled with linear functions and with exponential functions.	<b>H.PRF.1c1</b> Select the appropriate graphical representation of a linear model based on real world events.	Match a point not on a line as not being part of a data set for a given line.	0	3	0	1

California Alternate Assessment Blueprint for Mathematics, 2016, Grade 11

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router		
						2 Pt	1 Pt	2 Pt	1 Pt	
Functions: Interpreting Functions			<b>HSF-LE.A.3</b> Observe using graphs and tables that a quantity increasing exponentially eventually exceeds a quantity increasing linearly, quadratically, or (more generally) as a polynomial function.	<b>H.PRF.2c1</b> Make predictions based on a given model (for example, a weather model, data for athletes over years).	Extend a graph when provided a relationship and two choices.	3	0	0	0	
Geometry: Similarity, Right Triangles, & Trigonometry	10%	10%	<b>HSG-SRT.A.2</b> Given two figures, use the definition of similarity in terms of similarity transformations to decide if they are similar; explain using similarity transformations the meaning of similarity for triangles as the equality of all corresponding pairs of angles and the proportionality of all corresponding pairs of sides.	<b>H.GM.1b1</b> Use definitions to demonstrate congruency and similarity in figures.	Identify the right angle within a given triangle; Identify sides and/or hypotenuse of a right triangle.	0	3	0	1	
Statistics & Probability: Interpreting Categorical & Quantitative Data	20%	20%	<b>HSS-ID.A.1</b> Represent data with plots on the real number line (dot plots, histograms, and box plots).	<b>H.DPS.1b1</b> Complete a graph given the data, using dot plots, histograms, or box plots.	Make a connection between categories in a data table to the appropriate axis of a graph.	3	0	0	0	
Statistics & Probability: Interpreting Categorical & Quantitative Data			<b>HSS-ID.A.2</b> Use statistics appropriate to the shape of the data distribution to compare center (median, mean) and spread (interquartile range, standard deviation) of two or more different data sets.	<b>H.DPS.1c1</b> Use descriptive stats; range, median, mode, mean, outliers/gaps to describe data set.	Identify the highest and lowest value in a data set given a number line and matching symbols (concept of range).	0	0	0	1	
NCSC = National Center and State Collaborative Pt = Points ETS = Educational Testing Service      CCSS = Common Core State Standards      CCCs = Core Content Connectors										
						points	18	12	6	3
						items	9	12	3	3
						<b>Total items</b>				<b>27</b>
						<b>Total points</b>				<b>39</b>

California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 3

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Operations & Algebraic Thinking	30%	30%	3.OA.A.1 Interpret products of whole numbers, e.g., interpret $5 \times 7$ as the total number of objects in 5 groups of 7 objects each. <i>For example, describe a context in which a total number of objects can be expressed as <math>5 \times 7</math>.</i>	3.NO.2d3 Solve multiplication problems with neither number greater than 5.	Create an array of sets (e.g., 3 rows of 2).	0	0	0	3
Operations & Algebraic Thinking			3.OA.D.8 Solve two-step word problems using the four operations. Represent these problems using equations with a letter standing for the unknown quantity. Assess the reasonableness of answers using mental computation and estimation strategies including rounding.	3.NO.2e1 Solve or solve and check one or two-step word problems requiring addition, subtraction or multiplication with answers up to 100.	Combine (+), decompose (-), and multiply (x) with concrete objects; use counting to get the answers. Match the action of combining with vocabulary (i.e., in all; altogether) or the action of decomposing with vocabulary (i.e., have left; take away) in a word problem.	3	0	0	0
Operations & Algebraic Thinking			3.OA.D.9 Identify arithmetic patterns (including patterns in the addition table or multiplication table), and explain them using properties of operations. <i>For example, observe that 4 times a number is always even, and explain why 4 times a number can be decomposed into two equal addends.</i>	3.PRF.2d1 Identify multiplication patterns in a real world setting.	Concrete understanding of a pattern as a set that repeats regularly or grows according to a rule; Ability to identify a pattern that grows (able to show a pattern) (shapes, symbols, objects).	0	0	0	1

California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 3

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Number & Operations in Base Ten	20%	40%	3.NBT.A.1 Use place value understanding to round whole numbers to the nearest 10 or 100.	3.NO.1j3 Use place value to round to the nearest 10 or 100.	Identify ones or tens in bundled sets – Similar/different with concrete representations (i.e., is this set of manipulatives (8 ones) closer to this set (a ten) or this set (a one)?).	0	0	0	3
Number & Operations in Base Ten			3.NBT.A.2 Fluently add and subtract within 1000 using strategies and algorithms based on place value, properties of operations, and/or the relationship between addition and subtraction.	3.NO.2c1 Solve multi-step addition and subtraction problems up to 100.	Combine (+) or decompose (-) with concrete objects; use counting to get the answers.	3	0	0	0
Number & Operations—Fractions	20%		3.NF.A.1 Understand a fraction $1/b$ as the quantity formed by 1 part when $a$ whole is partitioned into $b$ equal parts; understand a fraction $a/b$ as the quantity formed by $a$ parts of size $1/b$ .	3.NO.1i3 Identify the fraction that matches the representation (rectangles and circles; halves, fourths, and thirds, eighths).	Identify part and whole when item is divided. Count the number of the parts selected (3 of the 4 parts; have fraction present but not required to read $\frac{3}{4}$ ).	0	0	2	0
Number & Operations—Fractions			3.NF.A.3d Compare two fractions with the same numerator or the same denominator by reasoning about their size. Recognize that comparisons are valid only when the two fractions refer to the same whole. Record the results of comparisons with the symbols $>$ , $=$ , or $<$ , and justify the conclusions, e.g., by using a visual fraction model.	3.SE.1g1 Use $=$ , $<$ , or $>$ to compare two fractions with the same numerator or denominator.	Concrete representation of a fractional part of a whole as greater than, less than, equal to another.	0	0	0	3

California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 3

Domain	NCSC	Approximate ETS Percentages	CCSS	CCCs	Essential Understandings	Within the Router		Outside of Router	
						2 Pt	1 Pt	2 Pt	1 Pt
Measurement & Data	20%	30%	<b>3.MD.B.3</b> Draw a scaled picture graph and a scaled bar graph to represent a data set with several categories. Solve one- and two-step “how many more” and “how many less” problems using information presented in scaled bar graphs. <i>For example, draw a bar graph in which each square in the bar graph might represent 5 pets.</i>	<b>3.DPS.1g1</b> Collect data, organize into picture or bar graph.	Organize data into a graph using objects (may have number symbols).	3	0	0	0
Measurement & Data			<b>3.MD.C.6</b> Measure areas by counting unit squares (square cm, square m, square in, square ft, and improvised units).	<b>3.ME.1d2</b> Measure area of rectangular figures by counting squares.	Ability to identify the area of a rectangular figure.	0	0	0	3
Geometry	10%		<b>3.G.A.2</b> Partition shapes into parts with equal areas. Express the area of each part as a unit fraction of the whole. <i>For example, partition a shape into 4 parts with equal area, and describe the area of each part as 1/4 of the area of the shape.</i>	<b>3.GM.1i1</b> Partition rectangles into equal parts with equal area.	Concept of equal parts; Partitioning with concrete objects; Find the rectangle that is the same or match two congruent rectangles.	0	0	0	1
						<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
						points 18	0	4	14
						items 9	0	2	14
						<b>Total items</b>		<b>25</b>	
						<b>Total points</b>		<b>36</b>	

California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 4

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router	
					2 Pt	1 Pt	2 Pt	1 Pt
Operations & Algebraic Thinking	30%	35%	<b>4.NO.2d7</b> Determine how many objects go into each group when given the total number of objects and groups where the number in each group or number of groups is not $> 10$ .	Create an array of objects given a specific number of rows and the total number, place one object in each group/row at a time.	0	0	0	3
Operations & Algebraic Thinking			<b>4.PRF.1e3</b> Solve multiplicative comparisons with an unknown using up to 2-digit numbers with information presented in a graph or word problem (e.g., an orange hat cost \$3. A purple hat cost 2 times as much. How much does the purple hat cost? [ $3 \times 2 = p$ ]).	Identify visual multiplicative comparisons (e.g., which shows two times as many tiles as this set?).	3	0	0	0
Operations & Algebraic Thinking			<b>4.NO.2e2</b> Solve or solve and check one or two step word problems requiring addition, subtraction, or multiplication with answers up to 100.	Select the representation of manipulatives on a graphic organizer to show addition/multiplication equation; Match to same for representations of equations with equations provided (may be different objects but same configuration).	0	0	0	3

California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 4

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router	
					2 Pt	1 Pt	2 Pt	1 Pt
Number & Operations in Base Ten	10%	30%	4.NO.1j5 Use place value to round to any place (i.e., ones, tens, hundreds, thousands).	Identify ones, tens, hundreds in bundled sets – Similar/different with concrete representations (i.e., is this set of manipulatives (8 tens) closer to this set (a hundred) or this set (a ten)?).	0	0	0	1
Number & Operations—Fractions	30%		4.NO.1m1 Determine equivalent fractions.	Equivalency: what is and what is not equivalent; this may begin with numbers/sets of objects: e.g., 3=3 or two fraction representations that are identical (two pies showing 2/3).	0	0	1	0
Number & Operations—Fractions			4.NO.1n2 Compare up to 2 given fractions that have different denominators.	Differentiate between parts and a whole.	3	0	0	0
Number & Operations—Fractions			4.SE.1g2 Use =, <, or > to compare 2 fractions (fractions with a denominator of 10 or less).	Concrete representation of a fractional part of a whole as greater than, less than, equal to another.	0	0	0	3

California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 4

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router		
					2 Pt	1 Pt	2 Pt	1 Pt	
Measurement & Data	20%	35%	4.ME.1g2 Solve word problems using perimeter and area where changes occur to the dimensions of a rectilinear figure.	Identify the perimeter; Identify the area; Show each when size of figure changes.	0	0	2	0	
Measurement & Data			4.DPS.1g3 Collect data, organize in graph (e.g. picture graph, line plot, bar graph).	Identify data set based on a single attribute (e.g., pencils vs. markers); Identify data set with more or less (e.g., this bar represents a set with more); Organize the data into a graph using objects (may have number symbols).	3	0	0	0	
Geometry	10%		4GM.1h2 Classify two-dimensional shapes based on attributes (# of angles).	Identify attributes within a 2-dimensional figure (e.g., rectangles have sides – student identifies sides of rectangle – and angles – student identifies angles in rectangle).	0	0	0	3	
					0	0	0	0	
					points	18	0	6	13
					items	9	0	3	13
<b>Total items</b>								<b>25</b>	
<b>Total points</b>								<b>37</b>	

**California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 5**

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router	
					2 Pt	1 Pt	2 Pt	1 Pt
Operations & Algebraic Thinking	10%	10%	5.PRF.2b1 Generate or select a comparison between two graphs from a similar situation.	Compare two pieces of information provided in a single display.	0	0	0	3
Number & Operations in Base Ten	40%	60%	5.NO.1b1 Read, write, or select a decimal to the hundredths place.	Recognize part whole using materials divided into tenths – Count tenths to determine how many (e.g.,4 tenths) (.4 have the decimal present but not required to read).	3	0	0	0
Number & Operations in Base Ten			5.NO.1b4 Round decimals to the next whole number.	Identify place value to the ones, tens, hundreds, thousands.	0	0	0	2
Number & Operations in Base Ten			5.NO.2a5 Solve word problems that require multiplication or division.	Combine (x) or decompose (÷) with concrete objects; use counting to get the answers.	0	0	0	1
Number & Operations in Base Ten			5.NO.2c1 Solve 1 step problems using decimals.	Combine (+) or decompose (-) with concrete objects; use counting to get the answers; Match the action of combining with vocabulary (i.e., in all; altogether) or the action of decomposing with vocabulary (i.e., have left; take away) in a word problem.	3	0	0	0

**California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 5**

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router		
					2 Pt	1 Pt	2 Pt	1 Pt	
Number & Operations—Fractions	20%	30%	5.NO.2c2 Solve word problems involving the addition, subtraction, multiplication or division of fractions.	Identify what to do with the parts when given the key word (using the fractional parts).	0	0	0	2	
Number & Operations—Fractions			5.PRF.1a1 Determine whether the product will increase or decrease based on the multiplier.	Limit to whole numbers and 1 or more; Show what happens to set when have one of these (1x) versus some other number (e.g., 2x).	0	0	2	1	
Measurement & Data	20%		5.ME.1b2 Convert standard measurements of length.	To measure an object or quantity using 2 different units to show they mean the same thing (e.g., 12 inches and 1 foot). If larger unit, there are less; smaller units, you need more.	0	0	0	2	
Measurement & Data			5.ME.2a1 Solve problems involving conversions of standard measurement units when finding area, volume, time-lapse, or mass.	Identify what measures time (clock used to measure time; calendar used to measure days); identify past/present (for lapsed time).	3	0	0	0	
Geometry	10%		5.GM.1c3 Use ordered pairs to graph given points.	Identify the x- and y-axis; or concept of intersection.	0	0	0	3	
					0	0	0		
					18	0	4	14	
					9	0	2	14	
					<b>Total items</b>			<b>25</b>	

points  
items

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**California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 5**

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router	
					2 Pt	1 Pt	2 Pt	1 Pt
					Total points		36	

California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 6

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router	
					2 Pt	1 Pt	2 Pt	1 Pt
Ratios & Proportional Relationships	30%	30%	6.PRF.1c1 Describe the ratio relationship between two quantities for a given situation.	Match/identify a simple ratio (1:X) to the relationship between two quantities.	0	0	0	3
Ratios & Proportional Relationships			6.NO.1f1 Find a percent of a quantity as rate per 100.	State a relationship to a quantity out of 100.	3	0	0	0
The Number System	30%	30%	6.NO.2c3 Solve one-step, addition, subtraction, multiplication, or division problems with fractions or decimals.	Concept of +, -, x, ÷. Concept of fraction and decimal. Use concrete object to represent the removal (subtraction) or addition of one half from/to a whole object.	0	0	0	3
The Number System			6.NO.1d4 Select the appropriate meaning of a negative number in a real world situation.	Ability to select the appropriate representation of more than or less than 0 in a real world situation.	3	0	0	0
The Number System			6.NO.1d2 Locate positive and negative numbers on a number line.	Recognize how values/numbers lie on either side of zero.	0	0	0	2

California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 6

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router		
					2 Pt	1 Pt	2 Pt	1 Pt	
Expressions & Equations	20%	20%	6.PRF.1d1 Solve real world single-step linear equations.	Recognize the intended outcome of a word problem based on a linear equation.	0	0	0	1	
Expressions & Equations			6.ME.2a2 Solve one-step real world measurement problems involving unit rates with ratios of whole numbers when given the unit rate (3 inches of snow falls per hour, how much in 6 hours).	Identify a familiar unit rate.	0	0	0	1	
Expressions & Equations			6.NO.2a6 Solve problems or word problems using up to three digit numbers and any of the four operations.	Decompose ( $\div$ ) with concrete objects; use counting to get the answer.	3	0	0	0	
Geometry	10%	10%	6.GM.1d1 Find the area of quadrilaterals.	Use manipulatives to measure the area of a rectangle (e.g., tiling).	0	0	0	3	
Statistics & Probability	10%	10%	6.DPS.1d3 Select statement that matches mean, mode, and spread of data for 1 measure of central tendency for given data set.	Identify the highest and lowest value in a data set given a number line and matching symbols; Identify the representation (Plastic snap cubes, wiki sticks) of the mode; Use concrete materials to produce the mean (leveled plastic snap cubes).	0	0	0	3	
		100%			points	18	0	0	16

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**California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 6**

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router	
					2 Pt	1 Pt	2 Pt	1 Pt
					Total items		25	
					Total points		34	

California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 7

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router	
					2 Pt	1 Pt	2 Pt	1 Pt
Ratios & Proportional Relationships	40%	40%	7.NO.2f1 Identify the proportional relationship between two quantities (use rules or symbols to show quantitative relationships).	Recognize the constancy of one object to its parts (i.e., one fact, two eyes).	0	0	0	2
Ratios & Proportional Relationships			7.NO.2f2 Determine if two quantities are in a proportional relationship using a table of equivalent ratios or points graphed on a coordinate plane.	Use a table to recognize the quantity of two entries, without counting, to determine which is relatively larger.	0	0	0	2
Ratios & Proportional Relationships			7.PRF.1f1 Use proportional relationships to solve multistep percent problems in real world situations.	Identify how one variable changes in relation to another variable in a directly proportional relationship (e.g., $a/b = c/d$ , if $a$ increases, what will happen to $c$ ?).	0	0	1	1
Ratios & Proportional Relationships			7.NO.2f6 Solve word problems involving ratios.	Show rate when asked; Show proportion when asked; Select a set for the ratio given (Maria stamps three letters every minute which we write as 3:1. Show me the letters she stamps in a minute).	3	0	0	0

California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 7

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router	
					2 Pt	1 Pt	2 Pt	1 Pt
The Number System	20%	15%	7.NO.2i1 Solve multiplication problems with positive/negative numbers.	Create an array of objects for the mathematical equation and match answer symbol (+ or -) following multiplication rules for an equation.	0	0	0	3
The Number System			7.NO.2i2 Solve division problems with positive/negative numbers.	Create an array of objects for the mathematical equation and match answer symbol (+ or -) following division rules for an equation.	0	0	0	3
Expressions & Equations	10%	15%	7.PRF.1g2 Use variables to represent quantities in a real-world or mathematical problem, and construct simple equations and in-equalities to solve problems by reasoning about the quantities.	Record/replace a variable in an equation with a fact from a story on a graphic organizer.	3	0	0	0
Geometry	20%	15%	7.ME.2d1 Apply formula to measure area and circumference of circles.	Recognize the area of a circle and the circumference when shown a graphic representation.	0	0	0	2
Geometry			7.GM.1h2 Find the surface area of three-dimensional figures using nets of rectangles or triangles.	Demonstrate the concept of the surface area of a rectangular prism; Fill rectangular prism.	0	0	1	1

California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 7

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router		
					2 Pt	1 Pt	2 Pt	1 Pt	
Statistics & Probability	10%	15%	7.DPS.1k1 Analyze graphs to determine or select appropriate comparative inferences about two samples or populations.	Understand basic information from simple graphs (e.g., interpret a bar graph using the understanding that the taller column on a graph has a higher frequency, the shorter column on a graph has a lower frequency).	3	0	0	0	
					points	18	0	4	14
					items	9	0	2	14
		100%							
							Total items		25
							Total points		36

California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 8

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router	
					2 Pt	1 Pt	2 Pt	1 Pt
The Number System	10%	10%	<b>8.NO.1k3</b> Use approximations of irrational numbers to locate them on a number line.	Recognize how values/numbers can lie between whole number values on a number line.	0	0	1	1
Expressions & Equations	20%	35%	<b>8.PRF.1e2</b> Represent proportional relationships on a line graph.	Recognize a positive relationship between two variables.	0	0	0	2
Expressions & Equations			<b>8.PRF.1g3</b> Solve linear equations with 1 variable.	Use manipulatives or graphic organizer to solve a problem.	0	0	0	2
Functions	<b>8.PRF.2e2</b> Identify the rate of change (slope) and initial value (y-intercept) from graphs.		Indicate the point on a line that crosses the y-axis.	0	0	0	2	
Functions	<b>8.PRF.1f2</b> Describe or select the relationship between the two quantities given a line graph of the situation.		Use a graph to recognize the quantity in two sets, without counting, to determine which is relatively larger.	3	0	0	0	

California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 8

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router	
					2 Pt	1 Pt	2 Pt	1 Pt
Geometry	30%	30%	<b>8.GM.1g1</b> Recognize congruent and similar figures.	Demonstrate the concept of congruent and similar (e.g., match concrete examples of congruent shapes, match concrete examples of similar shapes).	0	0	0	2
Geometry			<b>8.ME.1e1</b> Describe the changes in surface area, area, and volume when the figure is changed in some way (e.g., scale drawings).	Recognize how the space inside a figure increases when the sides are lengthened.	3	0	0	0
Geometry			<b>8.ME.2d2</b> Apply the formula to find the volume of 3-dimensional shapes (i.e., cubes, spheres, and cylinders).	Ability to recognize attributes of a 3-dimensional shape.	0	0	0	3

California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 8

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router		
					2 Pt	1 Pt	2 Pt	1 Pt	
Statistics & Probability	20%	25%	8.DPS.1h1 Graph bivariate data using scatter plots and identify possible associations between the variable.	Locate points on the x-axis and y-axis of an adapted grid (not necessarily numeric).	0	0	0	3	
Statistics & Probability			8.DPS.1k2 Analyze displays of bivariate data to develop or select appropriate claims about those data.	Use graphic supports (e.g., highlighted transparency of an association) to identify the appropriate statement when given a relationship between two variables.	3	0	0	0	
					points	18	0	2	15
					items	9	0	1	15
					<b>Total items</b>		<b>25</b>		
					<b>Total points</b>		<b>35</b>		
					<b>100%</b>				

**California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 11**

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router	
					2 Pt	1 Pt	2 Pt	1 Pt
Number and Quantity: The Real Number System	20%	25%	<b>HS.NO.1a1</b> Simplify expressions that include exponents.	Create an array with a number multiplied by itself (Show me 3 rows of 3).	0	0	0	2
Number and Quantity: Quantities			<b>H.ME.1a2</b> Solve real world problems involving units of measurement.	Ability to solve real world measurement problems that require interpretation and use of a table.	3	0	0	0
Algebra: Creating Equations	50%	40%	<b>H.PRF.2b1</b> Translate a real-world problem into a one-variable linear equation.	Match an equation with one variable to the real world context.	0	0	0	2
Algebra: Creating Equations			<b>H.PRF.2b2</b> Solve equations with one or two variables using equations or graphs.	Count and arrange a given number of objects into two sets in multiple combinations.	0	0	0	3
Algebra: Creating Equations			<b>H.ME.1b2</b> Solve a linear equation to find a missing attribute given the area, surface area, or volume and the other attribute.	Identify the unknown quantity when given an equation and labeled figure.	0	0	0	2
Functions: Interpreting Functions			<b>H.PRF.1c1</b> Select the appropriate graphical representation of a linear model based on real world events.	Match a point not on a line as not being part of a data set for a given line.	0	0	0	2
Functions: Interpreting Functions			<b>H.PRF. 2c1</b> Make predictions based on a given model (for example, a weather model, data for athletes over years).	Extend a graph when provided a relationship and two choices.	3	0	0	0

California Alternate Assessment Blueprint for Mathematics, 2017–18, Grade 11

Domain	NCSC	Approximate ETS Percentages	CCCs	Essential Understandings	Within the Router		Outside of Router		
					2 Pt	1 Pt	2 Pt	1 Pt	
<b>Geometry: Similarity, Right Triangles, &amp; Trigonometry</b>	10%	10%	<b>H.GM.1b1</b> Use definitions to demonstrate congruency and similarity in figures.	Identify the right angle within a given triangle; Identify sides and/or hypotenuse of a right triangle.	0	0	0	3	
<b>Statistics &amp; Probability: Interpreting Categorical &amp; Quantitative Data</b>	20%	25%	<b>H.DPS.1b1</b> Complete a graph given the data, using dot plots, histograms, or box plots.	Make a connection between categories in a data table to the appropriate axis of a graph.	3	0	0	0	
<b>Statistics &amp; Probability: Interpreting Categorical &amp; Quantitative Data</b>			<b>H.DPS.1c1</b> Use descriptive stats; range, median, mode, mean, outliers/gaps to describe data set.	Identify the highest and lowest value in a data set given a number line and matching symbols (concept of range).	0	0	0	2	
		<b>100%</b>							
					points	18	0	0	16
					items	9	0	0	16
<b>Total items</b>								<b>25</b>	
<b>Total points</b>								<b>34</b>	

NCSC = National Center and State Collaborative  
ETS = Educational Testing Service  
CCSS = Common Core State Standards  
CCCs = Core Content Connectors  
Pt = Points



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

SUBJECT	
Update on the Activities of the California Department of Education and State Board of Education Regarding Implementation of the California English Language Development Standards.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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This agenda item is an update to inform the State Board of Education (SBE) and public regarding California English Language Development Standards implementation activities.

#### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) take action as deemed necessary and appropriate but recommends no specific action at this time.

#### **BRIEF HISTORY OF KEY ISSUES**

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The SBE adopted the new California English Language Development (CA ELD) Standards in November 2012. These standards became the current ELD Standards that are aligned with the California Standards for English Language Arts. In October 2011, Governor Edmund G. Brown Jr. signed Assembly Bill (AB) 124 into law, which required that the State Superintendent of Public Instruction (SSPI) present to the Governor and the appropriate policy and fiscal committees of the Legislature a schedule and implementation plan for integrating the CA ELD Standards into the state public education system (AB 124, Chapter 605, Statutes of 2011). In November 2013, the SBE, in partnership with the SSPI, presented to the Governor and the Legislature the CA ELD Standards Implementation Plan thereby fulfilling the requirements of former Section California *Education Code* Section 60811.3(e).

The CA ELD Standards State Implementation Plan describes the philosophy and strategies for the successful integration of the CA ELD Standards, aligned to the

California Standards for English Language Arts, and addresses English language and literacy skills English learners need in key content areas. The *CA ELD Standards Implementation Plan* is posted online at <http://www.cde.ca.gov/sp/el/er/eldstandards.asp>.

As a structural framework for activities related to California standards implementation, the *Common Core State Standards Systems Implementation Plan for California* was grounded in seven guiding strategies, which were also used as a basis for the ELD Standards Implementation Plan. Both plans use seven strategies that encompass all areas of our educational system, and while they provide focus to the work, they also reveal its highly integrated nature. The SBE is presented with the *CA ELD Standards Implementation Plan* Highlights in the seven guiding principles (Attachment 1) and a list of key events (Attachment 2).

The ELD Standards document is now available for sale by the CDE press.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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**April 2015:** The CDE updated the SBE on the Home Language Survey (HLS) pilot study being conducted by the California Comprehensive Center to assess the effectiveness of the California HLS and pilot modifications. The SBE will receive the results of the study in December of 2015.

**April 2015:** The CDE updated the SBE on the correspondence study of the CA ELD Standards with the California Standards for Mathematics and the California New Generation Science Standards, and the development of recommendations for augmentations to the CA ELD Standards.

**October 2014:** The CDE updated the SBE on the augmentation to the 2012 CA ELD Standards to correspond them with the academic content standards for Mathematics and Science (AB 899).

**May 2014:** The CDE provided an update regarding the 2014 revision of the ELA/ELD Framework for California Public Schools: Kindergarten Through Grade Twelve.

**March 2014:** The SBE approved supplemental instructional materials for English Language Development to bridge the gap between the 1999 ELD Standards and the California ELD Standards adopted in 2012. The final report of that review is available online at <http://www.cde.ca.gov/ci/cr/cf/documents/eldsimr2013finalrpt.doc>.

**December 2013:** The SBE, in partnership with the SSPI, presented to the Governor and the Legislature the CA ELD Standards Implementation Plan.

**September 2013:** The CDE recommended that the SBE, in partnership with the SSPI, present to the Governor and the Legislature the *CA ELD Standards Implementation Plan*, thereby fulfilling the requirements of California *Education Code* Section 60811.3(e). The CDE also recommended that the SBE designate an SBE liaison to

work with the CDE staff to finalize the plan. The SBE voted to adopt the CDE recommendation.

**July 2013:** The CDE presented to the SBE an overview of the draft CA ELD Standards Implementation Plan and the process to receive input from the public as well as internally from the CDE divisions.

**November 2012:** The SBE adopted the new CA ELD Standards.

**September 2012:** The CDE reviewed the CA ELD Standards development process, presented a walk-through of the CA ELD Standards and recommended adoption. The SBE agreed with the CDE staff recommendation to adopt the CA ELD Standards in November 2012. The SBE directed CDE to work with SBE liaisons and staff to make any necessary revisions for final adoption in November 2012.

**July 2012:** The CDE presented an overview of the CA ELD Standards development process; provided a detailed briefing on the draft proficiency level descriptors and the CA ELD Standards template.

**May 2012:** The CDE presented a summary of the key activities to revise the CA ELD Standards, including a summary of the results of the focus groups and the panel of expert's selection process.

**March 2012:** The CDE presented the timeline and a summary of the key activities to update, revise, and align the CA ELD Standards to the SBE-adopted California Standards for English Language Arts.

**October 2011:** Governor Edmund G. Brown, Jr. signed AB 124 (Chapter 605, Statutes of 2011) which required the SSPI to present to the legislature an implementation plan to integrate the ELD standards into the state public education system.

**August 2010:** Pursuant to SBX5 1 (Chapter 2, Statutes of 2011), the SBE adopted the academic content standards in ELA and mathematics as proposed by the California Academic Content Standards Commission.

**July 1999:** The SBE adopted the previous ELD Standards for California public schools.

#### **FISCAL ANALYSIS (AS APPROPRIATE)**

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The CDE is determining the funds that will be used for the CA ELD Standards Implementation Plan.

#### **ATTACHMENT(S)**

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Attachment 1: California English Language Development Standards Implementation Plan Highlights: January 2014–May 2015 (4 pages)

Attachment 2: California English Language Development Standards Implementation  
Events (3 pages)

## **California English Language Development Standards Implementation Plan Highlights: January 2014–May 2015**

1. Facilitate high quality professional learning opportunities for educators to ensure that every student has access to teachers who are prepared to teach to the levels of rigor and depth required by the CA ELD Standards.
  - ◆ California Department of Education (CDE) staff participated in the Annual Conference of the California Association for Bilingual Education (CABE) in Anaheim, California on April 2–5, 2014, and in San Diego, California on March 3–5, 2015. Approximately 800 teachers, administrators, para-educators, and parents of English learners participated in presentations and workshops designed to share the most current information for English learners through the California Standards, the new California English Language Development (CA ELD) standards, and technology and the arts. During the conference, the CDE offered a one-day institute to share information regarding the following topics: ELD Standards in the era of California Standards, implementing state assessments with a focus on English learners, the English Language Arts/English Language Development (ELA/ELD) curriculum framework, resources for implementing the CA ELD Standards, and ELD implementation planning. In addition, the institute included multiple opportunities for participants to engage in facilitated discussions to share information regarding their local implementation efforts.
  - ◆ The CDE in collaboration with the ELA/ELD Framework authors and County Offices of Education (COE), provided ELA/ELD Framework launch events across the state.
    - December 9–10, 2014, in San Diego, sponsored by CDE.
    - January 20, 2015, in Redwood City, sponsored by San Mateo COE.
    - February 10, 2015, in Fresno, sponsored by Tulare and Fresno COEs
    - April 24, 2015, in Bakersfield, sponsored by Kern and Tulare COEs
    - June 1, 2015, in Stockton, sponsored by San Joaquin COE
  - ◆ Thirteen online Professional Learning Modules (PLMs) are currently available for teachers to access independently or for schools or districts to use as facilitated professional learning. The PLMs were designed to deepen educators' understanding of the California Standards; instructional strategies to support the learning of all pupils, including English learners, pupils with disabilities, and underperforming pupils; and instructional strategies that promote creativity, innovation, critical thinking, problem solving, collaboration, and communication skills in all academic content areas. The modules include:
    - Getting Started with the California English Language Development Standards: This module is Part 1 of a two-part English Language

Development (ELD) module series, which is designed to ensure English learner students have access to the California Standards for English language arts and Literacy (ELA/Literacy) in History/Social Studies, Science, and Technical Subjects. This module provides an overview of the components of the ELD standards and how they are aligned to the California Standards.

- A Deeper Dive into the California ELD Standards: This module is Part 2 of the two-part ELD module series. It provides a structure and focus for ELD standards-based instruction in mainstream classrooms and designated ELD instruction and/or classrooms that describes how to use the ELD standards in tandem with the California Standards for English Language Arts. Examples in various contexts and grade spans model how suggested instructional strategies can be successfully implemented.

The modules are located on My Digital Chalkboard, which replaced the Brokers of Expertise Web site at <http://www.mydigitalchalkboard.org>. The portal now has more than 400,000 digital resources, including training modules and videos, model lesson plans, and researched-based data. More information is available on the CDE Professional Learning Modules for Educators Web page at <http://www.cde.ca.gov/re/cc/ccssplm.asp>.

2. Provide CA ELD Standards-aligned instructional resources designed to meet the diverse needs of all students.

- ◆ On July 18 and 19, 2013, CDE staff trained approximately 60 teachers, administrators, and content experts to review instructional materials for ELD specifically created to help bridge the gap from the 1999 ELD Standards to the California English Language Development Standards (CA ELD Standards) adopted by the State Board of Education (SBE) in November 2012.
- ◆ The SBE, in March, 2014, approved supplemental instructional materials for English Language Development to bridge the gap between the 1999 ELD Standards and the California ELD Standards adopted in 2012. The final report of that review is available online at <http://www.cde.ca.gov/ci/cr/cf/documents/eldsimr2013finalrpt.doc>.
- ◆ The SBE adopted the ELA/ELD Framework at its July 9–10, 2014 meeting. The ELA/ELD Framework has not been edited for publication but will remain posted during the editing process at <http://www.cde.ca.gov/ci/rl/cf/elaeldfrmwrksbeadopted.asp>. The Framework is considered a model for the rest of the nation and it is the first in the nation that integrates the ELA standards and the ELD standards in one framework.

- ◆ It is anticipated the SBE will receive recommendations from the State Superintendent of Public Instruction on the adoption of standards aligned instructional materials designed to meet the diverse needs of all students in November 2015, based on the ELA/ELD Framework and evaluation criteria adopted by the SBE in July 2014.
3. Develop and transition to CA ELD Standards–aligned assessment systems to inform instruction, establish priorities for professional learning, and provide tools for accountability.
- ◆ The CDE is in the process of replacing the California English Language Development Test (CELDT) with the English Language Proficiency Assessments for California (ELPAC), which will be aligned with the 2012 ELD Standards. The CDE has developed blueprint guidelines in consultation with the ELPAC Technical Advisory Group (TAG). The guidelines will inform the test development process on how to assess and measure the 2012 ELD Standards.
4. Collaborate with parents, guardians and the early childhood and extended learning communities to integrate the California Standards into programs and activities beyond the K–12 school setting.
- ◆ The CDE has made available additional translations of several documents developed to communicate with parents regarding the California Standards. Three informational flyers regarding the California Standards and the parent flyer from the *Common Core State Standards Systems Implementation Communications Toolkit for California* are now available in the following languages: Arabic, Armenian, Chinese, English, Farsi (Persian), Hindi, Hmong, Japanese, Khmer (Cambodian), Korean, Lao, Pilipino (Tagalog), Punjabi, Russian, Somali, Spanish, Ukrainian, and Vietnamese.

These documents are available on the Students/Parents tab on the CDE CCSS Web page at <http://www.cde.ca.gov/re/cc/>.

5. Collaborate with the postsecondary and business communities to ensure that all students are prepared for success in career and college.
- ◆ The CDE Career Technical Leadership and Support Unit provided a workshop titled, *Quantum Tech: How Global Technology Innovations Can Be Used to Meet the Common Core State Standards and English Language Development Standards* at the Title III Accountability and Leadership Institute held in December 2013 in Burlingame, CA. The presenters discussed best practices from around the globe and then reviewed how they apply to state content and CA ELD standards.

6. Seek, create and disseminate resources to support stakeholders as CA ELD Standards' implementation moves forward.
  - ◆ ELA/ELD Framework Launch Events are held to help support teachers, schools, and districts implement the California Standards for English Language Arts and the CA ELD Standards. Upcoming ELA/ELD Framework Launch Events can be found at <http://www.cde.ca.gov/ci/rl/cf/elaelfwlaunchevents.asp>.
  - ◆ The CDE's CA ELD Standards Resources Web page at <http://www.cde.ca.gov/sp/el/er/eldstandards.asp> can be used to access the CA ELD Standards, the *CA ELD Standards Implementation Plan*, and information regarding the alignment of the CA ELD Standards to the academic content standards for mathematics and science.
  - ◆ The California Standards and the CA ELD Standards Resources Web page at <http://www.cde.ca.gov/sp/el/er/eldstandards.asp> provides resources to support the teaching of the California Standards with the CA ELD Standards.
  
7. Design and establish systems of effective communication among stakeholders to continuously identify areas of need and disseminate information.
  - ◆ The CDE has developed a Web-based *CA ELD Standards Implementation Plan*. The Plan will be updated continuously to provide stakeholders with timely information regarding the progress of the ELD standards implementation activities of the CDE and SBE. The Web-based plan is available at <http://www.cde.ca.gov/sp/el/er/eldstandards.asp>.
  - ◆ My Digital Chalkboard is a valuable mechanism that the CDE uses to continuously collaborate with and elicit feedback from stakeholders regarding professional learning support, aligning curriculum and instruction, developing assessments, and many other critical areas for the integration of the CA ELD Standards into the statewide educational system.
  - ◆ The Title III listserv was established to address common questions and send Technical Assistance news briefs that include specific examples of compliance with federal requirements to guide local educational agencies.
  - ◆ The *ED for EL* listserv enables the CDE to contact K–12 teachers who provide instruction to EL students in EL specific classes and/or content areas.

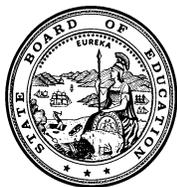
## California English Language Development Standards Implementation Events

<b>ELA/ELD Framework Launch Events</b>		
<b>Date</b>	<b>Location</b>	<b>Number of Participants</b>
December 9–10, 2014	San Diego	750
January 20, 2015	San Mateo	220
February 10, 2015	Central California, Fresno	250
April 24, 2015	Kern County, Bakersfield	250
June 1, 2015	Central California, Stockton	360

<b>Professional Development Delivered by CDE Staff</b>		
<b>Date</b>	<b>Event</b>	<b>Presentation</b>
September 26, 2013	Bilingual Coordinators Network (BCN) Sacramento, CA	California English Language Development Standards Implementation Plan
December 9–10, 2013	Accountability Institute/BCN San Francisco, CA	Implementation of the California English Language Development Standards
March 27, 2014	BCN Sacramento, CA	English Language Arts/English Language Development Framework Update
		Standards/English Language Development Standards
		Resources for Implementing the Common Core State
		Professional Learning Modules
		Common Core State Standards/ English Language Development Standards
March 29, 2014	Migrant Parent Summit San Bernardino, CA	ELD Standards Presentation
April 3, 2014	California Association for Bilingual Education (CABE) Anaheim, CA	Systems that Support Implementation of the ELD Standards
April 5, 2014	CABE Anaheim, CA	The California English Language Development Standards
April 3–5, 2014	CABE Anaheim, CA	California Department of Education (CDE) Technical Assistance Booth
May 15, 2014	BCN Sacramento, CA	Home Language Survey
		Update on Frameworks and Instructional Materials

		World Café: Practices for Implementation of English Language Development Standards
September 15, 2014	BCN Sacramento, CA	Defining the Difference Between Integrated English Language Development and Specially Designed Academic Instruction in English
		Building a Strategic Program for Long Term English Learners
		Assembly Bill 899: English Language Development Standards Augmentation Project
		Frameworks and Instructional Resources Update
September 22, 2014	Science, Technology, Engineering, and Math Symposium San Diego, CA	California English Language Development Standards: Language Development in Action
October 18, 2014	California Reading Association (CRA) Professional Development Institute Sacramento, CA	California English Language Development Standards: Language Development in Action
October 17–18, 2014	CRA Professional Development Institute Sacramento, CA	CDE Technical Assistance Booth
November 14, 2014	BCN Sacramento, CA	Assessment Update
		Local Educational Agency (LEA) Plans
		Frameworks and Instructional Resources Update
December 8–9, 2014	Accountability and Leadership Institute San Diego, CA	Rigor by Design: Leading the Learning of English Learners

February 9, 2015	International Delegation Sacramento, CA	Biliteracy Programs in California Public Schools
March 3–5, 2015	CABE San Diego, CA	Systems that Support Implementation of the New ELA/ELD Framework and Updates from the California Department of Education
		Technical Assistance from CDE Staff
		Integrating Formative Assessment into Instruction: An Update on the English Learner Proficiency Assessments
		English Language Development in the new ELA/ELD framework
April 2, 2015; May 28, 2015	Panel of Experts Meeting and Public Comment (Assembly Bill 899) Sacramento, CA	Correspondence of the California English Language Development Standards to the California Common Core State Standards for Mathematics and Next Generation Science Standards
May 28, 2015	BCN	Assessment Update
		Assembly Bill 899 Work Group Update
		Home Language Survey Pilot Study
		Spanish Language Development Standards
		Dear Colleague Letter regarding English Learner Programs and Services



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

SUBJECT	
Recommendations for Approval of the Correspondence Study Report, and Request that the Augmentation Document to the <i>California English Language Development Standards</i> Be Opened for Public Comment.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### SUMMARY OF THE ISSUE(S)

The United States Department of Education (ED) requires states that receive Title III funds establish standards and objectives for raising the level of English proficiency (No Child Left Behind [NCLB] Section 3113[b][2]). The standards are to be aligned with achievement of the challenging State academic content and student academic achievement standards described in NCLB Section 1111(b)(1).

Pursuant to California *Education Code (EC)* Section 60811.4, the State Superintendent of Public Instruction's (SSPI) shall recommend to the State Board of Education (SBE) modifications to the *California English Language Development Standards (CA ELD Standards)* adopted pursuant former Section 60811.3 to link with the California Standards for Mathematics (CA SM) and the California Science Standards (CA SS).

In addition, the SSPI is recommending that the correspondence between the CA ELD Standards and the academic content standards for mathematics and science be made more explicit in an augmentation document that gives example of the correspondence to the CA SM and the CA SS and that this document be opened for public comment for 30 days. The augmentation document will be presented to the SBE for approval in November, 2015.

#### RECOMMENDATION

The SSPI recommends that the SBE approve the Correspondence Study Report. Additionally, the SSPI recommends the augmentation document that shows explicit examples of how the *CA ELD Standards* correspond to the language demands of the academic content standards for mathematics and science be open to review and public comment for 30 days and return for SBE approval in November, 2015.

#### BRIEF HISTORY OF KEY ISSUES

Assembly Bill (AB) 899, signed by the Governor in October 2013 and codified as California *EC* Section 60811.4 requires the SSPI to recommend to the SBE

modifications to the *CA ELD Standards* to link with the academic content standards for mathematics and the content standards for science adopted by the SBE.

The California Department of Education contracted with WestEd to conduct a study to examine the degree and nature of correspondence of the *CA ELD Standards* to the language demands found in the CA SM and the CA SS. WestEd organized two internal teams of experts. One team was comprised of recognized curriculum, instruction and assessment experts in ELD and/or mathematics. The second team was comprised of recognized curriculum, instruction and assessment ELD and/or science experts. These teams were instructed to establish that the ELD standards were or were not adequate to ensure sufficient language development for the demands of mathematics and science content learning.

A report titled, Correspondence Study Report (Attachment 1), was delivered to the CDE on June 3, 2015. WestEd found strong evidence that the *CA ELD Standards* correspond to the language demands found within the both content standards. The study conducted by WestEd found the correspondences were strong but implicit. The Correspondence Study Report indicates there is sufficient correspondence, and modifications to the *CA ELD Standards* are not necessary. Therefore, the SSPI recommends the Correspondence Study Report be approved by the SBE and fulfill the obligation of both State and federal requirements.

The SSPI, in consultation with the SBE, appointed and convened a panel of experts to review the findings of the Correspondence Study in accordance to the requirements in EC 60811.4. The panel comprised of teachers, site and district administrators, county offices of education, institutions of higher education, and researchers with demonstrated experience instructing English learners (ELs). The WestEd team leads presented the Correspondence Study to the panel of experts.

This panel convened on April 2, 2015 to review the findings in the Correspondence Study which included examples of the correspondence between the ELD standards and the academic content standards for mathematics and science. Consistent with the Correspondence Study findings, the expert panel agreed that the correspondence between the standards was strong but implicit and therefore the panel of experts recommended the augmentation be further developed to include examples to make the correspondence more explicit.

The panel of experts was again convened on May 28, 2015 to review the edits made to the documents based on the panel's feedback. Both meetings were public meetings and held in the SBE room.

The panel and CDE staff reviewed and again confirmed WestEd findings. The expert panel again recommended that the correspondence among the ELD and content standards be made more explicit to educators as well as to test developers developing large-scale assessments based on the standards. In addition, the panel recommended more reference to the corresponding standards documents and the frameworks. In anticipation there might be modifications to the *CA ELD Standards*, the CDE had also contracted with WestEd to develop an augmentation document to the *CA ELD*

*Standards* in ways that support their use in the content areas of mathematics and science<sup>1</sup>.

The WestEd team collaborated closely with CDE and the panel of experts to develop the augmentation documents for math and science. The draft augmentation documents illustrate more explicitly how the *CA ELD Standards* correspond to the CA SM and the CA SS with descriptions and explanations (Attachments 2–4). Comments from the public and panel are summarized in Attachment 5.

The documents provide mathematics and science educators clearer guidance to develop curricula, instruction, and assessment that integrates English language development knowledge, skills, and abilities with mathematics and science practices and concepts. The augmentation documents will also assist large-scale test developers to design items and tasks that more precisely target the language use and linguistic resources required to engage successfully in mathematics and science discourse and learning.

All K–12 teachers who teach mathematics and science to ELs can ensure ELs have full access to robust mathematics and science curricula and develop, in a timely manner and advance levels of English by utilizing the curriculum frameworks, standards, and the augmentation document. The augmentation document, when used along with the California standards for mathematics, science, and *English Language Arts/English Language Development Framework*, will serve as a guide for ways to integrate ELD into mathematics and science instruction.

### **California English Language Development Standards**

Each grade-level CA ELD standard has descriptors for each of the three proficiency levels: Emerging, Expanding, and Bridging. While correspondence applies across all three proficiency levels, the correspondence to the mathematics and science standards' language demands is focused on the Bridging level. At the Bridging level, EL students continue to learn and apply a range of high-level English language skills in a wide variety of contexts, including comprehension and production of highly technical texts. The correspondence study confirmed the ELD standards' correspondence at the Bridging level ensuring that the ELD standards adequately address the language demands of mathematics and science content standards at grade level.

### **California Standards for Mathematics**

The CA SM include two types of standards: Eight Mathematical Practice Standards (identical for each grade level) and Mathematical Content Standards (different at each grade level). The mathematics content standards are designed and intended to connect to the mathematical practices (MPs) that apply across all standards at all grade levels. The mathematical practices focus on *processes and proficiencies* that include explicit

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<sup>1</sup> The term “augment” is operative because no reason was found to alter the *CA ELD Standards* as they are currently written; there is benefit to augment them with examples that illustrate more explicitly the connection of the ELD Standards to the language demands found in mathematics and science content standards.

wording specific to language uses and purposes, such as *explain* and *communicate*. The augmentation document lists the key MPs related to each ELD standard, and provides a content example for a mathematics standard that clearly exemplifies the language demands entailed in the mathematics standards that are explicit in the *CA ELD Standards*.

### **Next Generation Science Standards for California Public Schools**

The CA SS are designed around three interrelated dimensions: science and engineering practices (SEP), disciplinary core ideas (DCI), and crosscutting concepts (CCC). Performance Expectations (PEs) embody these three dimensions. The augmentation document lists the key SEPs related to each ELD standard, and provides a content example based on one or more PEs that clearly exemplifies the language demands entailed in the science standards that are explicit in the *CA ELD Standards*. The SEPs are described in Appendix F of the CA SS found on the Next Generation Science Standards.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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**April 2015:** The CDE informed the SBE of the process for recommendation and appointment of a panel of experts in consultation with SBE liaisons and approved by the SSPI.

**October 2014:** The CDE informed the SBE of AB 899 and the implementation timeline for completion of the correspondence of the *CA ELD Standards* to the CA SM and CA SS.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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The Correspondence Study Report and Augmentation Documents are available only electronically. Funding was not allocated to print the documents. It is estimated it would cost \$75,000 to print 10,000 copies. Funding was provided to contract with WestEd to conduct the analysis and for CDE to convene a Panel of Experts.

### **ATTACHMENT(S)**

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Attachment 1: Correspondence Study Report (118 pages)

<http://www.cde.ca.gov/sp/el/er/documents/corspndstdyrptab899.pdf>

Attachment 2: Introduction to the Augmentation Document (13 pages)

<http://www.cde.ca.gov/sp/el/er/documents/draftagmtneidstndab899.doc>

Attachment 3: Augmentation Document for Math (209 pages)

<http://www.cde.ca.gov/sp/el/er/documents/draftagmtneidstndab899mth.pdf>

Attachment 4: Augmentation Document for Science (214 pages)

<http://www.cde.ca.gov/sp/el/er/documents/draftagmtneidstndab899sci.pdf>

Attachment 5: Summary of Comments from the Public and Panel of Experts (19 pages)

<http://www.cde.ca.gov/sp/el/er/documents/fdbkagmntnab899.doc>



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

<b>SUBJECT</b>	
Elementary and Secondary Education Act: Supplemental Educational Services Providers: Approvals and/or Denials of Applicants for the 2015–17 State Board of Education Supplemental Educational Services Approved Provider List After Rereading all Submitted Applications Not Previously Approved.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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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**

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The California Department of Education (CDE) recommends the State Board of Education (SBE) amend the motion to deny SES applicants adopted at the May 7, 2015, SBE meeting as set forth in May 2015 Agenda, Item 12, Attachments 2 and 3. CDE recommends the SBE approve providers for a two-year period beginning July 1, 2015, through June 30, 2017.

The summary list of applicants recommended for approval is provided as Attachment 1. The summary list of appellants not recommended for approval is provided as Attachment 2. The summary list of applicants deemed inadequate is provided as Attachment 3. Attachments will be posted by Thursday, July 2, 2015, at 5:00 p.m.

#### **BRIEF HISTORY OF KEY ISSUES**

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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 by October 30, 2014. In December 2014

and January 2015, CDE staff held two Readers' Conferences to review each application deemed complete.

The SBE approved 92 applications at the March 2015 SBE meeting. The CDE also announced that it would read all remaining applications. The CDE held a third Readers' Conference in March 2015. The SBE approved 6 additional SES applications at the May 2015 SBE meeting. CDE staff determined whether an SES application was "Adequate" by using the 2015 Scoring Rubric that was included in the RFA and provided specific examples of the requirements set forth in the *California Code of Regulations*, Title 5, Section 13075.2(b).

The CDE held a fourth Readers' Conference in June 2015 to reread all applications that had not been approved using the 2015 Scoring Rubric. CDE staff used the "SES Request for Application (RFA) Scoring Rubric, Cohort 2010 (posted March 2010)" as specified by regulations.

SES applications must include a detailed description of the services provided by the applicant as required in *California Code of Regulations*, Title 5, Section 13075.2(b). The 2015 Scoring Rubric attempted to clarify to SES applicants where the CDE staff would look for the requirement.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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At its May 2015 meeting, the SBE approved providers to begin services July 1, 2015, through June 30, 2017.

(<http://www.cde.ca.gov/be/ag/ag/yr15/documents/may15item12.doc>)

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)**

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There is no fiscal impact to the state.

## **ATTACHMENT(S)**

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- Attachment 1: California Department of Education 2015–17 Supplemental Educational Services List of Applicants Recommended for Approval (The list will be posted on Thursday, July 2, 2015, by 5:00 p.m.)
- Attachment 2: California Department of Education 2015–17 Supplemental Educational Services List of Appellants Not Recommended for Approval (The list will be posted on Thursday, July 2, 2015, by 5:00 p.m.)
- Attachment 3: California Department of Education 2015–17 Supplemental Educational Services List of Applicants Deemed Inadequate (The list will be posted on Thursday, July 2, 2015, by 5:00 p.m.)
- Attachment 4: Supplemental Educational Services (SES) Request for Applications (RFA) Scoring Rubrics, Cohort 2010 (9 pages. This attachment will be posted on Thursday, July 2, 2015, by 5:00 p.m.)



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

**Federal Waiver**

#### SUBJECT

Request by 12 school districts for a waiver of Section 131(c)(1) of the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (Public Law 109-270).

#### Waiver Numbers:

Academy of Science and Engineering Charter High School  
Fed-10-2015

Bishop Unified School District Fed-11-2015

Dunsmuir Joint Union High School District Fed-4-2015

Ferndale Unified School District Fed-5-2015

Hilmar Unified School District Fed-9-2015

Klamath-Trinity Joint Unified School District Fed-13-2015

Lammersville Joint Unified School District Fed-3-2015

Modoc Joint Unified School District Fed-8-2015

Shoreline Unified School District Fed-2-2015

Southern Humboldt Joint Unified School District Fed-7-2015

Summerville Union High School District Fed-6-2015

Sutter Union High School District Fed-12-2015

**Action**

**Consent**

#### SUMMARY OF THE ISSUES

The California Department of Education recommends approval to waive the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (Perkins Act), Public Law 109-270 Section 131(c)(1), which requires local educational agencies (LEAs), whose allocations are less than \$15,000, to enter into a consortium with other agencies. If they are unable to do so, under Section 131(c)(2), they may waive the consortium requirement if the LEA is in a rural, sparsely populated area, thus allowing the districts to meet the needs of their students.

**Authority for Waiver:** Federal Waiver Authority (Public Law 109-270) Section 131(c)(2).

## RECOMMENDATION

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Approval  Approval with conditions  Denial

## SUMMARY OF KEY ISSUES

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The criterion for qualifying for this waiver is demonstration that the LEAs cannot form or join a consortium that handles the Perkins funds. There are no other districts in the local area willing to join in a consortium. Districts are located in various rural counties and have student populations ranging from 87 to 2,360. Districts are seeking waivers to function independently in order to meet the needs of the students in the district.

**Local board approval date(s):** Various

## SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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Section 131(c)(1) of the Perkins Act requires LEAs whose allocations are less than \$15,000 to enter into a consortium with other LEAs for the purpose of meeting the \$15,000 minimum grant requirement. Section 131(c)(2) of the Perkins Act permits states to waive the consortium agreement if the LEA is in a rural, sparsely populated area or is a public charter school operating secondary vocational and technical education programs, and is unable to join a consortium.

The State Board of Education (SBE) Waiver Policy #01-01: Carl D. Perkins Career and Technology Education Improvement Act: Consortium Requirement for Minimum Allocation, available at <http://www.cde.ca.gov/re/lr/wr/documents/perkinspolicyr.doc>, has criteria defining rural that are specifically tied to the National Center for Education Statistics (NCES) Locale Codes numbers 23, 31, 32, 33, 41, 42, or 43.

The SBE has approved all waivers of this statute that have been presented to it to date.

### Demographic Information:

Academy of Science and Engineering Charter High School has a high school student population of 149 and is located in a City: Large (11) area in Los Angeles County. The waiver rule still applies due to the school being a recognized public charter school operating secondary vocational and technical education programs.

Bishop Unified School District has a student population of 1,985 and is located in a Town: Remote (33) area in Inyo County.

Dunsmuir Joint Union High School District has a student population of 87 and is located in a Rural: Distant (42) area in Siskiyou County.

Ferndale Unified School District has a student population of 515 and is located in a Rural: Distant (42) area in Humboldt County.

Hilmar Unified School District has a student population of 2,242 and is located in a Rural: Fringe (41) area in Merced County.

Klamath-Trinity Joint Unified School District has a student population of 1,040 and is located in a Rural: Remote (43) area in Humboldt County.

Lammersville Joint Unified School District has a student population of 2,360 and is located in a Town: Fringe (31) area in San Joaquin County.

Modoc Joint Unified School District has a student population of 793 and is located in a Town: Remote (33) area in Modoc County.

Shoreline Unified School District has a student population of 554 and is located in a Rural: Distant (42) area in Marin County.

Southern Humboldt Joint Unified School District has a student population of 742 and is located in a Rural: Remote (43) area in Humboldt County.

Summerville Union High School District has a student population of 1,088 and is located in a Rural: Fringe (41) area in Tuolumne County.

Sutter Union High School District has a student population of 681 and is located in a Rural: Fringe (41) area in Sutter County.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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Approval will enable these districts to receive an annual Perkins Act allocation that is listed on Attachment 1. The waivers have no significant effect on the distribution of Perkins Act funds statewide.

### **ATTACHMENT(S)**

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Attachment 1: Districts Requesting Carl D. Perkins Career and Technical Education Waivers (3 pages)

Attachment 2: Academy of Science and Engineering Charter High School Federal Waiver Request Fed-10-2015 (1 page). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Bishop Unified School District Federal Waiver Request Fed-11-2015 for Bishop Union High School (1 page). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Dunsmuir Joint Union High School District Federal Waiver Request Fed-4-2015 for Dunsmuir High School (1 page). (Original waiver request is signed and on file in the Waiver Office.)

- Attachment 5: Ferndale Unified School District Federal Waiver Request Fed-5-2015 for Ferndale High School (1 page). (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 6: Hilmar Unified School District Federal Waiver Request Fed-9-2015 for Hilmar High School (1 page). (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 7: Klamath-Trinity Joint Unified School District Federal Waiver Request Fed-13-2015 for Hoopa High School (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 8: Lammersville Joint Unified School District Federal Waiver Request Fed-3-2015 for Mountain House High School (1 page). (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 9: Modoc Joint Unified School District Federal Waiver Request Fed-8-2015 for Modoc High School (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 10: Shoreline Unified School District Federal Waiver Request Fed-2-2015 for Tomales High School (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 11: Southern Humboldt Joint Unified School District Federal Waiver Request Fed-7-2015 for South Fork Junior-Senior High School (1 page). (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 12: Summerville Union High School District Federal Waiver Request Fed-6-2015 for Summerville High School (1 page). (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 13: Sutter Union High School District Federal Waiver Request Fed-12-2015 for Sutter Union High School (1 page). (Original waiver request is signed and on file in the Waiver Office.)

Districts Requesting Carl D. Perkins Career and Technical Education Waivers

Waiver Number	District	Period of Request	Local Board Approval Date	NCES Locale Code	Demographic Information	Perkins Act Allocation
Fed-10-2015	Academy of Science and Engineering Charter High School	<b>Requested:</b> July 1, 2015 to June 30, 2019 <b>Recommended:</b> July 1, 2015 to June 30, 2019	April 6, 2015	11	Student population of 149 located in Los Angeles County	\$4,456.00
Fed-11-2015	Bishop Unified School District for Bishop Union High School	<b>Requested:</b> July 1, 2015 to June 30, 2019 <b>Recommended:</b> July 1, 2015 to June 30, 2019	April 28, 2015	33	Student population of 1,985 located in Inyo County	\$13,423.00
Fed-4-2015	Dunsmuir Joint Union High School District for Dunsmuir High School	<b>Requested:</b> July 1, 2015 to June 30, 2019 <b>Recommended:</b> July 1, 2015 to June 30, 2019	April 15, 2015	42	Student population of 87 located in Siskiyou County	\$3,420.00
Fed-5-2015	Ferndale Unified School District for Ferndale High School	<b>Requested:</b> July 1, 2015 to June 30, 2019 <b>Recommended:</b> July 1, 2015 to June 30, 2019	April 15, 2015	42	Student population of 515 located in Humboldt County	\$2,083.00

Districts Requesting Carl D. Perkins Career and Technical Education Waivers (Continued)

Waiver Number	District	Period of Request	Local Board Approval Date	NCES Locale Code	Demographic Information	Perkins Act Allocation
Fed-9-2015	Hilmar Unified School District for Hilmar High School	<b>Requested:</b> July 1, 2015 to June 30, 2019 <b>Recommended:</b> July 1, 2015 to June 30, 2019	April 21, 2015	41	Student population of 2,242 located in Merced County	\$14,368.00
Fed-13-2015	Klamath-Trinity Joint Unified School District for Hoopa High School	<b>Requested:</b> July 1, 2015 to June 30, 2019 <b>Recommended:</b> July 1, 2015 to June 30, 2019	April 14, 2015	43	Student population of 1,040 located in Humboldt County	\$11,384.00
Fed-3-2015	Lammersville Joint Unified School District for Mountain House High School	<b>Requested:</b> July 1, 2015 to June 30, 2019 <b>Recommended:</b> July 1, 2015 to June 30, 2019	March 18, 2015	31	Student population of 2,360 located in San Joaquin County	\$11,722.00
Fed-8-2015	Modoc Joint Unified School District for Modoc High School	<b>Requested:</b> July 1, 2015 to June 30, 2019 <b>Recommended:</b> July 1, 2015 to June 30, 2019	April 21, 2015	33	Student population of 793 located in Modoc County	\$8,592.00

Districts Requesting Carl D. Perkins Career and Technical Education Waivers (Continued)

Waiver Number	District	Period of Request	Local Board Approval Date	NCES Locale Code	Demographic Information	Perkins Act Allocation
Fed-2-2015	Shoreline Unified School District for Tomales High School	<b>Requested:</b> July 1, 2015 to June 30, 2019  <b>Recommended:</b> July 1, 2015 to June 30, 2019	March 3, 2015	42	Student population of 554 located in Marin County	\$2,968.00
Fed-7-2015	Southern Humboldt Joint Unified School District for South Fork Junior-Senior High School	<b>Requested:</b> July 1, 2015 to June 30, 2019  <b>Recommended:</b> July 1, 2015 to June 30, 2019	April 16, 2015	43	Student population of 742 located in Humboldt County	\$8,407.00
Fed-6-2015	Summerville Union High School District for Summerville High School	<b>Requested:</b> July 1, 2015 to June 30, 2019  <b>Recommended:</b> July 1, 2015 to June 30, 2019	April 8, 2015	41	Student population of 1,088 located in Tuolumne County	\$7,693.00
Fed-12-2015	Sutter Union High School District for Sutter Union High School	<b>Requested:</b> July 1, 2015 to June 30, 2019  <b>Recommended:</b> July 1, 2015 to June 30, 2019	April 29, 2015	41	Student population of 681 located in Sutter County	\$9,519.00

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 1964733

Waiver Number: Fed-10-2015

Active Year: 2015

Date In: 4/27/2015 10:07:51 AM

Local Education Agency: Academy of Science and Engineering Charter High School  
Address: 5753 Rodeo Road  
Los Angeles, CA 90016

Start: 7/1/2015

End: 6/30/2019

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Federal Program Waiver  
Ed Code Title: Carl D. Perkins Voc and Tech Ed Act  
Ed Code Section: PL 109-270 Section 131(c)(1)  
Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or CCR to Waive: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(1), that requires local agencies whose allocations are less than \$15,000 to enter into a consortium with other agencies for the purpose of meeting the \$15,000 minimum grant requirement.

Outcome Rationale: The Academy of Science and Engineering is located in NCES locale code 11.

The Academy of Science and Engineering is a directly funded public charter high school that is operating and trying to further develop a secondary vocational and technical education program. We are unable to enter into a consortium within NCES locale code 11 to participate in the Perkins funding. NCES locale code 11 or Los Angeles County does not have other charters or schools in the area that needs to enter into a consortium.

Student Population: 189

City Type: Urban

NCES Code: 11

Local Board Approval Date: 4/6/2015

Submitted by: Ms. Janet Ho  
Position: Coordinator  
E-mail: [jho@academyse.org](mailto:jho@academyse.org)  
Telephone: 323-545-1100  
Fax: 323-424-6125

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 1476687

Waiver Number: Fed-11-2015

Active Year: 2015

Date In: 4/29/2015 3:56:34 PM

Local Education Agency: Bishop Unified School District  
Address: 301 North Fowler St.  
Bishop, CA 93514

Start: 7/1/2015

End: 6/30/2019

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Federal Program Waiver  
Ed Code Title: Carl D. Perkins Voc and Tech Ed Act  
Ed Code Section: PL 109-270 Section 131(c)(1)  
Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or *CCR* to Waive: We request a waiver of the minimum grant allocation because we are in a rural area and qualify for less than the \$15,000 minimum.

Outcome Rationale: Our district is in a very rural area being 180 miles from any area that would be considered "urban". Many of our students lead a sheltered life, never venturing out of the area. For many, going away to trade schools is too expensive, too scary, and not feasible. By offering quality CTE opportunities, many of our students have been able to obtain high paying local jobs giving them a better future. We have placed students as auto mechanics, medical assistants, floral designers, office reception and computer techs. The additional funding through this grant will be used to purchase curriculum and supplies as well as send our CTE teachers out of the area for high quality professional development to learn about resources to make their programs stronger.

Student Population: 1925

City Type: Rural

NCES Code: 43

Local Board Approval Date: 4/28/2015

Submitted by: Ms. Midge Milici  
Position: Chief Business Officer  
E-mail: [mmilici@bishopschools.org](mailto:mmilici@bishopschools.org)  
Telephone: 760-872-3680  
Fax:

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 4770250

Waiver Number: Fed-4-2015

Active Year: 2015

Date In: 4/16/2015 2:26:27 PM

Local Education Agency: Dunsmuir Joint Union High School District  
Address: 5805 High School Way  
Dunsmuir, CA 96025

Start: 7/1/2015

End: 6/30/2019

Waiver Renewal: Y

Previous Waiver Number: Fed-63-2011-W-12

Previous SBE Approval Date: 9/8/2011

Waiver Topic: Federal Program Waiver  
Ed Code Title: Carl D. Perkins Voc and Tech Ed Act  
Ed Code Section: PL 109-270 Section 131(c)(1)  
Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or CCR to Waive: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(1), that requires local agencies whose allocations are less than \$15,000 to enter into a consortium with other agencies for the purpose of meeting the \$15,000 minimum grant requirement.

Outcome Rationale: Dunsmuir Joint Union High School District is located in a rural, sparsely populated area and is unable to enter into a consortium to participate in the Perkins funding.

Student Population: 65

City Type: Rural

NCES Code: 42

Local Board Approval Date: 4/15/2015

Submitted by: Mr. Ray Kellar  
Position: Superintendent/Principal  
E-mail: [rkellar@sisnet.ssku.k12.ca.us](mailto:rkellar@sisnet.ssku.k12.ca.us)  
Telephone: 530-235-4835 x109  
Fax: 530-235-2224

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 1275374

Waiver Number: Fed-5-2015

Active Year: 2015

Date In: 4/20/2015 9:43:08 AM

Local Education Agency: Ferndale Unified School District  
Address: 1231 Main St.  
Ferndale, CA 95536

Start: 7/1/2015

End: 6/30/2019

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Federal Program Waiver  
Ed Code Title: Carl D. Perkins Voc and Tech Ed Act  
Ed Code Section: PL 109-270 Section 131(c)(1)  
Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or CCR to Waive: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(1), that requires local agencies whose allocations are less than \$15,000 to enter into a consortium with other agencies for the purpose of meeting the 415,00 minimum grant requirement.

Outcome Rationale: Pursuant to the fact that Ferndale HS is in a rural, sparsely populated area, we are unable to participate in a consortium with other school districts within Humboldt County. The application was electronically submitted April 20, 2015.

Student Population: 150

City Type: Rural

NCES Code: 42

Local Board Approval Date: 4/15/2015

Submitted by: Mr. Jack Lakin  
Position: Supt/Principal  
E-mail: [jlakin@humboldt.k12.ca.us](mailto:jlakin@humboldt.k12.ca.us)  
Telephone: 707-786-5900 x5904  
Fax: 707-786-4865

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 2465698

Waiver Number: Fed-9-2015

Active Year: 2015

Date In: 4/23/2015 7:25:33 AM

Local Education Agency: Hilmar Unified School District  
Address: 7807 North Lander Ave.  
Hilmar, CA 95324

Start: 7/1/2015

End: 6/30/2019

Waiver Renewal: Y

Previous Waiver Number: Fed-13-2009-WC-4

Previous SBE Approval Date: 11/18/2009

Waiver Topic: Federal Program Waiver  
Ed Code Title: Carl D. Perkins Voc and Tech Ed Act  
Ed Code Section: PL 109-270 Section 131(c)(1)  
Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or CCR to Waive: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(1), that requires local agencies whose allocations are less than \$15,000 to enter into a consortium with other agencies for the purpose of meeting the \$15,000 minimum grant requirement.

Outcome Rationale: Our town's locale is categorized a 41-Fringe. Due to the distance to our nearest school that we could partner with, it is impractical for us to form a consortium with them. Also, this year (2014-15) our allocation is above the \$15,000 threshold but in years past has occasionally dipped below the \$15,000 threshold.

Student Population: 660

City Type: Rural

NCES Code: 41

Local Board Approval Date: 4/21/2015

Submitted by: Mr. Dick Piersma  
Position: Perkins Coordinator  
E-mail: [dpiersma@hilmar.k12.ca.us](mailto:dpiersma@hilmar.k12.ca.us)  
Telephone: 209-667-8366  
Fax:

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 1262901

Waiver Number: Fed-13-2015

Active Year: 2015

Date In: 5/1/2015 3:54:12 PM

Local Education Agency: Klamath-Trinity Joint Unified School District  
Address: 365 Loop Rd.p  
Hoopa, CA 95546

Start: 7/1/2015

End: 6/30/2019

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Federal Program Waiver

Ed Code Title: Carl D. Perkins Voc and Tech Ed Act

Ed Code Section: PL 109-270 Section 131(c)(1)

Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or CCR to Waive: US Code,Section 2351 (c)(1) and (2) or P.L. 109-270 Section 131 (c) (1) and (2); (c) minimum allocation-In general, except as provided in Paragraph (2), a local educational agency shall not receive an allocation under subsection (a) unless the amount allocated to such agency under subsection (a) is greater than \$15,000. A local agency may enter into a consortium with other local educational agencies for the purpose of meeting the minimum allocation requirement of this paragraph. Waiver - The eligible agency shall waive the application of paragraph (1) in any case in which the local educational agency - (A) (I) is located in a rural, sparsely populated area and (B) demonstrates that the local educational agency is unable to enter into a consortium for purposes of providing activities under this part (20 U.S.C.A. 2351 et. seq.)

Outcome Rationale: Klamath Trinity Joint Unified School District is separating from Ferndale Unified School District as a consortium for the 2015-16 school year. This puts us below the \$15,000 minimum threshold required for individual districts. By receiving this waiver approval, we can implement a more rigorous and relevant CTE Pathway more suitable for our students in Eastern Humboldt County. Hoopa High School is located on the Hoopa Valley Indian Reservation, in an extremely rural, sparse, desolate town, plagued with poverty, unemployment and drug use. Our CTE plan is to create a more rigorous pathway in the areas of: building trades and construction, automotive technology, and metal fabrication. Ferndale Unified is more involved with agriculture (farming). By obtaining this waiver we will be able to supplement our high school to better prepare students for career and college readiness in fields more suitable for our region.

Student Population: 1038

City Type: Rural

NCES Code: 43

Local Board Approval Date: 4/14/2015

Submitted by: Ms. Jennifer Lane  
Position: Grants Director  
E-mail: [jlane@ktjusd.k12.ca.us](mailto:jlane@ktjusd.k12.ca.us)  
Telephone: 530-625-5600 x4819  
Fax: 530-625-4840

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 3976760

Waiver Number: Fed-3-2015

Active Year: 2015

Date In: 3/22/2015 9:26:22 AM

Local Education Agency: Lammersville Joint Unified School District  
Address: 111 S. De Anza Blvd.  
Mountain House, CA 95391

Start: 7/1/2015

End: 6/30/2019

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Federal Program Waiver  
Ed Code Title: Carl D. Perkins Voc and Tech Ed Act  
Ed Code Section: PL 109-270 Section 131(c)(1)  
Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or CCR to Waive: Federal Waiver Authority (Public Law 109-270) Section 131(c)(2).

Outcome Rationale: Lammersville Unified School District opened its first high school, Mountain House High School, in the 2014/2015 school year. The Perkins grant would be used to develop and implement a career and technical education program for students in the Lammersville Unified School District with the goal of developing academic and career technical skills in students leading to entry into post secondary training creating a skilled workforce.

Student Population: 3552

City Type: Rural

NCES Code: 31

Local Board Approval Date: 3/18/2015

Submitted by: Ms. Kris Olson  
Position: BioMed Teacher  
E-mail: [kolson@lammersvilleusd.net](mailto:kolson@lammersvilleusd.net)  
Telephone: 209-836-7430  
Fax:

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 2573585

Waiver Number: Fed-8-2015

Active Year: 2015

Date In: 4/22/2015 1:35:27 PM

Local Education Agency: Modoc Joint Unified School District  
Address: 906 West Fourth St.  
Alturas, CA 96101

Start: 7/1/2015

End: 6/30/2019

Waiver Renewal: Y

Previous Waiver Number: FED-70-2011-W-12

Previous SBE Approval Date: 9/08/2011

Waiver Topic: Federal Program Waiver  
Ed Code Title: Carl D. Perkins Voc and Tech Ed Act  
Ed Code Section: PL 109-270 Section 131(c)(1)  
Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or CCR to Waive: U.S. Code, Section 2351(c)(1) and (2) or [P.L. 109-270  
Section 131(c)(1) and (2)]

(c) Minimum Allocation

(1) In general

Except as provided in Paragraph (2), a local educational agency shall not receive an allocation under subsection (a) unless the amount allocated to such agency under subsection (a) is greater than \$15,000. A local educational agency may enter into a consortium with other local educational agencies for the purposes of meeting the minimum allocation requirement of this paragraph.

(2) Waiver

The eligible agency shall waive the application of paragraph (1) in any case in which the local educational agency --

(A)(i) is located in a rural, sparsely populated area, or

(ii) is a public charter school operating a secondary school career and technical educational program; and

(B) demonstrates that the local educational agency is unable to enter into a consortium for purposes of providing activities under this part (20 U.S.C.A. § 2351 et seq.)

Under this U.S. Code, Modoc High School is seeking a waiver because we are (A) (i) located in a rural, sparsely populated area, operating vocational and technical programs and (B) unable to enter into a consortium for purposes of providing activities under this part.

Outcome Rationale: Modoc JUSD is seeking the federal grant for CTE, Carl D. Perkins to support our CTE Building and Construction trade (Woodworking), Agriculture and Natural Resources (Companion Animal Science), Manufacturing and Product Development (Welding) industry sectors to improve, enhance and expand these career pathway. By receiving this grant and waiver approval we can implement increasingly rigorous and relevant CTE pathways that will prepare them for further post-secondary training and workforce. Since this is a supplemental grant, district, local, state and other funds will continue to be used on the CTE pathway, and the

federal funds will only be used to supplement not supplant the CTE pathways. Onsite technical assistance, regional Perkins meetings, CTE meetings, and other professional development for CTE teachers will also be made available by our assigned CDE Perkins consultant for continued support.

Student Population: 213

City Type: Rural

NCES Code: 33

Local Board Approval Date: 4/21/2015

Submitted by: Mr. Brian Norby

Position: Principal

E-mail: [bnorby@modoc.k12.ca.us](mailto:bnorby@modoc.k12.ca.us)

Telephone: 530-233-7201 x401

Fax:

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 2173361

Waiver Number: Fed-2-2015

Active Year: 2015

Date In: 3/4/2015 10:43:19 AM

Local Education Agency: Shoreline Unified School District  
Address: 10 John St.  
Tomales, CA 94971

Start: 7/1/2015

End: 6/30/2019

Waiver Renewal: Y

Previous Waiver Number: Fed-62-2011-WC-4

Previous SBE Approval Date: 7/13/2011

Waiver Topic: Federal Program Waiver

Ed Code Title: Carl D. Perkins Voc and Tech Ed Act

Ed Code Section: PL 109-270 Section 131(c)(1)

Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or CCR to Waive: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(1), that requires local agencies whose allocations are less than \$15,000 to enter into a consortium with other agencies for the purpose of meeting the \$15,000 minimum grant requirement.

Outcome Rationale: The Shoreline Unified School District is applying for a waiver renewal to the Perkins Grant as we are a rural school that is over 5 miles away from the closest city of over 85,000 or less people. The district has submitted a multi-year waiver for over 10 years and due to the districts remote and sparsely populated location will continue to file a waiver for the foreseeable future. We are a small district with a one person vocational department that can only dedicate a portion of their work week to filing for the Perkins Grant. It would be a financial burden on the district to be a part of the closest consortium. Due to the districts small size the teacher in charge of the vocational program would have to take time away from teaching to work with consortium members which would cost money in substitute pay and take him away from his daily duties of instructing students in agricultural education. Students learn better when taught by a qualified instructor which a substitute teacher is not. Student performance drops when a qualified teacher is not providing the educational setting for the course.

Student Population: 168

City Type: Rural

NCES Code: 32

Local Board Approval Date: 3/3/2015

Submitted by: Ms. Heidi Costanzo  
Position: Administrative Secretary  
E-mail: [heidi.costanzo@shorelineunified.org](mailto:heidi.costanzo@shorelineunified.org)  
Telephone: 707-878-2286 x202  
Fax: 707-878-2554

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 1263040

Waiver Number: Fed-7-2015

Active Year: 2015

Date In: 4/22/2015 10:12:41 AM

Local Education Agency: Southern Humboldt Joint Unified School District  
Address: 110 School Rd.  
Miranda, CA 95553

Start: 7/1/2015

End: 6/30/2019

Waiver Renewal: Y

Previous Waiver Number: Fed-59-2011-WC-2

Previous SBE Approval Date: 5/12/2011

Waiver Topic: Federal Program Waiver  
Ed Code Title: Carl D. Perkins Voc and Tech Ed Act  
Ed Code Section: PL 109-270 Section 131(c)(1)  
Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or CCR to Waive: Carl D. Perkins Career and technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(1), that requires local agencies whose allocations are less than \$15,000 to enter into a consortium with other agencies for the purpose of meeting the \$15,000 minimum grant requirement.

Outcome Rationale: Please see attached letter. Southern Humboldt Joint Unified School District is located in a rural area of Humboldt County, too distant from other high schools to form an effective consortium for the purposes of this grant.

Student Population: 177

City Type: Rural

NCES Code: 43

Local Board Approval Date: 4/16/2015

Submitted by: Ms. Stephanie Steffano-Davis  
Position: Student Services Director/Small Schools Principal  
E-mail: [stephanie@sohumusd.com](mailto:stephanie@sohumusd.com)  
Telephone: 707-923-9644  
Fax: 707-943-1921

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 5572413

Waiver Number: Fed-6-2015

Active Year: 2015

Date In: 4/22/2015 9:52:29 AM

Local Education Agency: Summerville Union High School District  
Address: 17555 Tuolumne Rd.  
Tuolumne, CA 95379

Start: 7/1/2015

End: 6/30/2019

Waiver Renewal: Y

Previous Waiver Number: Fed-64-2011-W-12

Previous SBE Approval Date: 9/8/2011

Waiver Topic: Federal Program Waiver  
Ed Code Title: Carl D. Perkins Voc and Tech Ed Act  
Ed Code Section: PL 109-270 Section 131(c)(1)  
Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or CCR to Waive: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(1), that requires local agencies whose allocations are less than \$15,000 to enter into a consortium with other agencies for the purpose of meeting the \$15,000 minimum grant requirement.

Outcome Rationale: This waiver was requested to eliminate the need to be in a consortium for Carl Perkins Funding. This streamlines the application process by being able to apply for funding directly to the department of education and not having to go through another LEA.

Student Population: 422

City Type: Rural

NCES Code: 41

Local Board Approval Date: 4/8/2015

Submitted by: Mr. Tom Dibble  
Position: CTE Coordinator  
E-mail: [tdibble@summbears.net](mailto:tdibble@summbears.net)  
Telephone: 209-928-4228 x282  
Fax: 209-928-1422

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 5171449

Waiver Number: Fed-12-2015

Active Year: 2015

Date In: 4/30/2015 9:54:15 AM

Local Education Agency: Sutter Union High School District  
Address: PO Box 498 / 2665 Acacia St.  
Sutter, CA 95982

Start: 7/1/2015

End: 6/30/2019

Waiver Renewal: Y

Previous Waiver Number: FED-60-2011

Previous SBE Approval Date: 7/14/2011

Waiver Topic: Federal Program Waiver  
Ed Code Title: Carl D. Perkins Voc and Tech Ed Act  
Ed Code Section: PL 109-270 Section 131(c)(1)  
Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or CCR to Waive: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(1), that requires local agencies whose allocations are less than \$15,000 to enter into a consortium with other agencies for the purpose of meeting the \$15,000 minimum grant requirement.

Outcome Rationale: Sutter Union High School meets the Department of Educations Evaluation Guidelines. Sutter Union High School is a rural school with NCES locale code 23 and has a population 650 students, well under the 1000 students or less requirement. Sutter Union High School is located 8.9 miles west of Yuba City, the closest and largest city, making the distance more than the 5 miles requirement. The rural town of Sutter has a population of 3000, which is under the 7000 population criteria for a suburb.

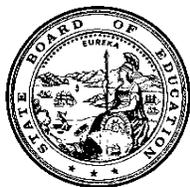
Sutter Union High School is unable to form a consortium with neighboring districts. All neighboring districts either meet the \$15,000 requirement or do not participate in Perkins funding.

Student Population: 650

City Type: Rural  
NCES Code: 23

Local Board Approval Date: 4/29/2015

Submitted by: Mr. Doug Ahlers  
Position: Perkins Coordinator  
E-mail: [dahlers@sutterhigh.k12.ca.us](mailto:dahlers@sutterhigh.k12.ca.us)  
Telephone: 530-822-5161 x223  
Fax: 530-822-5168



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by <b>Evergreen Elementary School District</b> to waive California <i>Education Code</i> Section 48352(a) and <i>California Code of Regulations</i>, Title 5, Section 4701, to remove Katherine R. Smith Elementary School from the Open Enrollment List of “low-achieving schools” for the 2015–16 school year.</p> <p>Waiver Number: 1-4-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

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Request from Evergreen Elementary School District to remove Katherine R. Smith Elementary School from the 2015–16 Open Enrollment List. The State Board of Education (SBE) must take action to approve or deny the removal of a school from the Open Enrollment List.

**Authority for Waiver:** *Education Code (EC)* Section 33050

#### **RECOMMENDATION**

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**Approval**  **Approval with conditions**  **Denial**

The California Department of Education (CDE) recommends denial of one waiver request for a school on the 2015–16 Open Enrollment List (Attachment 2). This waiver is recommended for denial because the educational needs of the pupils are not adequately addressed as required under *EC* 33051(a)(1).

#### **SUMMARY OF KEY ISSUES**

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Based on the downward trend in Academic Performance Index (API) scores and not meeting all its growth targets, the CDE recommends that Katherine R. Smith Elementary School remain on the Open Enrollment List.

Katherine R. Smith Elementary School has a 2013 Growth API score of 678 (a reduction of 108 points from their 2012 Base API score of 786) and failed to meet three out of four 2013 API student group growth targets. In addition, Katherine R. Smith Elementary School has failed to meet their schoolwide and/or student group API Growth targets in three of the previous five years. Katherine R. Smith Elementary’s 2013 results produced a decile rank of 1, and a similar schools rank of 1. It is in year 4 of Program Improvement.

**Demographic Information:**

Evergreen Elementary School District has a 2014–15 student population of 12,857 and is located in an urban 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](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 the CDE has recommended denial of a waiver submitted by an LEA 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 District Requesting a General Waiver from the 2015–16 Open Enrollment List (1 page).

Attachment 2: Evergreen Elementary School District General Waiver Request 1-4-2015 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)

School District Requesting a General Waiver from the 2015–16 Open Enrollment List

Waiver #	County District School	2013 District Growth API	2013 School API Growth*		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)
1-4-2015	Santa Clara Evergreen Elementary Katherine R. Smith Elementary	886	Schoolwide	678	No	No	Yes	1, 1	Year 4	<b>Support</b> 01/21/2015 and 01/22/2015	<b>Requested:</b> 06/30/2015 to 06/30/2016	No
	Asian	821	Yes									
	Hispanic or Latino	619	No									
	SED	661	No									
	English Learners	657	No									

\*Only student groups that are numerically significant are included in this column.

SED – Socioeconomically Disadvantaged

Created by the California Department of Education

May 18, 2015

**California Department of Education  
WAIVER SUBMISSION - General**

CD Code: 4369435

Waiver Number: 1-4-2015

Active Year: 2015

Date In: 4/2/2015 11:40:18 AM

Local Education Agency: Evergreen Elementary School District  
Address: 3188 Quimby Rd.  
San Jose, CA 95148

Start: 6/30/2015

End: 6/30/2016

Waiver Renewal: Y

Previous Waiver Number: 22-12-2013-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:

[(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.

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 than 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 2010-2011 school year, this pool shall be created by selecting all schools from the 2009 Base API file.]

Outcome Rationale: In 2012, Katherine Smith Elementary School began the challenging task of implementing more rigorous Common Core national standards with embedded 21st century learning skills of communication, collaboration, creativity, and critical thinking into the curriculum. Additionally, while transforming their learning climate to empower students, Katherine Smith ES saw drops in discipline referrals and suspensions by 90%. Unfortunately, California's 2013 assessment system was not aligned to the new adopted Common Core standards and did not measure the depth and rigor of the learning students accomplished. There was a mismatch between the Common Core State Standards and the STAR test and, as such, the full potential of Katherine Smith students was not appropriately gauged. Thus, Evergreen School District would like to submit a General Waiver California Department of Education on behalf of Katherine Smith to remove the school from the 2015-2016 Open Enrollment Schools List.

Having this school identified as an Open Enrollment School is detrimental to the students, teachers, parents and overall community and has the potential to undermine the positive momentum that is underway in terms of student achievement expectations and outcomes.

Student Population: 13200

City Type: Urban

Public Hearing Date: 3/12/2015

Public Hearing Advertised: Posted at all 18 schools. Posted in five other district locations open to the public.

Local Board Approval Date: 3/12/2015

Community Council Reviewed By: Katherine R. Smith Elementary 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: Mr. Mahmoud Abed

Position: Director of Technology

E-mail: [mabed@eesd.org](mailto:mabed@eesd.org)

Telephone: 408-270-6855

Fax:

Bargaining Unit Date: 01/22/2015

Name: California School Employee Association for the Evergreen Chapter #432

Representative: Ginny Gomez

Title: President

Position: Support

Comments:

Bargaining Unit Date: 01/21/2015

Name: Evergreen Teachers Association

Representative: Brian Wheatley

Title: President

Position: Support

Comments:



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by two school districts to waive <i>California Education Code</i> Section 48352(a) and <i>California Code of Regulations</i>, Title 5, Section 4701, to remove three schools from the Open Enrollment List of “low-achieving schools” for the 2015–16 school year.</p> <p>Waiver Numbers: Evergreen Elementary School District 2-4-2015 Saddleback Valley Unified School District 17-3-2015 Saddleback Valley Unified School District 18-3-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### SUMMARY OF THE ISSUES

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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 the removal of a school from the Open Enrollment List.

**Authority for Waiver:** *Education Code (EC)* Section 33050

#### RECOMMENDATION

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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

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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:**

Evergreen Elementary School District has a 2014–15 student population of 12,857 and is located in an urban area in Santa Clara County.

Saddleback Valley Unified School District has a 2014–15 student population of 29,028 and is located in a suburban area in Orange 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](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 third 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: Evergreen Elementary School District General Waiver Request 2-4-2015 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Saddleback Valley Unified School District General Waiver Request 17-3-2015 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Saddleback Valley Unified School District General Waiver Request 18-3-2015 (2 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 API Growth*		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)
2-4-2015	Santa Clara Evergreen Elementary O.B. Whaley Elementary	886	Schoolwide Asian Hispanic or Latino SED English Learners	800 889 760 782 810	Yes Yes No No Yes	No	Yes	5, 8	Year 2	<b>Support</b> 01/21/2015 and 01/22/2015	<b>Requested:</b> 06/30/2015 to 06/30/2016  <b>Recommended:</b> 07/01/2015 to 06/30/2016	Yes
17-3-2015	Orange Saddleback Valley Unified Olivewood Elementary	868	Schoolwide Hispanic or Latino SED English Learners SWD	784 767 766 760 677	No No No Yes No	No	Yes	4, 7	Year 5	<b>Support</b> 03/09/2015	<b>Requested:</b> 07/01/2014 to 06/30/2016  <b>Recommended:</b> 07/01/2015 to 06/30/2016	Yes
18-3-2015	Orange Saddleback Valley Unified San Joaquin Elementary	868	Schoolwide Hispanic or Latino White SED English Learners SWD	794 750 866 764 739 784	No No Yes No No No	No	Yes	5, 5	Year 5	<b>Support</b> 03/09/2015	<b>Requested:</b> 07/01/2014 to 06/30/2016  <b>Recommended:</b> 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

Created by the California Department of Education

May 18, 2015

**California Department of Education  
WAIVER SUBMISSION - General**

CD Code: 4369435

Waiver Number: 2-4-2015

Active Year: 2015

Date In: 4/2/2015 1:39:25 PM

Local Education Agency: Evergreen Elementary School District  
Address: 3188 Quimby Rd.  
San Jose, CA 95148

Start: 6/30/2015

End: 6/30/2016

Waiver Renewal: Y

Previous Waiver Number: 21-12-2013-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:

[(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.

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 than 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 2010-2011 school year, this pool shall be created by selecting all schools from the 2009 Base API file.]

Outcome Rationale: O.B. Whaley Elementary School appears on the SPI's list of Open Enrollment Schools in 2015-2016. The State of California has set an API goal of 800 for all schools. Because O.B. Whaley Elementary School met this goal and has remained a performing school, the school should not be considered a California "lowest achieving" school. O.B. Whaley School received a 2013 "performing" API score of 800. Having this school identified as an Open Enrollment School is detrimental to the students, teachers, parents and overall community and has the potential to undermine the positive momentum that is underway in terms of student achievement expectations and outcomes.

Student Population: 13200

City Type: Urban

Public Hearing Date: 3/12/2015

Public Hearing Advertised: Posted at all 18 schools. Posted in five other district locations open to the public.

Local Board Approval Date: 3/12/2015

Community Council Reviewed By: O. B. Whaley Elementary 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: Mr. Mahmoud Abed  
Position: Director of Technology  
E-mail: [mabed@eesd.org](mailto:mabed@eesd.org)  
Telephone: 408-270-6855  
Fax:

Bargaining Unit Date: 01/22/2015  
Name: California School Employee Association for the Evergreen Chapter #432  
Representative: Ginny Gomez  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 01/21/2015  
Name: Evergreen Teachers Association  
Representative: Brian Wheatley  
Title: President  
Position: Support  
Comments:

**California Department of Education  
WAIVER SUBMISSION - General**

CD Code: 3073635

Waiver Number: 17-3-2015

Active Year: 2015

Date In: 3/13/2015 3:23:08 PM

Local Education Agency: Saddleback Valley Unified School District  
Address: 25631 Peter A. Hartman Way  
Mission Viejo, CA 92691

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: Y

Previous Waiver Number: 55-1-2013-W-02      Previous SBE Approval Date: 5/8/2013

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:      [(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.

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 than 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 2010-2011 school year, this pool shall be created by selecting all schools from the 2009 Base API file.]

Outcome Rationale: Olivewood Elementary School is a high achieving school that has shown a pattern of improvement that contraindicates placement on the 2014 – 2015 list of 1,000 Open Enrollment schools. The school came very close to the state target of 800 by achieving a 2012 API score of 792, an increase of 22 points. In 2012, the Latino subgroup showed API growth of 16 points, the English Learner subgroup showed API growth of 11 points, and the Socioeconomically Disadvantaged subgroup showed API growth of 9 points. AYP was met school wide and by all subgroups. Olivewood is a Title I school in Year 5 of Program Improvement that met all AYP Criteria in 2012. Since 2012, local assessments have been monitored and have provided evidence of continued progress. This pattern of steady improvement is not consistent with the Open Enrollment of Olivewood Elementary School.

Student Population: 480

City Type: Suburban

Public Hearing Date: 3/12/2015

Public Hearing Advertised: Local Newspaper (OC Register); SVUSD Website; SVUSD District Office: Notice of Public Hearing posted at multiple school sites

Local Board Approval Date: 3/12/2015

Community Council Reviewed By: Olivewood School Site Council

Community Council Reviewed Date: 3/2/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Kathy Dick

Position: Assistant Superintendent, Educational Services

E-mail: [dick@svusd.org](mailto:dick@svusd.org)

Telephone: 949-580-3241

Fax: 949-586-9643

Bargaining Unit Date: 03/09/2015

Name: Saddleback Valley Educators Association

Representative: Daniel Moon

Title: President

Position: Support

Comments:

**California Department of Education  
WAIVER SUBMISSION - General**

CD Code: 3073635

Waiver Number: 18-3-2015

Active Year: 2015

Date In: 3/13/2015 3:28:41 PM

Local Education Agency: Saddleback Valley Unified School District  
Address: 25631 Peter A. Hartman Way  
Mission Viejo, CA 92691

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: Y

Previous Waiver Number: 56-1-2013-W-02

Previous SBE Approval Date: 5/8/2013

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: [(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.

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 than 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 2010-2011 school year, this pool shall be created by selecting all schools from the 2009 Base API file.]

Outcome Rationale: San Joaquin Elementary School is a high achieving school that has shown a pattern of improvement that contraindicates placement on the list of 1,000 Open Enrollment schools for the 2014 – 2015 school year. The school achieved a 2012 API score of 796. In 2012 the white subgroup showed an API growth of 5 points, the EL subgroup a growth of 2 points, and the Students With Disabilities subgroup an API growth of 35 points. San Joaquin is a Title I school in Year 5 of Program Improvement that met 20 of 25 AYP Criteria in 2012. Since 2012, local assessments have been monitored and have provided evidence of continued progress. This pattern of steady improvement is not consistent with the Open Enrollment designation of San Joaquin Elementary School.

Student Population: 407

City Type: Suburban

Public Hearing Date: 3/12/2015

Public Hearing Advertised: Local Newspaper (OC Register); SVUSD Website; SVUSD District Office: Notice of Public Hearing posted at multiple school sites

Local Board Approval Date: 3/12/2015

Community Council Reviewed By: San Joaquin School Site Council

Community Council Reviewed Date: 2/24/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Kathy Dick

Position: Assistant Superintendent, Educational Services

E-mail: [dick@svusd.org](mailto:dick@svusd.org)

Telephone: 949-580-3241

Fax: 949-586-9643

Bargaining Unit Date: 03/09/2015

Name: Saddleback Valley Educators Association

Representative: Daniel Moon

Title: President

Position: Support

Comments:



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by <b>Saddleback Valley Unified School District</b> to waive California <i>Education Code</i> Section 48352(a) and <i>California Code of Regulations</i>, Title 5, Section 4701, to remove Linda Vista Elementary School from the Open Enrollment List of “low-achieving schools” for the 2015–16 school year.</p> <p>Waiver Number: 16-3-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

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Request from Saddleback Valley Unified School District to remove Linda Vista Elementary School from the 2015–16 Open Enrollment List. The State Board of Education (SBE) must take action to approve or deny the removal of a school from the Open Enrollment List.

**Authority for Waiver:** *Education Code (EC)* Section 33050

#### **RECOMMENDATION**

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**Approval**  **Approval with conditions**  **Denial**

The California Department of Education (CDE) recommends denial of one waiver request for a school on the 2015–16 Open Enrollment List (Attachment 2). This waiver is recommended for denial because the educational needs of the pupils are not adequately addressed as required under *EC* 33051(a)(1).

#### **SUMMARY OF KEY ISSUES**

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Based on the downward trend in Academic Performance Index (API) scores and not meeting all its growth targets, the CDE recommends that Linda Vista Elementary School remain on the Open Enrollment List.

Linda Vista Elementary School has a 2013 Growth API score of 763 (a reduction of 44 points from their 2012 Base API score of 807) and failed to meet four out of five 2013 API student group growth targets. In addition, Linda Vista Elementary School has failed to meet their schoolwide and/or student group API Growth targets in three of the previous five years. Linda Vista Elementary’s 2013 results produced a decile rank of 3, and a similar schools rank of 4. It is in year 4 of Program Improvement.

**Demographic Information:**

Saddleback Valley Elementary School District has a 2014–15 student population of 29,028 and is located in a suburban area in Orange 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](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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This is the second SBE meeting at which the CDE has recommended denial of a waiver submitted by an LEA for a school on the 2015–16 Open Enrollment List.

**FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no statewide fiscal impact of waiver approval or denial.

**ATTACHMENT(S)**

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Attachment 1: School District Requesting a General Waiver from the 2015–16 Open Enrollment List (1 page).

Attachment 2: Saddleback Valley School District General Waiver Request 16-3-2015 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

School District Requesting a General Waiver from the 2015–16 Open Enrollment List

Waiver #	County District School	2013 District Growth API	2013 School API Growth*		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)
16-3-2015	Orange Saddleback Valley Unified Linda Vista Elementary	868	Schoolwide	763	No	No	Yes	3, 4	Year 4	<b>Support</b> 03/09/2015	<b>Requested:</b> 07/01/2014 to 06/30/2016	No
			Hispanic or Latino	709	No							
			White	858	Yes							
			SED	717	No							
			English Learners	710	No							
			SWD	702	No							

\*Only student groups that are numerically significant are included in this column.

SED – Socioeconomically Disadvantaged

SWD – Students with Disabilities

Created by the California Department of Education

May 18, 2015

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3073635

Waiver Number: 16-3-2015

Active Year: 2015

Date In: 3/13/2015 3:14:21 PM

Local Education Agency: Saddleback Valley Unified School District  
Address: 25631 Peter A. Hartman Way  
Mission Viejo, CA 92691

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: Y

Previous Waiver Number: 54-1-2013-W-02      Previous SBE Approval Date: 5/8/2013

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: [(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.

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 than 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 2010-2011 school year, this pool shall be created by selecting all schools from the 2009 Base API file.]

Outcome Rationale: Linda Vista Elementary School is a high achieving school that has shown a pattern of improvement that contraindicates placement on the 2014 – 2015 list of 1,000 Open Enrollment Schools. The school exceeded the state target of 800 by achieving a 2012 API score of 806. In 2012, the school met the school wide growth target, and achieved a Similar Schools Rank of 7. Linda Vista is a Title I school in Year 4 of Program Improvement that met 14 of 25 AYP Criteria in 2012. Since 2012, local assessments have been monitored and have provided evidence of continued progress. This pattern of steady improvement is not consistent with the Open Enrollment designation of Linda Vista Elementary School.

Student Population: 394

City Type: Suburban

Public Hearing Date: 3/12/2015

Public Hearing Advertised: Local Newspaper (OC Register); SVUSD Website; SVUSD District Office: Notice of Public Hearing posted at multiple school sites

Local Board Approval Date: 3/12/2015

Community Council Reviewed By: Linda Vista 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: Dr. Kathy Dick

Position: Assistant Superintendent, Educational Services

E-mail: [dick@svusd.org](mailto:dick@svusd.org)

Telephone: 949-580-3241

Fax: 949-586-9643

Bargaining Unit Date: 03/09/2015

Name: Saddleback Valley Educators Association

Representative: Daniel Moon

Title: President

Position: Support

Comments:



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

#### General Waiver

<p><b>SUBJECT</b></p> <p>Request by five local educational agencies to waive <i>California Code of Regulations</i>, 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.</p> <p>Waiver Numbers: El Centro Elementary School District 9-3-2015 Imperial County Office of Education 27-2-2015 Imperial County Office of Education 28-2-2015 Lammersville Joint Unified School District 28-3-2015 Oceanside Unified School District 13-4-2015 South Bay Union School District 14-4-2015</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input checked="" type="checkbox"/> Consent</p>
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#### SUMMARY OF THE ISSUES

Five 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 five 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 school 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**

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El Centro Elementary School District (ECESD) proposes to provide ESY services utilizing a 16 day model at 4.75 hours per day. The proposed dates are June 15, 2015, through July 10, 2015. The District indicates that the proposed schedule contains the same number of required instructional minutes; however the four-day, 4.75 hour schedule allows for better alignment with the District summer hours and provides facility and transportation cost savings for the District. The proposed schedule would align with the summer schedule of Imperial County Office of Education, which is also requesting a similar waiver. ECESD houses the majority of the County operated classrooms and shares facilities at the Imperial Valley Center for Exceptional Children (IVCEC). Additionally, ECESD provides breakfast and lunch to the County operated programs in El Centro. This waiver is a renewal. The requirements of the previous waiver were met.

The Imperial County Office of Education (ICOE) Special Education Program proposes to provide ESY services utilizing a 16-day model at 4.75 hours per day. The proposed dates are June 15, 2015 through July 9, 2015. The District indicates that the proposed schedule contains the same number of required instructional minutes; however, the four-day, 4.75 hour schedule allows for better alignment with the ICOE summer hours, and provides facility and transportation cost savings for local districts. The proposed schedule and calendar would align with the summer schedule of El Centro Elementary School District (ECESD) which is requesting a similar waiver. ECESD houses the majority of the ICOE's classrooms and is associated with the Imperial Valley Center for Exceptional Children (IVCEC). Additionally, ECESD provides breakfast and lunch to the ICOE's El Centro based classrooms and IVCEC. This waiver is a renewal. The requirements of the previous waiver were met.

The Imperial County Office of Education (ICOE) located in the Brawley Elementary School District (BESD) proposes to provide ESY services utilizing a 13-day model from June 22, 2015, through July 10, 2015. The schedule contains the same number of required instructional minutes; however, 12 days shall be at six hours a day, and one day, July 10, 2015, will be at four hours. The ICOE indicates that this waiver would align the ICOE and BESD special education schedule with the rest of the ICOE ESY programs schedule. This is necessary because BESD sites end its school year one week later than all other districts served by ICOE Special Education. Alignment of schedules will provide both ICOE and BESD with cost savings for transportation, facilities expenditures, and administrative personnel support. Additionally, BESD, which provides breakfast and lunch service during ESY for ICOE classrooms in the city of Brawley, will be implementing a similar calendar.

The Lammersville Joint Unified School District proposes to operate a four week ESY program for four days per week, five hours per day. The District will provide the same number of instructional hours (80 hours) as provided within the 20 instructional day calendar. The overall instructional time will remain the same, however, there will be a reduction in days of attendance to 16 days over a four week period. Additionally, this will maintain attendance above previous years, as the District has also identified a significant drop in attendance on Mondays and Fridays, as well as a reduction during the final week of the ESY program. This was particularly evident when the District offered a five week program and the instructional days extended beyond four weeks.

Student learning will be maximized by modifying the ESY schedule to four days per week with extended daily time.

The Oceanside Unified School District is proposing to modify the traditional ESY program instruction model to a model of 16 days of five hours per day, equaling 80 hours of instruction. The District is committed to providing rigorous, high quality instruction and integrated service delivery for the identified special education students to meet their IEP goals. This waiver is a renewal. The requirements of the previous waiver were met.

The South Bay Union School District proposes a 14-day ESY program with 5.75 hours per day of instructional hours. The District has approximately 246 students with IEPs who qualify for ESY. The District does not have a regular summer school program. The District modified its school calendar last school year to align with the area secondary schools which created a shorter time between school years. This shortened period provides only 30 days to hold an ESY session. The District proposes to provide the 14-day ESY program from June 15, 2015, through July 2, 2015. This ESY schedule, combined with the shortened summer break, would still allow the District to address the regression and recoupment needs of identified students. An additional benefit would be a greater likelihood that the students' teachers and aides will choose to work the shortened schedule. For the purposes of reimbursement for average daily attendance, the proposed 14-day ESY program will provide the same amount of reimbursement as the typical 20-day ESY program. Additionally, the longer instructional day can provide a greater opportunity for instructional impact; and fewer school days may save operational and transportation costs.

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](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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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)**

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There is no statewide fiscal impact of waiver approval.

## **ATTACHMENT(S)**

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- Attachment 1: Extended School Year Summary Table (3 pages)
- Attachment 2: El Centro Elementary School District General Waiver Request 9-3-2015 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 3: Imperial County Office of Education General Waiver Request 27-2-2015 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 4: Imperial County Office of Education General Waiver Request 28-2-2015 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 5: Lammersville Joint Unified School District General Waiver Request 28-3-2015 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 6: Oceanside Unified School District General Waiver Request 13-4-2015 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 7: South Bay Union School District General Waiver Request 14-4-2015 (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
9-3-2015	El Centro Elementary School District	<b>Requested:</b> 6/15/2015 to 7/10/2015  <b>Recommended:</b> 6/15/2015 to 7/10/2015	<b>Student population:</b> 614  <b>Area:</b> Rural  <b>County:</b> Imperial	3/10/2015	El Centro Elementary School Teachers Association, Shealynn Barker President 2/4/2015 <b>Support</b>	Posting in a newspaper	Schoolsite Council  3/10/2015 <b>No objection</b>
27-2-2015	Imperial County Office of Education	<b>Requested:</b> 6/15/2015 to 7/9/2015  <b>Recommended:</b> 6/15/2015 to 7/9/2015	<b>Student population:</b> 489  <b>Area:</b> Rural  <b>County:</b> Imperial	2/10/2015	Imperial County Office of Education Teachers Association (ICOETA), Yolanda Benito President 1/29/2015 <b>Support</b>	Posted in the Imperial Valley Press, Notice at the District Office	Imperial Valley Center for Exceptional Children Schoolsite Council 2/24/2015 <b>No objection</b>

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
28-2-2015	Imperial County Office of Education (Brawley Elementary School District)	<b>Requested:</b> 6/22/2015 to 7/10/2015  <b>Recommended:</b> 6/22/2015 to 7/10/2015	<b>Student population:</b> 489  <b>Area:</b> Rural  <b>County:</b> Imperial	2/10/2015	California Schools Employee Association (CSEA), Ruby Tagaban President 1/29/2015 <b>Support</b>  Imperial County Office of Education Teachers Association (ICOETA), Yolanda Benito President 1/29/2015 <b>Support</b>	Posted in the Imperial Valley Press, Notice at the District Office	Imperial Valley Center for Exceptional Children Schoolsite Council 2/24/2015 <b>No objection</b>
28-3-2015	Lammersville Joint Unified School District	<b>Requested:</b> 6/9/2015 to 7/2/2015  <b>Recommended:</b> 6/9/2015 to 7/2/2015	<b>Student population:</b> 15  <b>Area:</b> Rural  <b>County:</b> San Joaquin	<b>Local Board:</b> 3/18/2015  <b>Public Hearing:</b> 3/13/2015	Lammersville Teachers Association, Make Herron President 3/13/2015 <b>Support</b>	District office flyer, testing center, during local board meeting	Schoolsite Council 3/18/2015 <b>No Objection</b>

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
13-4-2015	Oceanside Unified School District	<b>Requested:</b> 6/15/2015 to 7/10/2015  <b>Recommended:</b> 6/15/2015 to 7/10/2015	<b>Student population:</b> 19,298  <b>Area:</b> Suburban  <b>County:</b> San Diego	3/10/2015	California School Employees Association, Deborah Kelly President 4/16/2015 <b>Support</b>  Oceanside Teachers Association, Terrance Hart President 1/23/2015 <b>Neutral</b>	Posted at each school and at the District Office	Extended Cabinet, Department Chairs from Special Education Teams 1/19/2015 <b>No Objection</b>
14-4-2015	South Bay Union School District	<b>Requested:</b> 6/15/2015 to 7/2/2015  <b>Recommended:</b> 6/15/2015 to 7/2/2015	<b>Student population:</b> 7,740  <b>Area:</b> Small  <b>County:</b> San Diego	4/16/2015	California School Employees Association, Chapter 59, Beth Gillen, President 4/7/2015 <b>Support</b>  South West Teachers Association, Lorie Garcia, President 3/17/2015 <b>Support</b>	Posted at each school and at the District Office	District Advisory Committee 4/7/2015 <b>No Objection</b>

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 1363123

Waiver Number: 9-3-2015

Active Year: 2015

Date In: 3/11/2015 5:01:52 PM

Local Education Agency: El Centro Elementary School District  
Address: 1256 Broadway  
El Centro, CA 92243

Start: 6/15/2015

End: 7/10/2015

Waiver Renewal: Y

Previous Waiver Number: 8-3-2014-W-01

Previous SBE Approval Date: 7/10/2014

Waiver Topic: Special Education Program  
Ed Code Title: Extended School Year (Summer School)  
Ed Code Section: CCR, Title 5, 3043(d)  
Ed Code Authority: 33050

Ed Code or CCR to Waive: 3043 Extended school year services shall be provided 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 handicaps 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 handicapping condition. The lack of clear evidence of such factors may not be used to deny an individual an extended school year program if the individualized education program team determines the need for such a program and includes extended school year in the individualized education program pursuant to subsection (f).

(a) Extended year special education and related services shall be provided by a school district, special education local plan area, or county office offering programs during the regular academic year.

(b) Individuals with exceptional needs who may require an extended school year are those who: (1) Are placed in special classes or centers; or (2) Are individuals with exceptional needs whose individualized education programs specify an extended year program as determined by the individualized education program team.

(c) The term "extended year" as used in this section means the period of time between the close of one academic year and the beginning of the succeeding academic year. The term "academic year" as used in this section means that portion of the school year during which the regular day school is maintained, which period must include not less than the number of days required to entitle the district, special education services region, or county office to apportionments of state funds.

[(d) An extended year program shall be provided for a minimum of 20 instructional days, including holidays]

Outcome Rationale: *ECESD* is requesting a waiver to *CCR*, Title 5, 3043(d). Title 5 California Code of Regulation 3043(d) requires, "An extended year program shall be provided for a minimum of 20 instructional days, including holidays." If approved, the waiver will allow operation of a 16 day Extended School Year program at 4.75 hours per day. The proposed dates are June 15, 2015 through July 9th, 2015. The proposed schedule contains the same number of required instructional minutes; however the four-day, 4.75 hour schedule allows for better alignment with the District summer hours, and provides facility and transportation cost savings for the District. Additionally, this proposed schedule and calendar would align with the summer schedule of Imperial County Office of Education (ICOE), who is also requesting a similar waiver. *ECESD* houses the majority of the County operated classrooms, and shares facilities at the Imperial Valley Center for Exceptional Children (IVCEC). *ECESD* also provides breakfast and lunch to the County operated programs in El Centro, so alternate arrangements for the school breakfast and lunch program would not have to be made if the District days of operation are in alignment with the ICOE programs.

Student Population: 614

City Type: Rural

Public Hearing Date: 3/10/2015

Public Hearing Advertised: Notice in the Newspaper

Local Board Approval Date: 3/10/2015

Community Council Reviewed By: School Site Council

Community Council Reviewed Date: 3/10/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Janice Lau

Position: Director, Special Education & Student Services

E-mail: [jlau@ecesd.org](mailto:jlau@ecesd.org)

Telephone: 760-352-5712 x534

Fax: 760-370-3221

Bargaining Unit Date: 02/04/2015

Name: El Centro Elementary Teachers Association

Representative: Shealynn Barker

Title: *ECETA* President

Position: Support

Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 1310132

Waiver Number: 27-2-2015

Active Year: 2015

Date In: 2/26/2015 1:56:20 PM

Local Education Agency: Imperial County Office of Education  
Address: 1398 Sperber Rd.  
El Centro, CA 92243

Start: 6/15/2015

End: 7/9/2015

Waiver Renewal: Y

Previous Waiver Number: 90-2-2014

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: An extended year program shall be provided for a minimum of 20 instructional days, including holidays.

Outcome Rationale: The Imperial County Office of Education (ICOE) Special Education Program is requesting a waiver to CCR, Title 5 3043 (d). Title 5 California Code of Regulation 3043 (d) requires, "An extended year program shall be provided for a minimum of 20 instructional days, including holidays." If approved, the waiver will allow operation of a 16 day Extended School Year program at 4.75 hours per day. The proposed dates are June 15, 2015 through July 9, 2015. The schedule proposed contains the same number of required instructional minutes; however the four-day, 4.75 schedule allows for better alignment with the ICOE summer hours, and provides facility and transportation cost savings for local districts. Additionally, this proposed schedule and calendar would align with the summer schedule of El Centro Elementary School District, who is also requesting a similar waiver. ECESD houses the majority of our classrooms and is associated with IVCEC. Also ECESD provides breakfast and lunch to our El Centro based classrooms and IVCEC so alternate arrangements for the school breakfast and lunch program would not have to be made if our days of operation were in alignment with ECESD.

Student Population: 489

City Type: Rural

Public Hearing Date: 2/10/2015

Public Hearing Advertised: Hearing was advertised through the local newspaper, the Imperial Valley Press.

Local Board Approval Date: 2/10/2015

Community Council Reviewed By: Imperial Valley Center for Exceptional Children School Site Council (SSC)

Community Council Reviewed Date: 2/24/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Spencer Wavra

Position: Senior Director of Special Education

E-mail: [swavra@icoe.org](mailto:swavra@icoe.org)

Telephone: 760-312-6428

Fax: 760-312-6530

Bargaining Unit Date: 01/29/2015

Name: ICOETA

Representative: Yolanda Benito

Title: President ICOETA

Position: Support

Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 1310132

Waiver Number: 28-2-2015

Active Year: 2015

Date In: 2/26/2015 3:16:13 PM

Local Education Agency: Imperial County Office of Education  
Address: 1398 Sperber Rd.  
El Centro, CA 92243

Start: 6/22/2015

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: CCR, Title 5, Section 3043(d)  
Ed Code Authority: 33050

Ed Code or CCR to Waive: An extended year program shall be provided for a minimum of 20 instructional days, including holidays.

Outcome Rationale: The Imperial County Office of Education (ICOE) Special Education Program is requesting a waiver to CCR, Title 5 3043 (d). Title 5 California Code of Regulation 3043 (d) requires, "An extended year program shall be provided for a minimum of 20 instructional days, including holidays." If approved, the waiver will allow operation of a 13 day Extended School Year program for ICOE Special Education classrooms located in the Brawley Elementary School District (BESD). The proposed dates are June 22, 2015 through July 10, 2015. This schedule contains the same number of required instructional minutes; however, twelve days (12) of this schedule shall be at 6 hours a day, and one day (1), July 10, 2015, will be at 4 hours. This waiver is necessary to align the ICOE BESD special education classrooms' schedule with the rest of the ICOE extended school year programs schedule. This alignment is necessary, because Brawley Elementary School District sites ended school one week later than all other districts serviced by ICOE Special Education. Alignment of schedules will provide both ICOE and BESD with cost savings for transportation, facilities expenditures and administrative personnel support. Also, the Brawley Union High School District, which provides breakfast and lunch service during ESY for ICOE classrooms located in the city of Brawley, will be implementing a similar calendar. If we are unable to align schedules with Brawley Union High School District's summer schedule, alternative arrangements for the school breakfast and lunch programs will need to be made.

Student Population: 489

City Type: Rural

Public Hearing Date: 2/10/2015

Public Hearing Advertised: Hearing was advertised through the local newspaper, the Imperial Valley Press.

Local Board Approval Date: 2/10/2015

Community Council Reviewed By: Imperial Valley Center for Exceptional Children School Site Council (SSC)

Community Council Reviewed Date: 2/24/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Spencer Wavra

Position: Senior Director of Special Education

E-mail: [swavra@icoe.org](mailto:swavra@icoe.org)

Telephone: 760-312-6428

Fax: 760-312-6530

Bargaining Unit Date: 01/29/2015

Name: CSEA

Representative: Ruby Tagaban

Title: CSEA President

Position: Support

Comments:

Bargaining Unit Date: 01/29/2015

Name: ICOETA

Representative: Yolanda Benito

Title: President ICOETA

Position: Support

Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3976760

Waiver Number: 28-3-2015

Active Year: 2015

Date In: 3/20/2015 5:00:38 PM

Local Education Agency: Lammersville Joint Unified School District  
Address: 111 S. De Anza Blvd.  
Mountain House, CA 95391

Start: 6/9/2015

End: 7/2/2015

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: CCR, Title 5, Section 3043(d)  
Ed Code Authority: 33050

Ed Code or CCR to Waive: As required by *California Code of Regulations*, Title 5, Section 3043(d), an approval may be granted to waive the [20]-day ESY requirement with the condition that 80 hours or more of instruction be provided (a minimum of 76 hours of instruction may be provided if a holiday is included.)

Outcome Rationale: Proposal is to operate a four week Extended School Year program for four days per week, 5 hours per day. The District will provide the same number of instructional hours (80 hours) as provided within the 20 instructional day calendar. The overall instructional time will remain the same; however, there will be a reduction in days of attendance to 16 days over a four week period. This will maintain attendance since in the previous years; student attendance appeared to decline the last week of ESY. We have identified a significant drop in attendance on Mondays and/or Fridays, as well as a reduction during the final week of the ESY program. This was particularly evident when the District offered a five week program and the instructional days extended beyond four weeks. Student learning will be maximized by modifying the ESY schedule to four days per week with extended daily time.

Student Population: 15

City Type: Rural

Public Hearing Date: 3/13/2015

Public Hearing Advertised: District Office Flyer and during Local Board Meeting

Local Board Approval Date: 3/18/2015

Community Council Reviewed By: School site council  
Community Council Reviewed Date: 3/18/2015  
Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Julie Corona  
Position: Director of Special Education  
E-mail: [jcorona@sjcoe.net](mailto:jcorona@sjcoe.net)  
Telephone: 209-836-7440 x2314  
Fax:

Bargaining Unit Date: 03/13/2015  
Name: Lammersville Teacher's Association  
Representative: Mike Herron  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3773569

Waiver Number: 13-4-2015

Active Year: 2015

Date In: 4/17/2015 10:46:27 AM

Local Education Agency: Oceanside Unified School District  
Address: 2080 Mission Ave.  
Oceanside, CA 92058

Start: 6/15/2015

End: 7/10/2015

Waiver Renewal: Y

Previous Waiver Number: 121-2-2014-W-01

Previous SBE Approval Date: 7/10/2014

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: CCR, Title 5, Section 3043(d) - To waive the minimum 20 days for an extended school year (ESY) for special education students

Outcome Rationale: The District is interested in continuing to modify the traditional model of 20 days of 4 hours each, equaling 80 hours of Extended School Year instruction to a model of 16 days of 5 hours each, equaling 80 hours of instruction. The District is committed to providing rigorous, high quality instruction and integrated service delivery for the identified special education students to meet their IEP goals.

Student Population: 19,296

City Type: Suburban

Public Hearing Date: 3/10/2015

Public Hearing Advertised: Notice posted at each school, District Website, All District buildings, Local Public Libraries

Local Board Approval Date: 3/10/2015

Community Council Reviewed By: Extended Cabinet (Extended cabinet includes superintendents and directors of all our district departments. Also consulted with all of the department chairs from our special education teams)

Community Council Reviewed Date: 1/19/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Courtney Cook  
Position: Director of Special Education  
E-mail: [courtney.cook@oside.us](mailto:courtney.cook@oside.us)  
Telephone: 760-966-7864  
Fax:

Bargaining Unit Date: 04/16/2015  
Name: California School Employee Association  
Representative: Deborah Kelly  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 01/23/2015  
Name: Oceanside Teachers Association  
Representative: Terrance Hart  
Title: President  
Position: Neutral  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3768395

Waiver Number: 14-4-2015

Active Year: 2015

Date In: 4/17/2015 11:04:16 AM

Local Education Agency: South Bay Union School District  
Address: 601 Elm Ave.  
Imperial Beach, CA 91932

Start: 6/15/2015

End: 7/2/2015

Waiver Renewal: Y

Previous Waiver Number: 18-1-2014-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: *California Code of Regulations*, Title 5, Section 3043(d)

Ed Code Authority: 33050-33053

Ed Code or *CCR* to Waive: *California Code of Regulations*, Title 5, Section 3043(d), which requires a minimum of [20] school days of attendance for an extended school year (summer school) for special education students.

Outcome Rationale: South Bay Union School District is requesting a waiver to modify the required 20 day extended school year (ESY) program to 14 days, due to the circumstances described below. This request is for the current school year only (2014-2015).

South Bay Union School District has approximately 246 students with IEPs who qualify for extended school year. There is no summer school program for any other students in the District. This school year, the district modified its school calendar to align with the area secondary schools, creating a much shorter time between school years. The last day of the regular 2014-2015 school year is June 9th for students and teachers. The first day of the 2014-2015 school year is anticipated to be July 27, 2015. This shortened period provides only 30 days to hold an ESY session.

A 14 day ESY program (June 15, 2015-July 2, 2015 for 5.75 hours/day) combined with a shortened period in the summer with no school, would still allow the District to address the regression and recoupment needs of identified students. An additional benefit would be a greater likelihood that the students' teachers and aides will choose to work if the session is shorter.

The ESY program, for the purposes of reimbursement for average daily attendance, will provide instruction of at least as many minutes over the 14 day period as it would have during the typical 20 day ESY program and will receive the reimbursement for the 20 days of instruction. Longer days can provide greater opportunity for instructional impact. Fewer days may save operational and transportation costs.

Student Population: 7740

City Type: Small

Public Hearing Date: 4/16/2015

Public Hearing Advertised: Notice posted at each school and the School District Office

Local Board Approval Date: 4/16/2015

Community Council Reviewed By: District Advisory Committee

Community Council Reviewed Date: 4/7/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Nancy Walter

Position: Coordinator, Student Support Services

E-mail: [nwalter@sbusd.org](mailto:nwalter@sbusd.org)

Telephone: 619-628-1665

Fax: 619-628-1669

Bargaining Unit Date: 03/18/2015

Name: California School Employees Association, Chapter 59

Representative: Beth Gillen

Title: President

Position: Support

Comments:

Bargaining Unit Date: 03/17/2015

Name: South West Teachers Association

Representative: Lorie Garcia

Title: President

Position: Support

Comments:



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

#### Specific Waiver

<p><b>SUBJECT</b></p> <p>Request by two local educational agencies under the authority of California <i>Education Code (EC)</i> Section 56101 and <i>California Code of Regulations</i>, Title 5, Section 3100, to waive <i>EC</i> Section 56362(c). Approval of this waiver will allow the resource specialists to exceed the maximum caseload of 28 students by no more than four students (32 maximum).</p> <p>Waiver Numbers: San Ramon Valley Unified School District 20-3-2015 San Ramon Valley Unified School District 25-3-2015 San Ramon Valley Unified School District 29-2-2015 Union Elementary School District 16-4-2015</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input checked="" type="checkbox"/> Consent</p>
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#### **SUMMARY OF THE ISSUE(S)**

The local educational agencies (LEAs) request to increase the caseload of resource specialists from the maximum allowed caseload of 28 students to 32 students.

**Authority for Waiver:** *Education Code (EC)* Section 56101

#### **RECOMMENDATION**

Approval  Approval with conditions  Denial

The California Department of Education (CDE) recommends approval with the following conditions: the district(s) must provide each resource specialist instructional aide time of at least five hours daily whenever the resource specialists' caseloads exceed the statutory maximum caseload of 28 students by no more than four students (32 maximum), during the waiver's effective period, per *California Code of Regulations*, Title 5 (5 CCR), Section 3100(d)(2).

#### **SUMMARY OF KEY ISSUES**

A resource specialist is a credentialed teacher who provides instruction and services to children with IEPs that are with regular education teachers for the majority of the school day. Resource specialists coordinate special education services with general education programs for his or her students.

Before recommending approval, the existing complaint/compliance database for any district requesting a caseload waiver is examined. If it appears that a particular local educational agency is requesting large numbers of waivers, or upon complaint from an individual resource specialist alleging that waiver conditions are not being followed, referrals are made to the Special Education Division for follow-up.

The San Ramon Valley Unified School District requests to increase the caseloads of three resource specialists from the required maximum caseload of 28 students to 32 students. The teachers are Elizabeth Weiland (California High School), Margaret Klauber (Montair Elementary School), and Sondra Stein (Vista Grande School). The teachers have not had an additional caseload within the past two years.

The Union Elementary School District requests to increase the caseload of Kari Hansen, resource specialist, Noddin Elementary School. The Department recommends approval with conditions. There have been no prior documented complaints registered with the CDE related to the District exceeding the maximum resource specialist program caseload of 28 students. The teacher currently has two aides for 12 hours a week each. An additional aide will be starting with the increased caseload for an additional nine hours a week.

#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

*EC* Section 56101 allows the State Board of Education (SBE) to waive any provision of *EC* or regulation if the waiver is necessary or beneficial when implementing a student IEP. Title 5 *CCR* specifically allows the SBE to approve waivers for resource specialists providing special education services to allow them to exceed the maximum caseload of 28 students by no more than four students. However, there are specific requirements in these regulations which must be met for approval, and if these requirements are not met, the waiver must be denied:

- 1) The requesting agency demonstrates to the satisfaction of the SBE: (A) that the excess resource specialist caseload results from extraordinary fiscal and/or programmatic conditions; and (B) that the extraordinary conditions have been resolved or will be resolved by the time the waiver expires.
- 2) The waiver stipulates that an affected resource specialist will have the assistance of an instructional aide at least five hours daily whenever that resource specialist's caseload exceeds the statutory maximum during the waiver's effective period.
- 3) The waiver confirms that the students served by an affected resource specialist will receive all of the services called for in their individualized education programs.

- 4) The waiver was agreed to by any affected resource specialist, and the bargaining unit, if any, to which the resource specialist belongs participated in the waiver's development.
- 5) The waiver demonstrates to the satisfaction of the SBE that the excess caseload can be reasonably managed by an affected resource specialist in particular relation to: (A) the resource specialist's pupil contact time and other assigned duties; and (B) the programmatic conditions faced by the resource specialist, including, but not limited to, student age level, age span, and the behavioral characteristics; number of curriculum levels taught at any one time or any given session; and intensity of student instructional needs.

The SBE receives about a dozen waivers of this type each year, and approximately 90 percent are approved. Due to the nature of this type of waiver, they are almost always retroactive.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no statewide fiscal impact of waiver(s) approval.

### **ATTACHMENT(S)**

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Attachment 1: Summary Table (2 pages)

Attachment 2: San Ramon Valley Unified School District–Vista Grande School Specific Waiver Request 20-3-2015 (5 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: San Ramon Valley Unified School District–Montair Elementary School Specific Waiver Request 25-3-2015 (5 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: San Ramon Valley Unified School District–California High School Specific Waiver Request 29-2-2015 (5 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Union Elementary School District Specific Waiver Request 16-4-2015 (5 pages). (Original waiver request is signed and on file in the Waiver Office.)

Resource Specialist Program Summary Table

Waiver Number	School District/ School	Name of Teacher/ Agrees to Excess Caseload?	Over Statutory Caseload for More Than Two Years?	Current Aide Time/ Aide Time With Approved Waiver?	Demographics	Period of Request	Local Board Approval Date	Date/Name Bargaining Unit Consulted/ Position
20-3-2015	San Ramon Valley Unified School District, Vista Grande School	Sondra Stein <b>Yes</b>	No	<b>Current:</b> 25 hours per week  <b>If Approved:</b> 25 hours a week	<b>Student Population:</b> 32,055  <b>Area:</b> Suburban  <b>County:</b> Contra Costa	<b>Requested:</b> 2/13/15–6/11/15  <b>Recommended:</b> 2/13/15–6/11/15	3/10/15	2/24/15 San Ramon Valley Education Association (SRVEA), Ann Katzburg President  <b>Support</b>
25-3-2015	San Ramon Valley Unified School District, Montair Elementary School	Margaret Klauber <b>Yes</b>	No	<b>Current:</b> 5 hours per week  <b>If Approved:</b> 5 hours a week	<b>Student Population:</b> 31,907  <b>Area:</b> Suburban  <b>County:</b> Contra Costa	<b>Requested:</b> 11/13/14–6/11/15  <b>Recommended:</b> 11/13/14–6/11/15	1/13/15	12/1/14 San Ramon Valley Education Association (SRVEA), Ann Katzburg President  <b>Support</b>

Waiver Number	School District/ School	Name of Teacher/ Agrees to Excess Caseload?	Over Statutory Caseload for More Than Two Years?	Current Aide Time/ Aide Time With Approved Waiver?	Demographics	Period of Request	Local Board Approval Date	Date/Name Bargaining Unit Consulted/ Position
29-2-2015	San Ramon Valley Unified School District, California High School	Elizabeth Weiland <b>Yes</b>	No	<b>Current:</b> 5 hours per week  <b>If Approved:</b> 5 hours a week	<b>Student Population:</b> 32,055  <b>Area:</b> Suburban  <b>County:</b> Contra Costa	<b>Requested:</b> 10/27/14–6/11/15  <b>Recommended:</b> 10/27/14–6/11/15	2/24/15	11/13/14 San Ramon Valley Education Association (SRVEA), Ann Katzburg President  <b>Support</b>
16-4-2015	Union Elementary School District	Kari Hansen <b>Yes</b>	No	<b>Current:</b> 24 hours per week  <b>If Approved:</b> 33 hours a week	<b>Student Population:</b> 5,644  <b>Area:</b> Urban  <b>County:</b> Santa Clara	<b>Requested:</b> 3/23/15–6/11/15  <b>Recommended:</b> 3/23/15–6/11/15	4/13/15	3/25/15 Union District Educators Association, Mary Martin President  <b>Support</b>

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 0761804

Waiver Number: 20-3-2015

Active Year: 2015

Date In: 3/16/2015 9:36:41 AM

Local Education Agency: San Ramon Valley Unified School District  
Address: 699 Old Orchard Dr.  
Danville, CA 94526

Start: 2/13/2015

End: 6/11/2015

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program  
Ed Code Title: Resource Teacher Caseload  
Ed Code Section: 56362 (c)  
Ed Code Authority: 56101 and 5 CCR Section 3100

Ed Code or CCR to Waive: 56362(c)

Outcome Rationale: We currently have a full time Resource Specialist and a five hour daily para-educator for our Resource program. Due to an increase in total student enrollment, we have experienced an increase in the number of students with disabilities. We believe it is always best to keep students at their home school, whenever possible, and to provide the necessary services utilizing existing school staff. Increasing the Resource Specialist's caseload will allow us to do this. If the caseload exceeds the maximum increase of 32, we will use another Resource Specialist from a different site to provide support.

Student Population: 32055

City Type: Suburban

Local Board Approval Date: 3/10/2015

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Judith Cameron  
Position: SELPA Executive Director  
E-mail: [jcameron@srvusd.net](mailto:jcameron@srvusd.net)  
Telephone: 925-552-2996  
Fax:

Bargaining Unit Date: 02/24/2015  
Name: San Ramon Valley Education Association (SRVEA)  
Representative: Ann Katzburg  
Title: President, SRVEA  
Position: Support  
Comments:

California Department of Education  
Revised 6-26-2014

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the ADMINISTRATOR**

1. SELPA / District / COE Name: San Ramon Valley / San Ramon USD / Contra Costa COE
2. Name of Resource Specialist\*: Sondra Stein
3. School / District Assignment: Vista Grande
4. Status: Permanent  Probation  Temporary
5. Number of students 29 (Caseload) proposed number of students 32
6. Full time Equivalent (FTE%): 1.0
7. Number of periods or hours taught by Resource Specialist: Periods  Hours 7
8. Average number of students per hour taught: 6
9. Indicate amount of Instructional Aide time: 5 (hours) to be provided to this resource specialist with this waiver.  
**Note: At least 5 hours of aide time is required when the caseload is over 28, per CCR, Title 5, Section 3100(d)(2).**
10. Provide assurance that the waiver will not hinder the implementation of a student's individualized educational program (IEP) for all students involved with the waiver or compliance with specified federal law, per CCR, Title 5, Section 3100(d):  

All of the students can be served with the increase caseload of 32 students.
11. Explain what extraordinary fiscal or program circumstances resulted in this request for excess caseload, per CCR, Title 5, Section 3100(d):  

There are no extraordinary fiscal or program circumstances with the request for excess caseload.
12. Indicate how your plan of action to resolve conditions by the time the waiver expires or is denied by the SBE, per CCR, Title 5, Section 3100(d)(1):  

To continue to monitor caseloads and hire additional staff when needed/available.

Administrator/Designee Name and Title: Patricia Hansen, Principal

Telephone number (and extension): 925-314-1000

Date: 02/18/2015

\*Resource Specialist as defined in EC Section 56362.5

California Department of Education  
Revised 6-26-2014

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD  
To be completed by the RESOURCE SPECIALIST (Teacher)**

Name: Sondra Stein  
Assigned at: Vista Grande Elementary

1. Is the information in Items 1 – 12 on the attached SW \_ RSC \_ Administrator form an accurate reflection of your current assignments, personal data, FTE, your caseload, number of periods taught and average number of students?  
 Yes                       No

If not, please state where you believe these facts or numbers differ:

My caseload as of 3/5/15 is 30 students. My caseload as of 3/9/15 will be 31 students.

2. Will all students served receive all of the services called for in their IEP's? Can you reasonably manage the excess caseload in relation to the programmatic condition you face, including, but not limited to, student age level, age span, and behavioral characteristics; number of curriculum levels taught at any one time or any given session, and intensity of student instructional needs. Please explain:

Yes, I am able to provide all of the services called for in the IEP for my students with the continuing assistance of my current, dedicated 25 hour per week paraprofessional.

3. Can you reasonably manage the excess caseload in relation to your student contact time, and other assigned duties? Please explain:

Yes, I take special care to schedule all of my students and I am able to manage the excess caseload with the continuing support of my current, dedicated 25 hour per week paraprofessional.

4. *EC* Section 56362(c) states that no resource specialist shall have a caseload which exceeds 28 students, per *CCR*, Title 5, Section 3100. Regulations allow your agency to request a waiver of the *EC*, providing certain conditions are met, and that in no circumstance may your caseload be raised to above 32 students.

Indicate your position regarding this waiver request by a check mark in one box:

AGREE – to the increase in my student caseload from 28 students to not more than 32 students.

DISAGREE – to an increase in my student caseload over the 28 students. If disagreeing, provide rationale below:

California Department of Education  
Revised 6-26-2014

5. Indicate a check mark in the appropriate box:

I did not have a student caseload of more than 28 during the last school year.

I did have a student caseload of more than 28 during the last school year. If yes, please respond below:

(a) Did you have an approved waiver for this caseload? Yes \_\_\_ No X

(b) Specify which months / weeks you were over caseload: From 08/27/2013 to 06/12/2014

(c) Other pertinent information: \_\_\_\_\_

I have had a student caseload of **more than 28** for **more than two consecutive years**.

6. Instructional Aide time currently receiving: 25 hours (prior to increased caseload).

7. Any additional Aide time with this waiver? \_\_\_\_\_ total hours after increase.

There is no additional Aide time that I have been informed of beyond the current 25 hours per week Instructional Aide.

SS I hereby certify that the information provided on this application is true and correct (please initial).

Date: 03/05/2015

Telephone number (and extension): 925-314-1037

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 0761804

Waiver Number: 25-3-2015

Active Year: 2015

Date In: 3/20/2015 8:37:08 AM

Local Education Agency: San Ramon Valley Unified School District  
Address: 699 Old Orchard Dr.  
Danville, CA 94526

Start: 11/13/2014

End: 6/11/2015

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program  
Ed Code Title: Resource Teacher Caseload  
Ed Code Section: 56362(c)  
Ed Code Authority: 56101 and 5 CCR Section 3100

Ed Code or CCR to Waive: 56362(c)

Outcome Rationale: We currently have a full-time Resource Specialist and a five hour daily para-educator for our Resource program. Due to an increase in total student enrollment, we have experienced an increase in the number of students with disabilities. We believe it is always best to keep students at their home school, whenever possible, and to provide the necessary services utilizing existing school staff. Increasing the Resource Specialist's caseload will allow us to do this. If the caseload exceeds the maximum increase of 32, we will use another Resource Specialist from a different site to provide support.

Student Population: 31907

City Type: Suburban

Local Board Approval Date: 1/13/2015

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Judith Cameron  
Position: SELPA Executive Director  
E-mail: [jcameron@srvusd.net](mailto:jcameron@srvusd.net)  
Telephone: 925-552-2996  
Fax:

Bargaining Unit Date: 12/01/2014  
Name: San Ramon Valley Education Association (SRVEA)  
Representative: Ann Katzburg  
Title: President, SRVEA  
Position: Support  
Comments:

California Department of Education  
Revised 6-26-2014

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the ADMINISTRATOR**

1. SELPA / District / COE Name: San Ramon Valley / San Ramon USD / Contra Costa COE
2. Name of Resource Specialist\*: Margaret Klauber
3. School / District Assignment: Montair Elementary
4. Status: Permanent  Probation  Temporary
5. Number of students 29 (Caseload) proposed number of students 32
6. Full time Equivalent (FTE%): 1.0
7. Number of periods or hours taught by Resource Specialist: Periods  Hours 7
8. Average number of students per hour taught: 6
9. Indicate amount of Instructional Aide time: 5 (hours) to be provided to this resource specialist with this waiver.  
**Note: At least 5 hours of aide time is required when the caseload is over 28, per CCR, Title 5, Section 3100(d)(2).**
10. Provide assurance that the waiver will not hinder the implementation of a student's individualized educational program (IEP) for all students involved with the waiver or compliance with specified federal law, per CCR, Title 5, Section 3100(d):  
  
All students can be served with the increased caseload of up to 32.
11. Explain what extraordinary fiscal or program circumstances resulted in this request for excess caseload, per CCR, Title 5, Section 3100(d):  
  
None
12. Indicate how your plan of action to resolve conditions by the time the waiver expires or is denied by the SBE, per CCR, Title 5, Section 3100(d)(1):  
  
Continue monitoring caseloads and hire additional staff when needed and available.

Administrator/Designee Name and Title: Anthony LaRue

Telephone number (and extension): 925-855-5100

Date: 11/04/2014

\*Resource Specialist as defined in EC Section 56362.5

California Department of Education  
Revised 6-26-2014

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD  
To be completed by the RESOURCE SPECIALIST (Teacher)**

Name: Margaret Klauber  
Assigned at: Montair Elementary

1. Is the information in Items 1 – 12 on the attached SW \_ RSC \_ Administrator form an accurate reflection of your current assignments, personal data, FTE, your caseload, number of periods taught and average number of students?

Yes                       No

If not, please state where you believe these facts or numbers differ:

2. Will all students served receive all of the services called for in their IEP's? Can you reasonably manage the excess caseload in relation to the programmatic condition you face, including, but not limited to, student age level, age span, and behavioral characteristics; number of curriculum levels taught at any one time or any given session, and intensity of student instructional needs. Please explain:

Students are served in small groups with both pull out and push in services. Monitor students will exit this year.

3. Can you reasonably manage the excess caseload in relation to your student contact time, and other assigned duties? Please explain:

Same as above

4. *EC* Section 56362(c) states that no resource specialist shall have a caseload which exceeds 28 students, per *CCR*, Title 5, Section 3100. Regulations allow your agency to request a waiver of the *EC*, providing certain conditions are met, and that in no circumstance may your caseload be raised to above 32 students.

Indicate your position regarding this waiver request by a check mark in one box:

AGREE – to the increase in my student caseload from 28 students to not more than 32 students.

DISAGREE – to an increase in my student caseload over the 28 students. If disagreeing, provide rationale below:

California Department of Education  
Revised 6-26-2014

5. Indicate a check mark in the appropriate box:

I did not have a student caseload of more than 28 during the last school year.

I did have a student caseload of more than 28 during the last school year. If yes, please respond below:

(d) Did you have an approved waiver for this caseload? Yes \_\_\_ No \_\_\_

(e) Specify which months / weeks you were over caseload: From \_\_\_ to \_\_\_

(f) Other pertinent information: \_\_\_\_\_

I have had a student caseload of **more than 28** for **more than two consecutive years**.

6. Instructional Aide time currently receiving: 5 hours (prior to increased caseload).

7. Any additional Aide time with this waiver? \_\_\_\_\_ total hours after increase.

MK I hereby certify that the information provided on this application is true and correct (please initial).

Date: 11/12/2014

Telephone number (and extension): 925-855-5100

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 0761804

Waiver Number: 29-2-2015

Active Year: 2015

Date In: 2/27/2015 12:33:14 PM

Local Education Agency: San Ramon Valley Unified School District  
Address: 699 Old Orchard Dr.  
Danville, CA 94526

Start: 10/27/2014

End: 6/11/2015

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program  
Ed Code Title: Resource Teacher Caseload  
Ed Code Section: 56362(c)  
Ed Code Authority: 56101 and 5 CCR Section 3100

Ed Code or CCR to Waive: 56362(c)

Outcome Rationale: We currently have a full time Resource Specialist and a seven hour daily para-educator for our Resource program. Due to an increase in total student enrollment, we have experienced an increase in the number of students with disabilities. We believe it is always best to keep students at their home school, whenever possible, and to provide the necessary services utilizing existing school staff. Increasing the Resource Specialist's caseload will allow us to do this. If the caseload exceeds the maximum increase of 32, we will use another Resource Specialist from a different site to provide support.

Student Population: 32055

City Type: Suburban

Local Board Approval Date: 2/24/2015

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Judith Cameron  
Position: SELPA Executive Director  
E-mail: [jcameron@srvusd.net](mailto:jcameron@srvusd.net)  
Telephone: 925-552-2996  
Fax: 925-820-5277

Bargaining Unit Date: 11/13/2014  
Name: San Ramon Valley Education Association (SRVEA)  
Representative: Ann Katzburg  
Title: President, SRVEA  
Position: Support  
Comments:

California Department of Education  
Revised 6-26-2014

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the ADMINISTRATOR**

1. SELPA / District / COE Name: San Ramon Valley / San Ramon USD / Contra Costa COE
2. Name of Resource Specialist\*: Elizabeth Weiland
3. School / District Assignment: California High School
4. Status: Permanent  Probation  Temporary
5. Number of students 29 (Caseload) proposed number of students 32
6. Full time Equivalent (FTE%): 1.0
7. Number of periods or hours taught by Resource Specialist: Periods 4 Hours
8. Average number of students per hour taught: 22
9. Indicate amount of Instructional Aide time: 5 (hours) to be provided to this resource specialist with this waiver.  
**Note: At least 5 hours of aide time is required when the caseload is over 28, per CCR, Title 5, Section 3100(d)(2).**
10. Provide assurance that the waiver will not hinder the implementation of a student's individualized educational program (IEP) for all students involved with the waiver or compliance with specified federal law, per CCR, Title 5, Section 3100(d):  

All of the students can be served with the increase caseload of 32 students.
11. Explain what extraordinary fiscal or program circumstances resulted in this request for excess caseload, per CCR, Title 5, Section 3100(d):  

There are no extraordinary fiscal or program circumstances with the request for excess caseload.
12. Indicate how your plan of action to resolve conditions by the time the waiver expires or is denied by the SBE, per CCR, Title 5, Section 3100(d)(1):  

To continue to monitor caseloads and hire additional staff when needed/available.

Administrator/Designee Name and Title: Sarah Wondolowski, Principal

Telephone number (and extension): 925-804-3210 ext. 24810

Date: 11/12/14

\*Resource Specialist as defined in EC Section 56362.5

California Department of Education  
Revised 6-26-2014

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD  
To be completed by the RESOURCE SPECIALIST (Teacher)**

Name: Elizabeth Wieland  
Assigned at: California High School

1. Is the information in Items 1 – 12 on the attached SW \_ RSC \_ Administrator form an accurate reflection of your current assignments, personal data, FTE, your caseload, number of periods taught and average number of students?  
X Yes  No

If not, please state where you believe these facts or numbers differ:

2. Will all students served receive all of the services called for in their IEP's? Can you reasonably manage the excess caseload in relation to the programmatic condition you face, including, but not limited to, student age level, age span, and behavioral characteristics; number of curriculum levels taught at any one time or any given session, and intensity of student instructional needs. Please explain:

Yes, the majority of the students on my caseload are in classes that I co-teach or my Academic Studies class. I am able to monitor their services by collaborating with the student and general education team.

3. Can you reasonably manage the excess caseload in relation to your student contact time, and other assigned duties? Please explain:

Yes, the majority of the students on my caseload are in classes that I co-teach or my Academic Studies class. I am able to monitor their services by collaborating with the student and general education team.

4. *EC* Section 56362(c) states that no resource specialist shall have a caseload which exceeds 28 students, per *CCR*, Title 5, Section 3100. Regulations allow your agency to request a waiver of the *EC*, providing certain conditions are met, and that in no circumstance may your caseload be raised to above 32 students.

Indicate your position regarding this waiver request by a check mark in one box:

X AGREE – to the increase in my student caseload from 28 students to not more than 32 students.

DISAGREE – to an increase in my student caseload over the 28 students. If disagreeing, provide rationale below:

California Department of Education  
Revised 6-26-2014

5. Indicate a check mark in the appropriate box:

I did not have a student caseload of more than 28 during the last school year.

I did have a student caseload of more than 28 during the last school year. If yes, please respond below:

(g) Did you have an approved waiver for this caseload? Yes \_\_\_ No \_\_\_

(h) Specify which months / weeks you were over caseload: From \_\_\_ to \_\_\_

(i) Other pertinent information: \_\_\_\_\_

I have had a student caseload of **more than 28** for **more than two consecutive years**.

6. Instructional Aide time currently receiving: 5 hours (prior to increased caseload).

7. Any additional Aide time with this waiver? 0 total hours after increase.

EW I hereby certify that the information provided on this application is true and correct (please initial).

Date: 1/14/15

Telephone number (and extension): 925-803-3310

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 4369708

Waiver Number: 16-4-2015

Active Year: 2015

Date In: 4/20/2015 2:58:17 PM

Local Education Agency: Union Elementary School District  
Address: 5175 Union Ave.  
San Jose, CA 95124

Start: 3/23/2015

End: 6/11/2015

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program  
Ed Code Title: Resource Teacher Caseload  
Ed Code Section: 56362 (c)  
Ed Code Authority: 56101 and 5 CCR Section 3100

Ed Code or CCR to Waive: 56362 (c)  
(c) Caseloads for resource specialists shall be stated in the local policies developed pursuant to Section 56195.8 and in accordance with regulations established by the board. No resource specialist shall have a caseload which exceeds 28 pupils.

Outcome Rationale: As part of child find, students were assessed and made eligible for RSP services throughout the school year.

Student Population: 5644

City Type: Urban

Local Board Approval Date: 4/13/2015

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Linda Haines  
Position: Director of Special Education  
E-mail: [hainesl@unionsd.org](mailto:hainesl@unionsd.org)  
Telephone: 408-377-8010 x44261  
Fax:

Bargaining Unit Date: 03/25/2015  
Name: (UDEA) Union District Educators Association  
Representative: Mary Martin  
Title: UDEA President  
Position: Support  
Comments:

California Department of Education  
Revised 6-26-2014

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the ADMINISTRATOR**

1. SELPA / District / COE Name: SELPA III – Union School District – Santa Clara County Office of Ed
2. Name of Resource Specialist\*: Kari Hansen
3. School / District Assignment: Noddin Elementary
4. Status: Permanent   x   Probation        Temporary
5. Number of students   29   (Caseload) proposed number of students   30
6. Full time Equivalent (FTE%):   1.0
7. Number of periods or hours taught by Resource Specialist: Periods        Hours   6.5
8. Average number of students per hour taught:   8
9. Indicate amount of Instructional Aide time:   6   (hours) to be provided to this resource specialist with this waiver.  
**Note: At least 5 hours of aide time is required when the caseload is over 28, per CCR, Title 5, Section 3100(d)(2).**
10. Provide assurance that the waiver will not hinder the implementation of a student's individualized educational program (IEP) for all students involved with the waiver or compliance with specified federal law, per CCR, Title 5, Section 3100(d): Service levels for RSP service on all IEPS will be delivered.
11. Explain what extraordinary fiscal or program circumstances resulted in this request for excess caseload, per CCR, Title 5, Section 3100(d): As part of Child Find, students were assessed and made eligible for RSP services throughout the school year.
12. Indicate how your plan of action to resolve conditions by the time the waiver expires or is denied by the SBE, per CCR, Title 5, Section 3100(d)(1): 5<sup>th</sup> grade students with RSP service will matriculate to the middle school for the 15-16 school year.

Administrator/Designee Name and Title: Linda Haines, Special Ed Director

Telephone number (and extension): 408-377-8010 ext 44261

Date: 3/20/15

\*Resource Specialist as defined in EC Section 56362.5

California Department of Education  
Revised 6-26-2014

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD  
To be completed by the RESOURCE SPECIALIST (Teacher)**

Name: Kari Hansen  
Assigned at: Noddin Elementary

1. Is the information in Items 1 – 12 on the attached SW \_ RSC \_ Administrator form an accurate reflection of your current assignments, personal data, FTE, your caseload, number of periods taught and average number of students?  
 Yes                       No

If not, please state where you believe these facts or numbers differ:

2. Will all students served receive all of the services called for in their IEP's? Can you reasonably manage the excess caseload in relation to the programmatic condition you face, including, but not limited to, student age level, age span, and behavioral characteristics; number of curriculum levels taught at any one time or any given session, and intensity of student instructional needs. Please explain: Yes, all students will receive services called for on their IEP.
3. Can you reasonably manage the excess caseload in relation to your student contact time, and other assigned duties? Please explain: Yes, I can reasonable manage the caseload.
4. *EC* Section 56362(c) states that no resource specialist shall have a caseload which exceeds 28 students, per *CCR*, Title 5, Section 3100. Regulations allow your agency to request a waiver of the *EC*, providing certain conditions are met, and that in no circumstance may your caseload be raised to above 32 students.

Indicate your position regarding this waiver request by a check mark in one box:

AGREE – to the increase in my student caseload from 28 students to not more than 32 students.

DISAGREE – to an increase in my student caseload over the 28 students. If disagreeing, provide rational below:

California Department of Education  
Revised 6-26-2014

5. Indicate a check mark in the appropriate box:

I did not have a student caseload of more than 28 during the last school year.

I did have a student caseload of more than 28 during the last school year. If yes, please respond below:

(j) Did you have an approved waiver for this caseload? Yes \_\_\_ No \_\_\_

(k) Specify which months / weeks you were over caseload: From \_\_\_ to \_\_\_

(l) Other pertinent information: \_\_\_\_\_

I have had a student caseload of **more than 28** for **more than two consecutive years**.

6. Instructional Aide time currently receiving: 6 hours (prior to increased caseload).

7. Any additional Aide time with this waiver? 0 total hours after increase.

KH I hereby certify that the information provided on this application is true and correct (please initial).

Date: 3/20/15

Telephone number (and extension): 408-356-2127 x 108



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Requests by three local educational agencies to waive portions of <i>California Code of Regulations</i>, Title 5, Section 11963.6(c), relating to the submission and action on determination of funding requests regarding nonclassroom-based instruction.</p> <p>Waiver Numbers: El Dorado County Office of Education 5-4-2015 El Dorado County Office of Education 6-4-2015 Fresno Unified School District 19-4-2015 Madera County Office of Education 26-3-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### SUMMARY OF THE ISSUES

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Three 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(c), 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

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**Approval**    **Approval with conditions**    **Denial**

The California Department of Education (CDE) recommends that the SBE approve the requests by the El Dorado County Office of Education, Fresno Unified School District, and Madera County Office of Education 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**

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*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(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 charter school listed in Attachment 1 submitted a determination of funding request after the required deadline, thereby making the request retroactive.

### **Demographic Information:**

El Dorado County Office of Education is requesting a waiver for Charter Alternative Program which serves a student population of 171 and is located in a rural area in El Dorado County.

El Dorado County Office of Education is requesting a waiver for Charter Community School Home Study Academy which serves a student population of 469 and is located in a rural area in El Dorado County.

Fresno Unified School District is requesting a waiver for the School of Unlimited Learning which serves a student population of 240 and is located in an urban area in Fresno County.

Madera County Office of Education is requesting a waiver for the Madera County Independent Academy which serves a student population of 968 and is located in a small city in Madera 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](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The SBE has approved similar waiver requests regarding retroactive funding determination requests for charter schools that offer nonclassroom-based instruction.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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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)**

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- Attachment 1: Local Educational Agencies Requesting Waiver of Nonclassroom-Based (NCB) Funding Determination Request Deadline (2 Pages)
- Attachment 2: El Dorado County Office of Education General Waiver Request 5-4-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 3: El Dorado County Office of Education General Waiver Request 6-4-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 4: Fresno Unified School District General Waiver Request 19-4-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 5: Madera County Office of Education General Waiver Request 26-3-2015 (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
5-4-2015	El Dorado County Office of Education	Charter Alternative Program (360 / 09-10090-0123521)	2010–11	<p><b>Requested:</b> July 1, 2014 to June 30, 2015</p> <p><b>Recommended:</b> July 1, 2014 to June 30, 2015</p>	4/07/2015	Posted at the charter school, county office of education and county office of education website.	<p>El Dorado County Board of Education 4/07/2015</p> <p><b>No objections</b></p>
6-4-2015	El Dorado County Office of Education	Charter Community School Home Study Academy (005 / 09-10090-0930123)	1993–94	<p><b>Requested:</b> July 1, 2014 to June 30, 2015</p> <p><b>Recommended:</b> July 1, 2014 to June 30, 2015</p>	4/07/2015	Posted at the charter school, county office of education and county office of education website.	<p>El Dorado County Board of Education 4/07/2015</p> <p><b>No objections</b></p>
19-4-2015	Fresno Unified School District	The School of Unlimited Learning (149 / 10-62166-1030642)	1998–99	<p><b>Requested:</b> July 1, 2014 to June 30, 2015</p> <p><b>Recommended:</b> July 1, 2014 to June 30, 2015</p>	4/22/2015	Public posting and online at district website.	<p>SOUL Governing Council 4/14/2015</p> <p><b>No objections</b></p>

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
26-3-2015	Madera County Office of Education	Madera County Independent Academy (1001 / 20-10207-0117184)	2008-09	<p><b>Requested:</b> July 1, 2014 to June 30, 2015</p> <p><b>Recommended:</b> July 1, 2014 to June 30, 2015</p>	3/10/2015	Posted in public location at three locations including the school site and the county office of education and on website.	<p>Madera County Board of Education 3/10/2015</p> <p><b>No objections</b></p>

Created by California Department of Education  
May 15, 2015

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 0910090

Waiver Number: 5-4-2015

Active Year: 2015

Date In: 4/8/2015 11:26:37 AM

Local Education Agency: El Dorado County Office of Education  
Address: 6767 Green Valley Road  
Placerville, CA 95667

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: 5 CCR 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.

Outcome Rationale: We were not aware that a deadline of February 1 had been established for the submission of a funding determination request. We would like to have the February 1 deadline extended so that we could have our funding determination form for our Charter Alternative program charter number 360 reviewed and considered by the SBE during their July meeting.

Student Population: 171

City Type: Rural

Public Hearing Date: 4/7/2015

Public Hearing Advertised: Posted at the Charter School, Office of Education and the Office of Education web site

Local Board Approval Date: 4/7/2015

Community Council Reviewed By: El Dorado County Board of Education

Community Council Reviewed Date: 4/7/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. James Maher  
Position: Senior Director, Internal Business Service  
E-mail: [jmaher@edcoe.org](mailto:jmaher@edcoe.org)  
Telephone: 530-295-2215  
Fax: 530-621-2543

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 0910090

Waiver Number: 6-4-2015

Active Year: 2015

Date In: 4/8/2015 11:38:53 AM

Local Education Agency: El Dorado County Office of Education  
Address: 6767 Green Valley Road  
Placerville, CA 95667

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: 5 CCR 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.

Outcome Rationale: We were not aware that a deadline of February 1 had been established for the submission of a funding determination request. We would like to have the February 1 deadline extended so that we could have our funding determination form for our Charter Community School Home Study Academy reviewed and considered by the SBE during their July meeting.

Student Population: 469

City Type: Rural

Public Hearing Date: 4/7/2015

Public Hearing Advertised: Posted at the Charter School, Office of Education and the Office of Education web site

Local Board Approval Date: 4/7/2015

Community Council Reviewed By: El Dorado County Board of Education

Community Council Reviewed Date: 4/7/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. James Maher  
Position: Senior Director, Internal Business Service  
E-mail: [jmaher@edcoe.org](mailto:jmaher@edcoe.org)  
Telephone: 530-295-2215  
Fax: 530-621-2543

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 1062166

Waiver Number: 19-4-2015

Active Year: 2015

Date In: 4/23/2015 4:00:10 PM

Local Education Agency: Fresno Unified School District  
Address: 2309 Tulare Street  
Fresno, CA 93721

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: 33050

Ed Code or CCR to Waive: 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: The School of Unlimited Learning (SOUL) is a charter school serving primarily at-risk students. SOUL offers both classroom-based and independent study programs. SOUL unfortunately missed the February 1, 2015 deadline to submit its funding cycle renewal application for the SB740 Funding Determination. SOUL has successfully provided an independent study option for the past seventeen years, and has been funded at 100% for its Independent Study ADA. SOUL meets all of the criteria necessary for continued full funding. SOUL has received multiple year determinations in past years. Approval of this waiver will allow SOUL to submit it's 2014/15 Funding Determination for subsequent consideration and review by the CDE and ultimate approval by California State Board of Education.

Student Population: 240

City Type: Urban

Public Hearing Date: 4/22/2015

Public Hearing Advertised: Public posting and online at District website.

Local Board Approval Date: 4/22/2015

Community Council Reviewed By: SOUL Governing Council

Community Council Reviewed Date: 4/14/2015

Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Debra Odom  
Position: District Charter Coordinator  
E-mail: [debra.odom@fresnounified.org](mailto:debra.odom@fresnounified.org)  
Telephone: 559-457-3923  
Fax: 559-457-3641

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 2010207

Waiver Number: 26-3-2015

Active Year: 2015

Date In: 3/20/2015 10:02:34 AM

Local Education Agency: Madera County Office of Education  
Address: 1105 South Madera Avenue  
Madera, CA 93637

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: 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: Madera County Office of Education is requesting this waiver on behalf of Madera County Independent Academy (MCIA) 20102070117184. MCIA's initial non-funding determination letter expired June 30, 2014. We thought that meant we would file a new funding determination letter on February 1, 2015. When we filed the funding determination we were told it should have been filed on February 1, 2014, the year it actually expired. We actually had filled out the paperwork in 2014 using the correct financial data but because the form had 2015-16 on it, I made the wrong assumption. We are requesting a waiver for filing in the wrong school year.

Student Population: 279

City Type: City

Public Hearing Date: 3/10/2015

Public Hearing Advertised: Agenda was posted in a public location at three locations including the school site and county office of education, the agenda and detail was posted on our webpage.

Local Board Approval Date: 3/10/2015

Community Council Reviewed By: Madera County Board of Education

Community Council Reviewed Date: 3/10/2015  
Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Steve Carney  
Position: Executive Director  
E-mail: [scarney@maderacoe.us](mailto:scarney@maderacoe.us)  
Telephone: 559-662-6277  
Fax: 559-674-7468

Bargaining Unit Date: 02/23/2015  
Name: California Schools Employees Association  
Representative: Kellie Stiles  
Title: President  
Position: Support

Bargaining Unit Date: 02/23/2015  
Name: California Teachers Association  
Representative: Karl Diaz  
Title: President  
Position: Support



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by four school districts to waive <i>California Education Code</i> Section 37202, the equity length of time requirement for transitional kindergarten and kindergarten programs at the district's elementary schools.</p> <p>Waiver Numbers: Anaheim City School District 12-3-2015 Junction City Elementary School District 9-4-2015 Orinda Union Elementary School District 23-4-2015 Poway Unified School District 21-3-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

Anaheim City School District (ACSD), Junction City Elementary School District (JCESD), Orinda Union Elementary School District (OUESD), and Poway Unified School District (PUSD) 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:** *Education Code (EC)* Section 33050

#### **RECOMMENDATION**

Approval  Approval with conditions  Denial

The CDE recommends approval of the waiver with condition that the ACSD, JCESD, OUESD, and PUSD will provide information to ACSD, JCESD, OUESD, and PUSD families by August 10, 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 ACSD, JCESD, OUESD, and PUSD 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 ACSD, JCESD, OUESD, and PUSD currently offer extended day (full-day) kindergarten programs which exceed the maximum four-hour school day (*EC* 46111 [a]). The ACSD, JCESD, OUESD, and PUSD 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 ACSD, JCESD, OUESD, and PUSD 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:**

ACSD has a student population of 19,164 and is located in an urban area in Orange County.

JCESD has a student population of 86 and is located in a rural area in Trinity County.

OUESD has a student population of 2,558 and is located in a rural area in Contra Costa County.

PUSD has a student population of 35,635 and is located in an urban area in 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](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The State Board of Education has approved with conditions all waiver requests to date by local educational agencies to waive *EC* Section 37202(a), the equity length of time requirement for kindergarten and TK.

**FISCAL ANALYSIS (AS APPROPRIATE)**

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Approval of this waiver would have no known fiscal impact.

**ATTACHMENT(S)**

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Attachment 1: Districts requesting a waiver for transitional kindergarten (2 pages).

Attachment 2: ACSD General Waiver Request 12-3-2015 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: JCESD General Waiver Request 9-4-2015 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: OUESD General Waiver Request 23-4-2015 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: PUSD General Waiver Request 21-3-2015 (3 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
12-3-2015	Anaheim City School District	<p><b>Requested:</b> June 1, 2015, to June 29, 2017</p> <p><b>Recommended:</b> July 1, 2015, to June 28, 2017</p>	<p>Anaheim Elementary Education Association</p> <p>Kristen Fisher President</p> <p>February 13, 2015</p> <p><b>Support</b></p>	February 19, 2015	The public hearing notice was posted at 24 school sites and in the district office.	<p>Transitional Kindergarten Advisory Committee</p> <p>February 17, 2015</p> <p><b>No Objection</b></p>
9-4-2015	Junction City Elementary School District	<p><b>Requested:</b> August 17, 2015, to June 8, 2016</p> <p><b>Recommended:</b> August 17, 2015, to June 8, 2016</p>	No Bargaining Unit	<p><b>Public Hearing Date:</b> April 20, 2015</p> <p><b>Board Approval Date:</b> April 16, 2015</p>	The public hearing notice was posted at the school and post office.	<p>Schoolsite council</p> <p>April 20, 2015</p> <p><b>No Objection</b></p>

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
23-4-2015	Orinda Union Elementary School District	<p><b>Requested:</b> September 22, 2015, to June 30, 2017</p> <p><b>Recommended:</b> September 22, 2015, to June 29, 2017</p>	<p>California School Employees Association, Steve Waterman President April 21, 2015 <b>Support</b></p> <p>Orinda Education Association, Charles Shannon President April 14, 2015 <b>Support</b></p>	April 28, 2015	The public hearing was advertised at: (1) 5 school sites, (2) district office, (3) public library, (4) post office and (5) district Web site, and e-mailed to distribution list of recipients for public notices.	<p>Reviewed by the following school site councils on the following dates: Del Rey April 15, 2015; Glorietta April 21, 2015; Wagner Ranch April 22, 2015; Sleepy Hollow April 23, 2015</p> <p><b>No Objection</b></p>
21-3-2015	Poway Unified School District	<p><b>Requested:</b> June 30, 2015, to June 30, 2016</p> <p><b>Recommended:</b> June 30, 2015, to June 30, 2016</p>	<p>Poway Federation of Teachers</p> <p>Candy Smiley, President</p> <p>February 4, 2015 <b>Support</b></p>	March 10, 2015	The public hearing was advertised in the local newspaper, front lobby in the district office, and the front lobby of all 39 schools.	<p>Poway Unified District Advisory Committee</p> <p>February 5, 2015</p> <p><b>No Objection</b></p>

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3066423

Waiver Number: 12-3-2015

Active Year: 2015

Date In: 3/12/2015 3:10:15 PM

Local Education Agency: Anaheim City School District  
Address: 1001 South East St.  
Anaheim, CA 92805

Start: 7/1/2015

End: 6/29/2017

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

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.

Outcome Rationale: While we are expanding our Kindergarten classes to a full day schedule, we would like to reserve the right to not have our TK classes on the same schedule. Per Ed Code LEAs must also keep in mind that (pursuant to *EC* Section 37202) any TK programs operated by a district must be of equal length to any kindergarten programs operated by the same district. If TK program instructional minutes are a different length than the kindergarten program then a waiver must be submitted to the State Board of Education. We will provide our TK students with a half day program AM/PM model to facilitate smaller student to teacher ratios during this developmental year of their two year Kindergarten experience.

Student Population: 19164

City Type: Urban

Public Hearing Date: 2/19/2015

Public Hearing Advertised: Posted notice on February 11, 2015

Local Board Approval Date: 2/19/2015

Community Council Reviewed By: Transitional Kindergarten Advisory Committee  
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. Bonnie Reinhardt

Position: Attendance Tech

E-mail: [breinhardt@acsd.k12.ca.us](mailto:breinhardt@acsd.k12.ca.us)

Telephone: 714-517-7539 x4205

Fax: 714-758-2916

Bargaining Unit Date: 02/13/2015

Name: Anaheim Elementary Education Association

Representative: Kristen Fisher

Title: President

Position: Support

Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 5371738

Waiver Number: 9-4-2015

Active Year: 2015

Date In: 4/13/2015 10:07:05 AM

Local Education Agency: Junction City Elementary School District  
Address: 430 Red Hill Rd.  
Junction City, CA 96048

Start: 8/17/2015

End: 6/8/2016

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

Ed Code or *CCR* to Waive: 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

Outcome Rationale: Our kindergarten class operates as a part of an early primary program, pursuant to *EC* 8970-8974, and exceeds the maximum four-hour instructional day. The district would like to delay having our TK's be the same length as our regular Kindergarten school day. Our current structure has the Kindergarten students arriving at 8:30 to 3:00 daily with an exception on Friday when school ends at 2:00. The TK students structure will have the students arriving at 8:30 and staying until 12:35. Our TK students are exceeding the state requirements for instructional minutes.

Student Population: 86

City Type: Rural

Public Hearing Date: 4/20/2015

Public Hearing Advertised: posted at school and post office

Local Board Approval Date: 4/16/2015

Community Council Reviewed By: Schoolsite council  
Community Council Reviewed Date: 4/20/2015  
Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Katie Poburko  
Position: Superintendent  
E-mail: [kpoburko@junctioncityschool.org](mailto:kpoburko@junctioncityschool.org)  
Telephone: 530-623-6381  
Fax:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 0761770

Waiver Number: 23-4-2015

Active Year: 2015

Date In: 4/29/2015 7:54:31 AM

Local Education Agency: Orinda Union Elementary School District  
Address: 8 Altarinda Rd.  
Orinda, CA 94563

Start: 9/22/2015

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

Ed Code or *CCR* to Waive: [...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.]

Outcome Rationale: Orinda Union School District is requesting to waive *EC* Section 37202, the equity length of time requirement for transitional kindergarten and kindergarten programs. *EC* Section 37202 requires that all students at a given grade level in a district receive an equal length of instructional time.

A district committee comprised of kindergarten teachers, parents, and administrators met to analyze and discuss the most appropriate scheduling for our youngest students. Between February and April, and prior to the Public Hearing, board discussion regarding kindergarten and transitional kindergarten scheduling took place at three meetings where the Committee provided updates to the Board and feedback from the larger Orinda community for extending the kindergarten day.

As a result, in September 2015, Orinda Union School District is planning to implement an extended-day kindergarten program which will exceed the maximum four-hour school day (*EC* 46110). Our district is comprised of four K-5 elementary schools and one 6-8 middle school. This year, we have 40 transitional kindergarten (TK) students in our district, and we are projecting we will have up to 56 TK students for 2015-16. Our current transitional kindergarten students attend school from 8:00am to 11:30am for a total of 210 minutes. Within this morning program, our TK teachers are able to implement a modified instructional day, modified curricula, and developmentally appropriate instructional practices.

Our district is requesting this waiver in order for our TK programs to maintain their current schedule when our kindergarten students move to a longer extended day of 265 minutes next

year. This will enable us to continue to design a high quality transitional kindergarten program that will appropriately serve the needs of our students and families.

Student Population: 2558

City Type: Small

Public Hearing Date: 4/28/2015

Public Hearing Advertised: Notices posted on 04/24/15 at five school sites, District Office, Public Library, Post Office, District Website, and emailed to distribution list of recipients for Public Notices

Local Board Approval Date: 4/28/2015

Community Council Reviewed By: Schoolsite Councils: Del Rey 04/15/2015;  
Glorietta 04/21/2015; Wagner Ranch 04/22/2015; Sleepy Hollow 04/23/2015

Community Council Reviewed Date: See dates above

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Kathy Marshall

Position: Director of Curriculum and Instruction

E-mail: [kmarshall@orinda.k12.ca.us](mailto:kmarshall@orinda.k12.ca.us)

Telephone: 925-258-6206

Fax:

Bargaining Unit Date: 04/21/2015

Name: CA School Employees Association

Representative: Steve Waterman

Title: President

Position: Support

Comments:

Bargaining Unit Date: 04/14/2015

Name: Orinda Education Association

Representative: Charles Shannon

Title: President

Position: Support

Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3768296

Waiver Number: 21-3-2015

Active Year: 2015

Date In: 3/16/2015 1:49:39 PM

Local Education Agency: Poway Unified School District  
Address: 15250 Avenue of Science  
San Diego, CA 92128

Start: 6/30/2015

End: 6/30/2016

Waiver Renewal: Y

Previous Waiver Number: 31-4-2014-W-05      Previous SBE Approval Date: 7/10/2014

Waiver Topic: Equity Length of Time  
Ed Code Title: Equity Length of Time  
Ed Code Section: 37202  
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: Poway Unified School District would like to request renewal of a waiver to the California School Board of Education of *EC 37202*, specifically highlighted below: (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 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: See attachment.

Student Population: 35635

City Type: Suburban

Public Hearing Date: 3/10/2015

Public Hearing Advertised: Published in local newspaper, front lobby in district office, and front lobby of all 39 schools.

Local Board Approval Date: 3/10/2015

Community Council Reviewed By: Poway Unified District Advisory Committee

Community Council Reviewed Date: 2/5/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Cindy De Clercq  
Position: Executive Director II  
E-mail: [cdeclercq@powayusd.com](mailto:cdeclercq@powayusd.com)  
Telephone: 858-521-2735  
Fax: 858-485-1322

Bargaining Unit Date: 02/04/2015  
Name: Poway Federation of Teachers  
Representative: Candy Smiley  
Title: President  
Position: Support  
Comments:

## ATTACHMENT

Poway Unified School District would like to renew its waiver to the California Board of Education of EC 37202, specifically highlighted below:

- (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 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.

Background - The Kindergarten Readiness Act of 2010 established Transitional Kindergarten (TK), the first of a two year Kindergarten Program across the state of California for those students turning 5 years old between September 1 and December 2 of the current school year. In PUSD, the TK program meets the required number of instructional minutes for Kindergarten, as established by Education Code sections 46117 and 46201, which is 180 instructional minutes per day, or a half day. Education Code Section 37202 requires that an "Equity of Time" waiver be submitted by school districts annually in which TK meets for fewer instructional minutes than the traditional Kindergarten program. PUSD communicates the instructional minutes of TK to parents annually, prior to the start of school. This waiver would continue our currently approved waiver which expires June 30, 2015, for the following school year, 2015-2016.

The rationale behind this request rests on several points:

- Given that Transitional Kindergarten is intended to be the first year of a two year Kindergarten experience, the district believes it is in the best interest of TK students to attend school within the required number of instructional minutes for Kindergarten, which is 180 minutes per day, pursuant to Education Codes 46110, 46117, and 46201..
- Within the current structure of the TK program in PUSD, our students participate in an intensive language arts and math curricula aligned to California State Standards in ELA and Mathematics. They also experience instruction in other core areas during this time, as well as support for behavioral, social and emotional development. This structure ensures that our TK students are fully prepared to meet the academic rigor in the second year of the Kindergarten sequence.
- TK teachers in PUSD are fully credentialed educators who provide intervention and enrichment support to other primary classrooms in the afternoon portion of their daily schedule. This structure collectively reduces class size for our primary students in grades K-2, and ensures high quality teachers are working with students needing additional supports or enrichment.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by <b>Kingsburg Elementary Charter School District</b> for a renewal to waive portions of California <i>Education Code</i> Section 51745.6, and <i>California Code of Regulations</i>, 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 27.5:1 pupil-to-teacher ratio at Central Valley Home School.</p> <p>Waiver Number: 18-4-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

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Kingsburg Elementary Charter School District (KECSD) 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 Valley Home School (CVHS). The SBE approved the previous waiver for this school on July 11, 2013.

**Authority for Waiver:** *Education Code (EC)* Section 33050

#### **RECOMMENDATION**

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**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. KECSD will spend all excess funds generated by the increased pupil-to-certificated employee ratio on students enrolled in CVHS.
2. CVHS 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**

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*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 school district 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:**

The CVHS is an existing charter school operated by the KECSD.

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.

CVHS utilizes focused instructional coaching methods and effective technological resources when working with parents. CVHS has integrated an intervention component for the most needy students.

The rationale provided by CVHS 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 a cost savings, as well as maximize the resources that the school can offer to students.

KECSD's CVHS has a student population of 221 and is located in a small city in Fresno 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://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=33001-34000&file=33050-33053>.**

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#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The SBE approved the previous waiver for this school on July 11, 2013 for the same requested period of two years less one day.

The requested waiver to raise the pupil-to-teacher ratio of this school to 27.5:1 falls within the SBE Independent Study ADA-to-teacher ratio policy 01-03 (<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. This SBE policy provides requirements and guidelines for waiver requests of the entire *EC* Section 51745.6.

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#### **FISCAL ANALYSIS (AS APPROPRIATE)**

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The increased pupil-to-teacher ratio would result in cost savings for the charter school and minor increased ADA claims from the state.

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#### **ATTACHMENT(S)**

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- Attachment 1: Summary Table of Independent Study State Board of Education Waiver (1 Page)
- Attachment 2: Kingsburg Elementary Charter School District: General Waiver Request 18-4-2015 (2 Pages). (Original waiver request is signed and on file in the Waiver Office.)

**Summary Table of Independent Study State Board of Education Waiver**

Waiver Number	County Office of Education/ District Name, Size of District, Previous Waiver Approval Date and Local Board Approval Date	Pupil-to-Teacher Ratio Requested (if waiver of California <i>Education Code [EC]</i> Section 51745.6 and <i>California Code of Regulations</i> , 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
18-4-2015	Kingsburg Elementary Charter School District (KECSD)  221 Total Students  July 11, 2013  April 20, 2015	Increase from 25:1 to 27.5:1 Independent Study Charter	<b>Requested:</b> July 1, 2015 through June 30, 2017  <b>Recommended:</b> July 1, 2015 through June 29, 2017	Yes	No Bargaining Unit	Central Valley Home School Advisory Committee  April 8, 2015  <b>No Objections</b>
<p><b>Conditions:</b> The conditions include that (1) KECSD will spend all additional funds generated by the increased pupil-to-teacher ratio on students enrolled in Central Valley Home School (CVHS); and (2) CVHS 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.</p>						

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 1062240

Waiver Number: 18-4-2015

Active Year: 2015

Date In: 4/21/2015 3:48:33 PM

Local Education Agency: Kingsburg Elementary Charter School District  
Address: 1310 Stroud Ave.  
Kingsburg, CA 93631

Start: 7/1/2015

End: 6/30/2017

Waiver Renewal: Y

Previous Waiver Number: 29-3-2013-W-09

Previous SBE Approval Date: 7/11/2013

Waiver Topic: Independent Study Program

Ed Code Title: Pupil Teacher Ratio

Ed Code Section: 51745.6 and Ca. Code of Regulations, Title 5, section 11704 and portions of 11963.4(a)(3)

Ed Code Authority: 33050

Ed Code or CCR to Waive: 51745.6 and Ca. Code of Regulations, Title 5, section 11704 and portions of 11963.4(a)(3)

...and the ratio of average daily attendance for the independent study pupils to full-time certified employees responsible for independent study does not exceed a pupil-teacher ratio of [25:1 28:1] 27.5:1

Outcome Rationale: Central Valley Home School (CVHS) is part of the Kingsburg Elementary Charter School District (KECSD) and has been providing high quality home school education to students in the Central Valley for 17 years. Teachers work from the school office serving students in a large geographical area using a variety of techniques both traditional and technological. An increase in the pupil-to-teacher ratio will allow a cost savings, as well as maximize the resources that the school can offer to students. KECSD is one of only eight charter districts in the state. It is also the largest. The District feels that a more equitable measure of an average class-size should be based upon its own ADA rather than that of the largest district in our county (Fresno Unified, 75,000+ students). In addition, CVHS utilizes focused instructional coaching methods and effective technological resources when working with parents. CVHS has integrated an intervention component for the most needy students. All additional revenue that results from the increased ratio, will be used for services that support student learning in the Home school environment; specifically, enhanced course offerings, increased intervention classes, test preparation courses, and/or increased access to technological courses. The previous waiver was approved at a ratio of 27.5:1 for the 2013/14 and 2014/15 fiscal years.

Student Population: 221

City Type: Small

Public Hearing Date: 4/20/2015

Public Hearing Advertised: Notice posted at each school site (6) and at the Public Library.

Local Board Approval Date: 4/20/2015

Community Council Reviewed By: CVHS Advisory Committee

Community Council Reviewed Date: 4/8/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Misti Jennings

Position: Principal

E-mail: [mjennings@kesd.org](mailto:mjennings@kesd.org)

Telephone: 559-897-6740

Fax: 559-897-6872



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by <b>Livermore Valley Joint Unified School District</b> to waive California <i>Education Code</i> sections 17472, 17473, and 17474, and portions of 17455, 17466, 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 599 Sonoma Avenue, Livermore, CA, referred to as the Sonoma School.</p> <p>Waiver Number: 17-4-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

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The Livermore Valley Joint Unified School District (USD) is requesting a waiver of 17472, 17473, and 17474 and portions of 17455, 17466, 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.

**Authority for Waiver:** *Education Code (EC)* Section 33050

#### **RECOMMENDATION**

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**Approval**  **Approval with conditions**  **Denial**

The California Department of Education recommends approval with the following conditions: that the proposal the Livermore Valley Joint USD 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**

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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 Livermore Valley Joint USD is requesting 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 Livermore Valley Joint USD is requesting the sale of the Sonoma School site located at 599 Sonoma Avenue, Livermore, CA. The school has not been used by the district for over 30 years. It was leased by a charter school through 2013 and is again vacant.

**Demographic Information:**

Livermore Valley Joint USD has a student population of 12,500 and is located in a suburban area in Alameda 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](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 Livermore Valley Joint USD 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: Livermore Valley Joint USD General Waiver Request 17-4-2015 (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
17-4-2015	Livermore Valley Joint Unified	Sonoma School	<p><b>Requested:</b> April 27, 2015 to April 27, 2017</p> <p><b>Recommended:</b> April 27, 2015 to April 25, 2017</p>	April 7, 2015	<p>April 7, 2015</p> <p><b>Public Hearing Advertised:</b> Posted on District website, at District office, and at District school sites, and advertised in the newspaper.</p>	<p>California School Employees Association March 27, 2015 Denise Alvillar President <b>Support</b></p> <p>Livermore Education Association March 27, 2015 Jennie Unger President <b>Support</b></p> <p>Service Employees International Union March 27, 2015 Ernie Rodgers President <b>Support</b></p>	<p>Property Advisory (7-11) Committee March 30, 2015 <b>No objections</b></p>

Created by California Department of Education  
May 15, 2015

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 0161200

Waiver Number: 17-4-2015

Active Year: 2015

Date In: 4/20/2015 6:04:55 PM

Local Education Agency: Livermore Valley Joint Unified School District  
Address: 685 East Jack London Blvd.  
Livermore, CA 94551

Start: 4/27/2015

End: 4/27/2017

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: 17455,17466,17472,17473,17474,17475  
Ed Code Authority: 33050

Ed Code or CCR to Waive: See Attachment A

Outcome Rationale: See Attachment B

Student Population: 12500

City Type: Suburban

Public Hearing Date: 4/7/2015

Public Hearing Advertised: Newspaper, District Website, posted at District Office, posted at District school sites

Local Board Approval Date: 4/7/2015

Community Council Reviewed By: Property Advisory (7-11) Committee

Community Council Reviewed Date: 3/30/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Chris Van Schaack  
Position: Assistant Superintendent  
E-mail: [cvanschaack@lvjUSD.k12.ca.us](mailto:cvanschaack@lvjUSD.k12.ca.us)  
Telephone: 925-606-3284  
Fax: 925-606-3329

Bargaining Unit Date: 03/27/2015  
Name: California School Employees Association  
Representative: Denise Alvillar  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 03/27/2015  
Name: Livermore Education Association  
Representative: Jennie Unger  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 03/27/2015  
Name: Service Employees International Union  
Representative: Ernie Rodgers  
Title: President  
Position: Support  
Comments:

Attachment A

The Livermore Valley Joint Unified School District desires to waive the following sections and portions of the Education Code lined out below:

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 Livermore Valley Joint Unified School District requests the specified Education Code sections be waived in order to allow the District to maximize the return on the sale or lease of one of its sites in a manner that best serves our schools and community. The District would like to offer the property for sale or lease through Requests for Proposals followed by further negotiations using the services of a broker who will advertise and solicit proposals from potential buyers. The article referenced by Education Code Section 17455 consists of sections 17455 through 17484, which contain provisions regarding the sale or lease of real property that are inconsistent with the manner in which the District hopes to market the property.

The District will work closely with consultants to ensure that the process by which the property is sold or leased is fair, open, and competitive. The process the District will use will be designed to get the best result for the District, the schools, and the community.

17466. Before ordering the sale or lease of any property the governing board, in a regular open meeting, by a two-thirds votes 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 language to be waived provides for a minimum price or rental and requires sealed proposals to purchase or lease the property. This requirement restricts the District's flexibility in negotiating price, payments, and other terms that may yield greater economic and other benefits to the District than a sealed bid process.

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: With a waiver of the requirement that sealed proposals be received, and that

the highest bidder be awarded the contract, the District will be able to sell or lease the property to the party that presents the most favorable proposal to the District. The Board would, therefore, be able to sell or lease to the party submitting the proposal that best meets the District's needs. By removing the requirement that an oral bid be accepted, the District would be able to determine what constitutes the most desirable bid.

[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 asks that this entire section be waived because the District, in negotiating an agreement to sell or lease the property, will not be accepting oral bids in addition to sealed bids.

[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 asks that this entire section to be waived because the District, in negotiating an agreement to sell or lease the property, will not be accepting oral bids.

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: Rather than specifying a certain number of days or a timeframe, the District seeks flexibility in disposing of the property disposal process. The District will ensure a public process whereby the reasons for the determination of the most desirable proposal is shared openly. Prior to the decision to sell or lease a site, a Property Advisory Committee, whose purpose is to advise the District's Governing Board in the development of District-wide policies and procedures governing the use or disposition of school buildings, space, or property which is not used for school purposes, establishes a priority list of use of surplus space and real property, provides for hearings of community input on acceptable uses of space and real property, and makes a recommendation to the Board regarding the uses of surplus space and real property. (See, Ed. Code, § 17388.)

**Attachment B**

The Livermore Valley Joint Unified School District desires to have the requested Education Code sections, or portions thereof, waived because the waiver of these sections will allow the District to maximize its return on the sale of the Sonoma School Site, located at 599 Sonoma Avenue in Livermore, California. The District has determined that the Sonoma School Site is no longer need for school purposes. It is the desire of the District to attract potential buyers who will not only pay maximum price for the property, but who will also enhance the surrounding neighborhood. Based on past sales of real property in our area and the location of the property, the District anticipates attracting a much greater interest from potential buyers through a Request for Proposal process than a bid process.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

#### General Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Ramona City Unified School District</b> to waive portions of California <i>Education Code</i> sections 17466, 17472, and 17475 and all of 17473 and 17474, which will allow the district to sell one piece of property using a “request for proposal” process, that will provide the most benefit to the district. The district property for which the waiver is requested is located on San Vicente Road known as the district’s Cagney Property.</p> <p>Waiver Number: 11-4-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

The Ramona City Unified School District (USD) is requesting a waiver of 17473 and 17474 and portions of 17466, 17472, and 17475, which will allow the district to sell one piece of property using a “request for proposal” process which will allow the most benefit to the district.

**Authority for Waiver:** *Education Code (EC)* Section 33050

#### **RECOMMENDATION**

Approval  Approval with conditions  Denial

The California Department of Education recommends approval with the following conditions: that the proposal the Ramona City USD 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 Ramona City USD is requesting 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 Ramona City USD is requesting the sale of 40 acres of vacant land located on San Vicente Road behind Ramona High School in Ramona, CA. There is currently a fence which separates the high school from the vacant land. The property is commonly known as the Cagney Property and has environmental issues making it difficult to sell through the normal process. The district has previously been unsuccessful in the open bid process.

**Demographic Information:**

Ramona City USD has a student population of 5,692 and is located in a rural area in 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](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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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)**

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The flexibility in property disposition requested herein will allow Ramona City USD to maximize revenue. The applicant district will financially benefit from the sale of the property.

**ATTACHMENT(S)**

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Attachment 1: Summary Table (1 page)

Attachment 2: Ramona City USD General Waiver Request 11-4-2015 (4 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
11-4-2015	Ramona City Unified	Cagney Property	<p><b>Requested:</b> July 9, 2015 to July 9, 2016</p> <p><b>Recommended:</b> July 9, 2015 to July 9, 2016</p>	March 17, 2015	March 17, 2015	<p><b>Public Hearing Advertised:</b> Posted at district office, school office, and library, and advertised in the newspaper.</p> <p>California School Employees Association March 10, 2015 Betsy Bargo President <b>Support</b></p> <p>Ramona Teachers Association March 12, 2015 Cori McDonald President <b>Support</b></p>	<p>District Advisory Committee March 4, 2015 <b>No objections</b></p>

Created by California Department of Education  
May 15, 2015

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3768304

Waiver Number: 11-4-2015

Active Year: 2015

Date In: 4/15/2015 2:42:01 PM

Local Education Agency: Ramona City Unified School District  
Address: 720 Ninth St.  
Ramona, CA 92065

Start: 7/9/2015

End: 7/9/2016

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: 17466, 17472, 17473, 17474, and 17475  
Ed Code Authority: 33050

Ed Code or CCR to Waive: PROVISIONS TO BE WAIVED

The Ramona Unified School District desires to waive the following sections and portions of the *Education Code*. Specifically, the District requests that the language in brackets [] be waived:

*EC 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 purpose of this request is to allow the District to waive the sealed proposal requirement of the *Education Code* and use an alternative procedure for the sale of its 40-acre property (the "Property"). Specifically, the District desires to sell the Property via an alternative "Request for Proposals" ("RFP") process, in which the District seeks proposals and negotiates with selected proposers to enter into a purchase agreement that provides the most benefit to the District. The deleted language indicates that the District must pass a resolution setting a time by which the District will open all sealed bids for the Property. Since the District will not be conducting a bid process, and cannot predict the timing of the RFP process and its subsequent negotiations with proposers, it cannot at the time of adopting the resolution contemplated by Section 17466 know when proposals must be brought back to the governing board for consideration. After passing a resolution that authorizes the District to go forward with the RFP process, the District intends to solicit proposals for the Property and bring proposals to the governing board to consider the approval of a sale.

EC 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], be 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 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 purpose of this request is to allow the District to waive the sealed proposal requirement of the *Education Code* and use an alternative procedure for the sale of the Property. Specifically, the District desires to sell the Property via an alternative RFP process, in which the District seeks proposals and negotiates with selected proposers to enter into a purchase agreement that provides the most benefit to the District. The deleted language requires the District to obtain sealed bids and select the highest bid. The District is seeking a waiver to allow it to seek proposals and negotiate with interested parties to select the proposal that best meets the needs of the District. The District may select a proposal that offers a lower price but agrees to terms that are more beneficial to the District. Thus, the District seeks to eliminate the language which requires it to sell to the highest bidder.

EC 17473. WAIVE ENTIRE SECTION [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 purpose of this request is to allow the District to waive the sealed proposal requirement of the *Education Code* and use an alternative procedure for the sale of the Property. Specifically, the District desires to sell the Property via an alternative RFP process, in which the District seeks proposals and negotiates with selected proposers to enter into a purchase agreement that provides the most benefit to the District. The deleted language relates to the bid process and allows school districts to accept oral bids at the bid hearing. The District will not be accepting bids or conducting a bid hearing but instead will accept proposals and negotiate with interested parties. Thus, the District will not need or accept oral bids.

EC 17474. WAIVE ENTIRE SECTION [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 purpose of this request is to allow the District to waive the sealed proposal requirement of the *Education Code* and use an alternative procedure for the sale of the Property. Specifically, the District desires to sell the Property via an alternative RFP process, in

which the District seeks proposals and negotiates with selected proposers to enter into a purchase agreement that provides the most benefit to the District. The deleted language relates to the bid process and allows school districts to accept oral bids at the bid hearing. The District will not be accepting bids or conducting a bid hearing but instead will accept proposals and negotiate with interested parties. Thus, the District will not need or accept oral bids.

EC 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 purpose of this request is to allow the District to waive the sealed proposal requirement of the *Education Code* and use an alternative procedure for the sale of the Property. Specifically, the District desires to sell the Property via an alternative RFP process, in which the District seeks proposals and negotiates with selected proposers to enter into a purchase agreement that provides the most benefit to the District. The deleted language indicates that a school district's governing board shall accept the highest bid at the bid hearing or within the next 10 days. The District will not conduct a bid hearing but instead will engage in negotiations with any party submitting a proposal in response to the RFP. Once the negotiations end, and the District identifies the best proposal, the District's Board will accept the proposal. Thus, the language in this Section requiring the board to accept a bid on the bid date or within 10 days does not apply to the RFP process.

Outcome Rationale: The District has gone through all the regulations of surplus sale and has held an unsuccessful open bid on August 14, 2014. Due to environmental issues (i.e. San Diego Fairy Shrimp, which is a protected species) there were no bidders at the Public Hearing. This property is described as 40 acres of vacant land located on San Vicente Road behind Ramona High School, Ramona, CA 92065 APNs 282-281-01,02,03, and 282-282-01 thru 06, more commonly known as the District's Cagney Property.

As said before, the property has environmental issues making it difficult to sell through the normal process. The District will need to have many contingencies or partners in order to surplus or negotiate a sale. Therefore, the District is seeking a waiver for this property.

Student Population: 5692

City Type: Rural

Public Hearing Date: 3/17/2015

Public Hearing Advertised: Local newspaper, Library, School office, District Office

Local Board Approval Date: 3/17/2015

Community Council Reviewed By: (DAC) District Advisory Committee

Community Council Reviewed Date: 3/4/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. David Ostermann  
Position: Assistant Superintendent  
E-mail: [dostermann@ramonausd.net](mailto:dostermann@ramonausd.net)  
Telephone: 760-787-2023  
Fax:

Bargaining Unit Date: 03/10/2015  
Name: California School Employees Association  
Representative: Betsy Bargo  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 03/12/2015  
Name: Ramona Teachers Association  
Representative: Cori McDonald  
Title: President  
Position: Support  
Comments:



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by five districts to waive one or more of the following California <i>Education Code</i> sections 15102, 15106, 15268, and 15270(a), related to bonded indebtedness limits. Total bonded indebtedness may not exceed 1.25 percent of the taxable assessed valuation of property for high school and elementary school districts or 2.5 percent for unified school districts. Depending on the type of bond, a tax rate levy limit of \$30 per \$100,000 of assessed value for high school and elementary school districts or \$60 per \$100,000 for unified districts, may also apply.</p> <p>Waiver Numbers: Alum Rock Union Elementary School District 4-4-2015 Natomas Unified School District 7-4-2015 Oxnard School District 2-5-2015 Robla Elementary School District 10-4-2015 Stockton Unified School District 34-3-2015 Stockton Unified School District 35-3-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### SUMMARY OF THE ISSUES

The Alum Rock Union Elementary School District's bonded indebtedness ratio is 1.38 percent and is unable to issue \$81.2 million in bonds authorized in June 2008 and November 2012. Therefore, the district is requesting to increase the limit to 2.5 percent.

The Natomas Unified School District's bonded indebtedness ratio is 2.13 percent and is unable to issue \$69.5 million in bonds authorized in November 2014. Therefore, the district is requesting to increase the limit to 3.0 percent.

The Oxnard School District's bonded indebtedness ratio is 1.39 percent and is unable to issue \$30.36 million in bonds authorized in November 2012. Therefore, the district is requesting to increase the limit to 1.67 percent.

The Robla Elementary School District's bonded indebtedness ratio is 1.25 percent and is unable to issue \$9.5 million in bonds authorized in November 2014. Therefore, the district is requesting to increase the limit to 1.67 percent.

The Stockton Unified School District's bonded indebtedness ratio is 3.5 percent and is unable to issue \$38.6 million in bonds authorized in November 2008 (as reauthorized in 2012) and November 2014. Therefore, the district is requesting to increase the limit to 3.75 percent.

**Authority for Waiver:** *Education Code (EC) Section 33050*

## **RECOMMENDATION**

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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**

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### **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 requests 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**

#### **Alum Rock 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 August 1, 2023. The district seeks to issue \$81.2 million of the \$179 million and \$125 million authorized in the 2008 and 2014 GO Bond authorizations. The district is unable to issue these bonds as their current outstanding bonded indebtedness of \$99.7 million equates to a 1.38 percent ratio which is above the maximum allowed of 1.25 percent. With the addition of the proposed \$81.2 million, total indebtedness would exceed \$180.9 million and represent 2.5 percent of assessed valuation.

The district has identified over \$351 million in facility improvement needs, of which \$116 million are critical health and safety. The waiver will allow the district to complete the following voter approved projects:

- Construct multi-purpose community centers at Fischer MS & George MS
- Site security and safety/ADA compliance at various campuses
- Heating and air conditioning upgrades and improvements at various campuses

#### **Natomas Unified Schools**

The district requests that its outstanding bonded indebtedness limit be increased to an amount not to exceed 3.0 percent through and until July 10, 2017. The district seeks to issue \$69.5 million of the \$129 million authorized in the 2014 GO Bond authorization. The district is unable to issue these bonds as their current outstanding bonded indebtedness of \$171 million equates to a 2.13 percent ratio which is above the maximum allowed of 2.5 percent. With the addition of the proposed \$69.5 million, total indebtedness would exceed \$240.5 million and represent 3.0 percent of assessed valuation.

Residential development in the district has been under a de facto building moratorium since December 2008. The district expects significant growth when the ban is lifted in June 2015. The waiver will allow the district to complete the following voter approved

projects:

- Construction of new schools, classrooms, labs, and support facilities
- Renovation, repair and upgrades of various facilities, including safety, security, and ADA compliance
- 21st Century Learning classroom improvements
- Site infrastructure, landscape, and utility upgrades
- Joint Use aquatic facility
- Acquisition of new school sites

#### Oxnard Schools

The Oxnard School District has passed four bonds totaling \$251 million since 1988 and has \$156.8 million in outstanding debt. The SBE on May 8, 2013 approved a bond limit waiver to allow the district to issue debt up to 1.39 percent of the districts assessed value. The district seeks to issue \$30.36 million of the \$90 million authorized by the district's voters in 2012 and requests that its debt limit be increased to 1.67 percent of the assessed valuation to allow the sale of the voter approved bonds.

The waiver will allow the district to complete the following voter approved projects:

- Building and equipping new classrooms and support facilities to relieve overcrowdings and replace portables.
- Renovations and repairs throughout the district.

#### Robla Elementary Schools

The district requests that its outstanding bonded indebtedness limit be increased to an amount not to exceed 1.75 percent through and until December 31, 2019. The district seeks to issue \$9.5 million of the \$29.8 million authorized in the 2014 GO Bond authorization. The district is unable to issue these bonds as their current outstanding bonded indebtedness of \$28.2 million equates to a 1.25 percent ratio which is at the maximum allowed of 1.25 percent. With the addition of the proposed \$9.5 million, total indebtedness would exceed \$37.7 million and represent 1.67 percent of assessed valuation.

The district has identified over \$46 million in facility improvement needs in their facility master plan. The waiver will allow the district to complete the following voter approved projects:

- Constructing and improving labs and learning environments.
- Reconfiguring and modernizing interiors to 21st century standards.
- Constructing, renovating, and equipping a library/student resource center and

support facilities.

- Providing infrastructure and technology.
- Making repairs to District buildings, including fixing leaky roofs, repairing damaged pavement, and replacing substandard security gates.
- Replacing portable classrooms with permanent classrooms.

#### Stockton Unified Schools

The district requests that its outstanding bonded indebtedness limit be increased to an amount not to exceed 3.75 percent through and until July 10, 2017. The district seeks to issue \$8.6 million for educational technology from the \$114 million authorized in the 2014 GO Bond authorization and \$30 million for facility improvements from the \$156 million reauthorized in 2012 of the 2008 GO Bond authorization. The district is unable to issue these bonds as their current outstanding bonded indebtedness of \$378 million equates to a 3.5 percent ratio which is above the state's maximum allowed of 2.5 percent. With the addition of the proposed \$38.6 million, total indebtedness would exceed \$404.9 million and represent 3.68 percent of assessed valuation.

The district's assessed valuation went through a period of significant decline from 2010 through 2013. The SBE approved a previous waiver in May 2013 which increased the debt limit to 4.23 percent through June 2015 and allowed for the issuance of \$65 million in bonds from the 2008 authorization (reauthorized by the voters in 2012). The new waiver will allow the district to complete the following voter approved projects:

- Upgrade educational technology and classroom security systems in facilities throughout the district
- Construction, rehabilitation, repairs, and equipping of various facilities

#### **Demographic Information:**

The Alum Rock Union Elementary School District is located in eastern San Jose in an urban area of Santa Clara County and includes twenty-nine schools that serve 12,570 students in grades kindergarten through eighth.

The Natomas Unified School District is located in northwestern Sacramento in an urban area of Sacramento County and includes nineteen schools that serve 13,164 students in grades kindergarten through twelfth.

The Oxnard School District is located in an urban area of Ventura County and includes twenty-two schools that serve 16,803 students in grades kindergarten through eighth.

The Robla Elementary School District is located in northern Sacramento in an urban area of Sacramento County and includes five schools that serve 2,201 students in grades kindergarten through sixth.

The Stockton Unified School District is located in Stockton in an urban area of San

Joaquin County and includes fifty-five schools that serve 39,486 students in grades kindergarten through twelfth.

**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](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 (4 pages)

Attachment 2: Alum Rock Union Elementary School District General Waiver Request 4-4-2015 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Natomas Unified School District General Waiver Request 7-4-2015 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Oxnard School District General Waiver Request 2-5-2015 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Robla Elementary School District General Waiver Request 10-4-2015 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 6: Stockton Unified School District General Waiver Request 34-3-2015 (6 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 7: Stockton Unified School District General Waiver Request 35-3-2015 (6 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
4-4-2015	Alum Rock Union Elementary School District 43-69369	<b>Requested:</b> August 1, 2015 to August 1, 2025  <b>Recommended:</b> August 1, 2015 to August 1, 2025	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 June 2008 (Measure G) & November 2012 (Measure J) Elections  Tax Rate \$30.00	Alum Rock Administrators Association. Kristin Burt President 3/11/2015 <b>Support</b>  Alum Rock Educators Association. Jocelyn Merz President 3/11/2015 <b>Support</b>  California School Employees Association. Sharon Fontaine President 3/11/2015 <b>Support</b>  Teamsters. Buddy Pardon President 3/11/2015 <b>Support</b>	Local Board Approval 4/1/2015  Public Hearing 4/1/2015 Notice advertised in local newspaper and posted at three school sites and district office	Bond and Facilities Committee 2/27/2015 <b>No objections</b>	Yes. District does not intend to issue CABs

**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
7-4-2015	Natomas Unified School District 34-75283	<b>Requested:</b> July 10, 2015 to July 10, 2017  <b>Recommended:</b> July 10, 2015 to July 10, 2017	Debt Limit 2.5%  Tax Rate \$60.00 Voter Pamphlet \$60.00	Debt Limit 3.0%  Tax Rate \$60.00	Debt Limit 3.0% Limited to Sale of Bonds Approved by Voters on the November 2014 Election  Tax Rate \$60.00	California School Employees Association. Talitha Blizzeard President 3/24/2015 <b>Support</b>  Natomas Teachers Association. Kristen Rocha President 3/25/2015 <b>Support</b>	Local Board Approval 4/1/2015  Public Hearing 4/1/2015 Notice posted at each school and three public places	Schoolsite Council Representatives 3/31/2015 <b>No objections</b>	Yes. District does not intend to issue CABs
2-5-2015	Oxnard School District 56-72538	<b>Requested:</b> July 9, 2015 to July 31, 2025  <b>Recommended:</b> July 9, 2015 to July 31, 2025	Debt Limit 1.25%  Tax Rate \$30.00 Voter Pamphlet \$30.00	Debt Limit 1.67%  Tax Rate \$30.00	Debt Limit 1.67% Limited to Sale of Bonds Approved by Voters on the November 2012 Election  Tax Rate \$30.00	Classified School Employees Association. Jabbar Wofford President 5/6/2015 <b>Support</b>  Oxnard Educators Association. Robin Lefkovits President 5/6/2015 <b>Support</b>  Oxnard Supportive Services Association. Andrea Blecher President 5/6/2015 <b>Support</b>	Local Board Approval 5/6/2015  Public Hearing 5/6/2015 Notice posted at District Administrative Building and advertised in local newspaper	Parent Advisory Committee 4/28/2015 <b>No objections</b>	Yes. District does intend to issue CABs

**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
10-4-2015	Robla Elementary School District 34-67421	<b>Requested:</b> July 8, 2015 to December 31, 2019  <b>Recommended:</b> July 9, 2015 to December 31, 2019	Debt Limit 1.25%  Tax Rate \$30.00 Voter Pamphlet \$30.00	Debt Limit 1.67%  Tax Rate \$30.00	Debt Limit 1.67%  Tax Rate \$30.00	California School Employees Association. Rick Woodbridge President 2/19/2015 <b>Support</b>  Robla Teachers Association. Linda Small President 2/19/2015 <b>Support</b>	Local Board Approval 2/26/2015  Public Hearing 2/26/2015 Notice advertised in local newspaper	Robla Elementary Board of Trustees 2/26/2015 <b>No objections</b>	Yes. District does not intend to issue CABs
34-3-2015 & 35-3-2015	Stockton Unified School District 39-68676	<b>Requested:</b> July 9, 2015 to July 10, 2017  <b>Recommended:</b> July 9, 2015 to July 10, 2017	Debt Limit 2.5%  Tax Rate \$60.00 Voter Pamphlet \$60.00	Debt Limit 3.75%  Tax Rate \$60.00	Debt Limit 3.75% Limited to Sale of Bonds Approved by Voters on the November 2008 (as reauthorized in 2012) & November 2014 Elections  Tax Rate \$60.00	California School Employees Association Chapter 885. Rose Sivils, President, 3/2/2015 <b>Support</b>  California School Employees Association Chapter 318. Deloris Foster, President, 2/26/2015 <b>Support</b>  California School Employees Association Chapter 821. Claudia Moreno, President, 3/4/2015 <b>Support</b>	Local Board Approval 3/24/2015  Public Hearing 3/24/2015 Notice posted in local newspaper	Resources and Infrastructure Committee 3/12/2015 <b>No objections</b>	

**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
						<p>Operating Engineers Local #3 (Police Unit). Darren Semore Labor Representative 3/4/2015 <b>Support</b></p> <p>Stockton Pupil Personnel Association. Bonnie Dixon, President 3/6/2015 <b>Support</b></p> <p>Stockton Teachers Association. John Steiner, President 2/27/2015 <b>Neutral</b></p> <p>Stockton Unified Supervisor's Union. Joe Kusy, President 2/27/2015 <b>Support</b></p> <p>United Stockton Administrators. Gina Hall, President 3/5/2015 <b>Support</b></p>			Yes. District does not intend to issue CABs

California Department of Education California Department of Education  
WAIVER SUBMISSION - General

CD Code: 4369369

Waiver Number: 4-4-2015

Active Year: 2015

Date In: 4/8/2015 8:21:48 AM

Local Education Agency: Alum Rock Union Elementary School District  
Address: 2930 Gay Ave.  
San Jose, CA 95127

Start: 8/1/2015

End: 8/1/2025

Waiver Renewal: N

Previous Waiver Number: 63-10-2012-W-07

Previous SBE Approval Date: 03/14/2013

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 where the district is located.

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 last equalized assessment of the county or counties where the district is located.

Outcome Rationale: The district is requesting a waiver of the *EC* sections pertaining to the district's total bonded indebtedness in order to issue bonds that voters have already approved.

The District has unissued but voter-authorized bonding capacity of \$229 million, and over \$351 million of identified facility improvement needs, of which \$116 million is "Priority 1" need (health and safety).

At present, the District exceeds the total indebtedness limit prescribed in the California *Education Code*, and therefore is unable to issue bonds to address its facility needs.

Student Population: 11328

City Type: Urban

Public Hearing Date: 4/1/2015

Public Hearing Advertised: (1) Published in San Jose Mercury News, and (2) Posted at three school sites and District office

Local Board Approval Date: 4/1/2015

Community Council Reviewed By: Bond and Facilities Committee

Community Council Reviewed Date: 2/27/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Hilaria Bauer

Position: Superintendent

E-mail: [hilaria.bauer@arUSD.org](mailto:hilaria.bauer@arUSD.org)

Telephone: 408-928-6824

Fax:

Bargaining Unit Date: 03/11/2015

Name: Alum Rock Administrators Association

Representative: Kristin Burt

Title: President

Position: Support

Comments:

Bargaining Unit Date: 03/11/2015

Name: Alum Rock Educators Association

Representative: Jocelyn Merz

Title: President

Position: Support

Comments:

Bargaining Unit Date: 03/11/2015

Name: California School Employees Association

Representative: Sharon Fontaine

Title: President

Position: Support

Comments:

Bargaining Unit Date: 03/11/2015

Name: Teamsters

Representative: Buddy Pardon

Title: President

Position: Support

Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3475283

Waiver Number: 7-4-2015

Active Year: 2015

Date In: 4/9/2015 9:39:13 AM

Local Education Agency: Natomas Unified School District  
Address: 1901 Arena Blvd.  
Sacramento, CA 95834

Start: 7/10/2015

End: 7/10/2017

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: School Construction Bonds  
Ed Code Title: Bond Indebtedness Limit - Unified S.D.  
Ed Code Section: 15270  
Ed Code Authority: 33050

Ed Code or CCR to Waive: 15270 (a) [Notwithstanding Sections 15102 and 15268, any unified school district may issue bonds pursuant to this article that, in aggregation with bonds issued pursuant to Chapter 1 (commencing with Section 15100), may not exceed 2.5 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 pursuant to this chapter at a single election, by a unified school district, would not exceed sixty dollars (\$60) 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.

Outcome Rationale: The Natomas Unified School District (NUSD) has been under a de facto building moratorium since December 2008. This imposed moratorium put a complete stop to all development within the District, leaving many housing, retail, office, and other developments incomplete or not yet begun. The moratorium will be lifted by June 2015. Given the pent-up demand for development, and the improving economy, the District is expecting significant growth and must prepare to accommodate an influx of new students with the construction of several schools and other related school facility projects. Since the State school construction program is no longer providing funds at this time, the District is seeking to rely 100% on local funds, the primary source of which is general obligation bonds.

NUSD is seeking a waiver of EC sections pertaining to the district's total bonded indebtedness limit in order to issue authorized Proposition 39 bonds approved by the community of Natomas in November 2014. The waiver will permit the District to increase its bonding capacity from 2.5% of assessed valuation to 3.0%. The projected tax levies will still be under the tax rate limitation of \$60 per \$100,000 of assessed valuation. In addition, the District states that it will comply with the requirements of AB182 and does not intend to issue Capital Appreciation Bonds (CABs). This waiver, if approved, will allow the District to issue sufficient general obligation bonds sooner

to begin construction of the schools and other related school facility projects.  
Student Population: 13164

City Type: Urban

Public Hearing Date: 4/1/2015

Public Hearing Advertised: A formal notice was posted at each school and three public places in the District.

Local Board Approval Date: 4/1/2015

Community Council Reviewed By: School Site Council Representatives

Community Council Reviewed Date: 3/31/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. William Young

Position: Associate Superintendent - Administrative Services

E-mail: [wyoung@natomas.k12.ca.us](mailto:wyoung@natomas.k12.ca.us)

Telephone: 916-567-5457

Fax:

Bargaining Unit Date: 03/24/2015

Name: California Schools Employee Association, #745

Representative: Talitha Blizzeard

Title: President

Position: Support

Comments:

Bargaining Unit Date: 03/25/2015

Name: Natomas Teachers Association

Representative: Kristen Rocha

Title: President

Position: Support

Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 5672538

Waiver Number: 2-5-2015

Active Year: 2015

Date In: 5/7/2015 10:54:04 AM

Local Education Agency: Oxnard School District  
Address: 1051 South A St.  
Oxnard, CA 93030

Start: 7/9/2015

End: 7/31/2025

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: 15268

Ed Code Authority: 33050

Ed Code or *CCR* to Waive: 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.

Outcome Rationale: Current Need:

The current statutory debt limit for non-unified school districts is 1.25% of the total assessed valuation of the taxable property within a district's boundaries. On May 8, 2013, the State Board of Education approved a waiver that increased the Oxnard School District's debt limit to 1.50% for a period until December 31, 2018 which enabled the District to sell additional bonds in 2013 and 2014. Today, the District's current outstanding debt is 1.39% percent of the District's total assessed valuation and is projected to fall beneath the statutory debt limit by fiscal year (2016-17) assuming an average annual assessed valuation growth of 4.00%. Under the current waiver, the District could issue an additional \$12.1 million in proceeds.

The Oxnard School District is currently eligible for approximately \$78 million in state aid funds for modernization and new construction of facilities to address overcrowding and repairs. However, due to the oversubscription of the School Facilities Program, and the lack of a new statewide bond to replenish the Program, the District needs to issue an additional \$30,360,000 million dollars in order to continue to meet its project needs.

In order to access the proposed amount of proceeds, the District is requesting an increase in its debt limit to 1.67% of assessed valuation. Based on our analysis of the District's position, the District should fall below the statutory debt limit within five (5) years or by fiscal year 2019-20. The attached table illustrates the District's assessed valuation and statutory debt limitation:

Analysis:

Attached to this waiver request is the following:

- i. Notice of Public Hearing (Attachment A)
- ii. Historical Assessed Values for Fiscal Years 2002 through 2015 (Attachment B)
- iii. Summary of General Obligation Bond Indebtedness versus Projected Debt Limits, together with the Tax Rate Analysis (Attachment C)
- iv. Board Approved Resolution (Attachment D)

Based on the Tax Rate Analysis figures, the District anticipates that the tax rate will not exceed applicable Proposition 39 tax rate limit for any of its outstanding bonded indebtedness, should the California Department of Education grant this waiver request.

The District currently has a Certificates of Participation (COPs) outstanding.

The District anticipates the use a combination of Current Interest Bonds and Capital Appreciation Bonds in future bond sales; however, the District intends to fully comply with the provisions of Assembly Bill 182 including all notice and disclosure provisions thereto.

Student Population: 17600

City Type: Urban

Public Hearing Date: 5/6/2015

Public Hearing Advertised: Posted Notice of Public Hearing at the District Administration Building and in the Ventura County Star on two different dates, April 22, 2015 and April 29, 2015.

Local Board Approval Date: 5/6/2015

Community Council Reviewed By: Parent Advisory Committee

Community Council Reviewed Date: 4/28/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Cesar Morales

Position: Superintendent

E-mail: [drcmorales@oxnardsd.org](mailto:drcmorales@oxnardsd.org)

Telephone: 805-385-1501

Fax: 805-487-2118

Bargaining Unit Date: 05/06/2015  
Name: Classified School Employees Association (CSEA) C  
Representative: Jabbar Wofford  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 05/06/2015  
Name: Oxnard Educators Association OEA/CTA/NEA  
Representative: Robin Lefkovits  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 05/06/2015  
Name: Oxnard Supportive Services Association (OSSA)  
Representative: Andrea Bleecher  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3467421

Waiver Number: 10-4-2015

Active Year: 2015

Date In: 4/13/2015 5:54:22 PM

Local Education Agency: Robla Elementary School District  
Address: 5248 Rose St.  
Sacramento, CA 95838

Start: 7/8/2015

End: 12/31/2019

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: 15268

Ed Code Authority: 33050

Ed Code or *CCR* to Waive: 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.

Outcome Rationale: The District requests that its outstanding bonded indebtedness limit be increased to an amount not to exceed 1.75% through and until December 31, 2019. The District wishes to issue an additional \$9.5 million of its new 2014 GO Bond authorization by the end of Calendar Year 2016. The District is unable to issue these bonds as their current outstanding bonded indebtedness of \$28.2 million equates to a 1.248% ratio which is almost equal to the state's maximum allowed of 1.25%. With the addition of the proposed \$9.5 million, total indebtedness would exceed \$37.68 million and represent 1.67% of assessed valuation.

In November of 2014, the voters approved "Measure K" which allowed for a new \$29.8 million General Obligation (GO) bond authorization. The proceeds will be used for the following major projects within the District:

- a) Constructing and improving labs and learning environments;
- b) Reconfiguring and modernizing interiors to 21st century standards;
- c) Constructing, renovating and equipping a library/student resource center and support facilities;
- d) Providing infrastructure and technology;
- e) Making repairs to District buildings, including fixing leaky roofs, repairing damaged pavement and replacing substandard security gates; and
- f) Replacing portable classrooms with permanent classrooms.

Master Plan – Projected Needs:

In June of 2014 the District completed and approved a Facilities Master Plan. The purpose of the plan was to provide a roadmap needed to efficiently identify and address the overall deterioration of the District. The Master Plan identified approximately \$46 million of required capital needs and improvements. The following projects have been identified as part of the Master Plan:

- a) Classroom reconfiguration for 21st century;
- b) IT upgrades;
- c) Roof, grounds and security repair;
- d) Construction of new wing of classrooms;
- e) Removal of existing portable classrooms;
- f) Construction of a new play area;
- g) Construction of office/admin space and restrooms;
- h) Installation of parking lot and utilities;
- i) Student resource center (library); and
- j) Multipurpose room and food service building.

Student Population: 2231

City Type: Suburban

Public Hearing Date: 2/26/2015

Public Hearing Advertised: Posted Notice of Public Hearing on the Sacramento Bee on February 12, 2015. The Sacramento Bee is a daily newspaper published in Sacramento, California.

Local Board Approval Date: 2/26/2015

Community Council Reviewed By: Robla Elementary Board of Trustees

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: Mr. John Greenlee

Position: Managing Director, Caldwell Flores Winters, Inc.

E-mail: [jgreenlee@cfwinc.com](mailto:jgreenlee@cfwinc.com)

Telephone: 510-596-8170

Fax:

Bargaining Unit Date: 02/19/2015

Name: California School Employees Association (CSEA)

Representative: Rick Woodbridge

Title: President

Position: Support

Comments:

Bargaining Unit Date: 02/19/2015  
Name: Robla Teachers Association (RTA)  
Representative: Linda Small  
Title: President  
Position: Support  
Comments:

California Department of Education California Department of Education  
WAIVER SUBMISSION - General

CD Code: 3968676

Waiver Number: 34-3-2015

Active Year: 2015

Date In: 3/27/2015 12:01:47 PM

Local Education Agency: Stockton Unified School District  
Address: 701 North Madison St.  
Stockton, CA 95202

Start: 7/9/2015

End: 7/10/2017

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: School Construction Bonds  
Ed Code Title: Bond Indebtedness Limit - Unified S.D.  
Ed Code Section: 15270  
Ed Code Authority: 33050-33053

Ed Code or CCR to Waive: *Education Code* 15270. [(a) Notwithstanding Sections 15102 and 15268, any unified school district may issue bonds pursuant to this article that, in aggregation with bonds issued pursuant to Chapter 1 (commencing with Section 15100), may not exceed 2.5 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 pursuant to this chapter at a single election, by a unified school district, would not exceed sixty dollars (\$60) 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.

Outcome Rationale: Please see Attachment

Student Population: 39486

City Type: Urban

Public Hearing Date: 3/24/2015

Public Hearing Advertised: Notice in newspaper

Local Board Approval Date: 3/24/2015

Community Council Reviewed By: Resources and Infrastructure Committee

Community Council Reviewed Date: 3/12/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Michele Huntoon  
Position: Chief Business Official  
E-mail: [mhuntoon@stocktonusd.net](mailto:mhuntoon@stocktonusd.net)  
Telephone: 209-933-7010 x2091  
Fax: 209-933-7011

Bargaining Unit Date: 03/02/2015  
Name: California School Employees Assoc Chap 885  
Representative: Rose Sivils  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 02/26/2015  
Name: California School Employees Assoc Chapter 318  
Representative: Deloris Foster  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 03/04/2015  
Name: California School Employees Association Chap 821  
Representative: Claudia Moreno  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 03/04/2015  
Name: Operating Engineers Local #3 (Police Unit)  
Representative: Darren Semore  
Title: Labor Representative  
Position: Support  
Comments:

Bargaining Unit Date: 03/06/2015  
Name: Stockton Pupil Personnel Association  
Representative: Bonnie Dixon  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 02/27/2015  
Name: Stockton Teachers Association  
Representative: John Steiner  
Title: President  
Position: Neutral  
Comments:

Bargaining Unit Date: 02/27/2015  
Name: Stockton Unified Supervisor's Union  
Representative: Joe Kusy  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 03/05/2015  
Name: United Stockton Administrators  
Representative: Gina Hall  
Title: President  
Position: Support  
Comments:

## Attachment

### Desired Outcome:

The 2014-15 assessed valuation for the Stockton Unified School District (the "District") puts the District's needed bonding capacity at 3.68%; however, we request that the waiver for bonding capacity to be up to 3.75% of assessed valuation. The granting of this waiver will permit the District to issue up to \$8,600,000 in Ed-Tech general obligation bonds under its 2014 Authorization (as further described below), and \$30,000,000 in general obligation bonds under its 2012 Authorization (as discussed in the District's second waiver application submission), in 2015.

### Rationale:

#### A. *Background*

The Stockton Unified School District (the "District") was established on July 1, 1936 and is located in San Joaquin County. The boundaries of the District cover an area of approximately 55 square miles. The District has 54 schools, including 41 K-8 schools (including one K-5 school, and two charter schools), 11 high schools (including four specialty high schools, and three specialty charter high schools), one K-12 special education school, and one adult education school. The District also maintains an independent study program and a child development program.

On November 4, 2014, District voters approved a general obligation bond measure in the amount of \$114,000,000 (the "2014 Authorization"). Proceeds from the bonds are to be used to maintain and upgrade educational technology and upgrade classroom security systems in District facilities throughout the District.

The District's assessed valuation went through a period of significant decline from 2010 through 2013. And, while the District's assessed valuation is beginning to rebound, it has not sufficiently recovered. Consequently, the District is unable to issue any general obligation bonds under the 2014 Authorization without exceeding its 2.5% statutory bonding capacity under the California Education Code.

The District desires to issue Ed Tech general obligation bonds under its 2014 Authorization and is now requesting a waiver of Education Code Section 15270(a).

#### B. *Financial Information*

1. We estimate that issuing \$8,600,000 of Ed Tech general obligation bonds under the 2014 Authorization, together with \$30,000,000 of general obligation bonds under the 2012 Authorization (as discussed in the District's second waiver application submission), will raise the District's total indebtedness to approximately 3.68% of its assessed valuation.

2. The assessed valuation within the District declined by 10.17%, 7.78%, 4.02% and 1.46% from fiscal year 2008-09 to 2009-10 through 2012-13, respectively. Although the District's assessed valuation is beginning to rebound, it has not sufficiently recovered to allow the District to issue \$8,600,000 of its 2014 Authorization for Ed Tech general obligation bonds.

3. The attached bonding capacity analysis shows the assessed valuation, projected tax rates and existing and proposed debt service requirements. The projections are based on the future issuances of a total of \$38,600,000 in general obligation bonds from the 2012 and 2014 elections.

4. The current 2014-15 assessed valuation of the District puts the District's needed bonding capacity at 3.68%. However, in the event that assessed valuation changes or decreases in the future, we request

that the waiver for bonding capacity to be up to 3.75% of assessed valuation. This will ensure the District's ability to issue the \$38,600,000 in general obligation bonds (\$8,600,000 in Ed-Tech general obligation bonds under its 2014 Authorization and \$30,000,000 in general obligation bonds under its 2012 Authorization).

*C. Reasons to approve this waiver*

1. Approval will permit the District to maintain and upgrade educational technology and upgrade classroom security systems in District facilities throughout the District so that the District does not have to wait until a future fiscal year when the bond indebtedness of the District is expected to fall below the 2.5% limit set forth in the California Education Code.
2. Approval will allow the District to capitalize on lower construction costs.
3. Approval will allow the District to take advantage of near historic low interest rates.
4. Approval will satisfy the will of District voters who, at the November 4, 2014 election, reviewed and approved \$114,000,000 of Ed Tech general obligation bonds. The voters approved issuing these new bonds under a new tax rate cap so that needed District projects can be completed now, instead of years from now.

*D. Who supports this waiver*

1. California School Employees Association , Chapter 821 (CSEA #821)
2. United Stockton Administrators (USA)
3. Stockton Pupil Personnel Association (SPPA)
4. Stockton Unified Supervisory Unit (SUSU)
5. California School Employees' Association, Chapter 318-Paraprofessionals (CSEA #318 )
6. California School Employees Association, Chapter 885 (CSEA #885)
7. Operating Engineers Local Union #3, Police Unit (OE3-Police)
8. Dale Scott & Company, Financial Advisor
9. Kronick, Moskovitz, Tiedemann & Girard, a Professional Corporation, Bond and Disclosure Counsel

*E. Who opposes this waiver*

At a duly noticed public hearing on March 24, 2015, there was no opposition from the public or staff.

*F. Summary*

The Stockton Unified School District (the "District") has a current need for educational technology and classroom security system upgrades in its facilities throughout the District. District taxpayers recognized the need for and approved said improvements at the November 4, 2014 election. The District is, however, prevented from issuing its voter-authorized Ed Tech general obligation bonds due to declines in the assessed valuation and the weak housing market in Stockton during the past several years. Approving this request for a waiver of the District's 2.5% bonding capacity limitation will allow the District to make necessary upgrades to the educational technology and classroom security system in District facilities throughout the District.

In addition, we have the support of the following bargaining units: CSEA #318, CSEA #821, CSEA #885, USA, SPPA, SUSU, and OE3-Police. STA is neutral. Also, we have letters of support from our

Financial Advisor, Dale Scott & Co., and our Bond and Disclosure Counsel, Kronick, Moskovitz, Tiedemann & Girard, a Professional Corporation. See attachments.

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3968676

Waiver Number: 35-3-2015

Active Year: 2015

Date In: 3/27/2015 12:44:28 PM

Local Education Agency: Stockton Unified School District  
Address: 701 North Madison St.  
Stockton, CA 95202

Start: 7/9/2015

End: 7/10/2017

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: School Construction Bonds  
Ed Code Title: Bond Indebtedness Limit - Unified S.D.  
Ed Code Section: 15270  
Ed Code Authority: 33050-33053

Ed Code or CCR to Waive: *Education Code* 15270. [(a) Notwithstanding Sections 15102 and 15268, any unified school district may issue bonds pursuant to this article that, in aggregation with bonds issued pursuant to Chapter 1 (commencing with Section 15100), may not exceed 2.5 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 pursuant to this chapter at a single election, by a unified school district, would not exceed sixty dollars (\$60) 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.

Outcome Rationale: Please see attached

Student Population: 39486

City Type: Urban

Public Hearing Date: 3/24/2015

Public Hearing Advertised: Notice in newspaper

Local Board Approval Date: 3/24/2015

Community Council Reviewed By: Resources and Infrastructure Committee

Community Council Reviewed Date: 3/12/2015

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Michele Huntoon  
Position: Chief Business Official  
E-mail: [mhuntoon@stocktonusd.net](mailto:mhuntoon@stocktonusd.net)  
Telephone: 209-933-7010 x2091  
Fax: 209-933-7011

Bargaining Unit Date: 03/02/2015  
Name: California School Employees Assoc Chap 885  
Representative: Rose Sivils  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 02/26/2015  
Name: California School Employees Assoc Chapter 318  
Representative: Deloris Foster  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 03/04/2015  
Name: California School Employees Association Chap 821  
Representative: Claudia Moreno  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 03/04/2015  
Name: Operating Engineers Local #3 (Police Unit)  
Representative: Darren Semore  
Title: Labor Representative  
Position: Support  
Comments:

Bargaining Unit Date: 03/06/2015  
Name: Stockton Pupil Personnel Association  
Representative: Bonnie Dixon  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 02/27/2015  
Name: Stockton Teachers Association  
Representative: John Steiner  
Title: President  
Position: Neutral  
Comments:

Bargaining Unit Date: 02/27/2015  
Name: Stockton Unified Supervisor's Union  
Representative: Joe Kusy  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 03/05/2015  
Name: United Stockton Administration  
Representative: Gina Hall  
Title: President  
Position: Support  
Comments:

Attachment

Desired Outcome:

The 2014-15 assessed valuation for the Stockton Unified School District (the "District") puts the District's needed bonding capacity at 3.68%; however, we request that the waiver for bonding capacity to be up to 3.75% of assessed valuation. The granting of this waiver will permit the District to issue up to \$30,000,000 in general obligation bonds under its 2012 Authorization (as further described below), and \$8,600,000 in Ed-Tech general obligation bonds under its 2014 Authorization (as discussed in the District's second waiver application submission), in 2015.

Rationale:

A. *Background*

The Stockton Unified School District (the "District") was established on July 1, 1936 and is located in San Joaquin County. The boundaries of the District cover an area of approximately 55 square miles. The District has 54 schools, including 41 K-8 schools (including one K-5 school, and two charter schools), 11 high schools (including four specialty high schools, and three specialty charter high schools), one K-12 special education school, and one adult education school. The District also maintains an independent study program and a child development program.

On February 5, 2008, District voters approved a general obligation bond measure in the amount of \$464,500,000 (the "2008 Authorization"). However, because the District's assessed valuation had decreased by 22% which made the debt service for the bonds approved at the 2008 Election close to or at the Proposition 39 tax rate cap of \$60 per \$100,000 of assessed valuation, the District was unable to issue additional bonds under its 2008 Authorization without resorting to issuing expensive capital appreciation bonds, or waiting 20 or more years to issue (thereby delaying the voter approved projects).

In order to continue with the voter approved projects, the District returned to the voters in November 2012 to obtain approval to reauthorize \$156,000,000 of the remaining, unissued 2008 Authorization. On November 6, 2012, District voters approved a general obligation reauthorization bond measure in the amount of \$156 million (the "2012 Authorization"). The 2012 Authorization would allow the District to issue bonds under a new tax rate cap while saving taxpayers millions of dollars in interest and without increasing the 2008 Authorization.

However, because the District's assessed valuation had not sufficiently recovered in 2013, the District was unable to issue any general obligation bonds under the 2012 Authorization without exceeding its 2.5% statutory bonding capacity under the California Education Code. The District submitted a first time waiver to the State Board of Education ("SBE") for consideration at its May 8, 2013 meeting. The SBE approved the District's request and the District issued \$65,000,000 of general obligation bonds under its 2012 Authorization, thereby providing financing for the construction, rehabilitation, repair and/or equipping of public school facilities.

Although the District's assessed valuation is beginning to rebound, the recovery is insufficient to allow the District to issue additional series of general obligation bonds under the 2012 Authorization without exceeding its 2.5% statutory bonding capacity under the California Education Code. Because the District desires to issue additional general obligation bonds under its 2012 Authorization, it is now requesting a waiver of Education Code section 15270(a).

*B. Financial Information*

1. We estimate that issuing a second series of bonds, in the principal amount of \$30,000,000, under the 2012 Authorization, together with \$8,600,000 of Ed Tech general obligation bonds under the 2014 Authorization, will raise the District's total indebtedness to approximately 3.68% of its assessed valuation.

2. The assessed valuation within the District declined by 10.17%, 7.78%, 4.02% and 1.46% from fiscal year 2008-09 to 2009-10 through 2012-13, respectively. Although the District's assessed valuation is beginning to rebound, it has not sufficiently recovered to allow the District to issue \$30,000,000 of its 2012 Authorization for general obligation bonds.

3. The attached bonding capacity analysis shows the assessed valuation, projected tax rates and existing and proposed debt service requirements. The projections are based on the future issuances of a total of \$38,600,000 in general obligation bonds from the 2012 and 2014 elections.

4. The current 2014-15 assessed valuation of the District puts the District's needed bonding capacity at 3.68%. However, in the event that assessed valuation changes or decreases in the future, we request that the waiver for bonding capacity to be up to 3.75% of assessed valuation. This will ensure the District's ability to issue the \$38,600,000 in general obligation bonds (\$8,600,000 in Ed-Tech general obligation bonds under its 2014 Authorization and \$30,000,000 in general obligation bonds under its 2012 Authorization).

*C. Reasons to approve this waiver*

1. Approval will permit the District to provide essential learning and recreational facilities to its students, so that the District does not have to wait until a future fiscal year when the bond indebtedness of the District is expected to fall below the 2.5% limit set forth in the California Education Code.

2. Approval will allow the District to capitalize on lower construction costs.

3. Approval will allow the District to take advantage of near historic low interest rates.

4. Approval will satisfy the will of District voters who, at the November 6, 2012 election, reviewed and approved the reauthorization of \$156,000,000 of the 2008 Authorization. The voters approved issuing these new bonds under a new tax rate cap so that needed District projects can be completed now, instead of years from now.

*D. Who supports this waiver*

1. California School Employees Association , Chapter 821 (CSEA #821)

2. United Stockton Administrators (USA)
3. Stockton Pupil Personnel Association (SPPA)
4. Stockton Unified Supervisory Unit (SUSU)
5. California School Employees' Association, Chapter 318-Paraprofessionals (CSEA #318 )
6. California School Employees Association, Chapter 885 (CSEA #885)
7. Operating Engineers Local Union #3, Police Unit (OE3-Police)
8. Dale Scott & Company, Financial Advisor
9. Kronick, Moskovitz, Tiedemann & Girard, a Professional Corporation, Bond and Disclosure Counsel

E. *Who opposes this waiver*

At a duly noticed public hearing on March 24, 2015, there was no opposition from the public or staff.

E. *Summary*

The Stockton Unified School District (the "District") has a current need to construct, repair and renovate District facilities, yet historical assessed valuation in the District, coupled with negative assessed valuation growth due to the weak housing market in Stockton, California for the past several years, prohibit the District from issuing its voter-authorized general obligation bonds. However, the taxpayers want to see improvements in educational facilities allowed for by Measure E, as approved in 2012. The District fully supports that mission and desires to continue to carry out the physical improvements necessary to improve services and facilities, particularly at the secondary comprehensive high school level. These improvements are necessary to provide a safe, healthy and productive educational environment for our students. Approving this request for a waiver of the District's bonding capacity limitation will allow for the continuation of an already efficient capital improvement program at the District, and permit the District to make necessary construction, repairs and upgrades to essential facilities.

In addition, we have the support of the following bargaining units: CSEA #318, CSEA #821, CSEA #885, USA, SPPA, SUSU, and OE3-Police. STA is neutral. Also, we have letters of support from our Financial Advisor, Dale Scott & Co., and our Bond and Disclosure Counsel, Kronick, Moskovitz, Tiedemann & Girard, a Professional Corporation. See attachments.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

#### General Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Val Verde Unified School District</b> to waive California <i>Education Code</i> Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish a by-trustee-area method of election.</p> <p>Waiver Number: 3-5-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **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 Riverside 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 Val Verde Unified School District (USD) requests that the California State Board of Education (SBE) waive the requirement that by-trustee-area election methods be approved at a districtwide election—allowing by-trustee-area elections to be adopted upon review and approval of the County Committee.

**Authority for Waiver:** *EC* Section 33050

#### **RECOMMENDATION**

**Approval**    **Approval with conditions**    **Denial**

The California Department of Education (CDE) recommends the SBE approve the request by the Val Verde USD 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 Val Verde USD. Voters in the district 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 election.

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 district 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 Val Verde USD is 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 district is requesting that the SBE waive the requirement that the trustee areas and the election method be approved at a districtwide election. If the SBE approves the waiver request, a districtwide election for the Val Verde USD will not be required and by-trustee-area election methods can be adopted in the district upon review and approval of the County Committee.

Only the election to establish trustee areas and the election method will be eliminated by approval of the waiver request—voters in the Val Verde USD will continue to elect all governing board members. Moreover, approval of the waiver request will not eliminate any existing legal rights of currently seated board members.

The waiver request has been reviewed by the CDE and it has been determined that there was no significant public opposition to the waiver at the public hearing held by the governing board of the district. 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 request by the Val Verde USD 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 Val Verde USD has a student population of 19,700 and is located in a rural area in Riverside 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](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The SBE has approved more than 110 similar waivers—most recently for seven school districts at the May 2015 SBE meeting.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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Approval of the waiver request will not have negative fiscal effects on any local or state agency. Failure to approve the request will result in additional costs to the Val Verde USD for a districtwide election.

## **ATTACHMENT(S)**

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Attachment 1: Information from District Requesting Waiver of Elections Required to Establish Trustee Area Elections (1 page)

Attachment 2: Val Verde Unified School District General Waiver Request 3-5-2015 (8 pages). (Original waiver request is signed and on file in the Waiver Office.)

**Information from District Requesting Waiver 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
3-5-2015	Val Verde Unified School District	<b>Requested and Recommended:</b> May 1, 2015, to December 31, 2016	Val Verde Teachers Association, Albert G. Trudel, President, 10/7/14 <b>Support</b>  California School Employees Association, Daniela Andrade, President, 10/7/14 <b>Support</b>	<b>Public Hearing:</b> 1/13/15  <b>Board Approval:</b> 5/5/15	The public hearing notice was posted at the district office and all school sites.	Reviewed by District English Learner Advisory Committee, Parent Advisory Committee, and African American Success Committee on 11/10/14 <b>No objections</b>

Created by California Department of Education  
 May 14, 2015

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3375242

Waiver Number: 3-5-2015

Active Year: 2015

Date In: 5/8/2015 8:11:05 AM

Local Education Agency: Val Verde Unified School District  
Address: 975 West Morgan St.  
Perris, CA 92571

Start: 5/1/2015

End: 12/31/2016

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: All or Portions of 5019, 5020, 5021, and 5030

Ed Code Authority: 33050

Ed Code or CCR to Waive: (See Val Verde USD Attachment A - Ed Code Strikeout)

Outcome Rationale: (See Val Verde USD Attachment B - Rational & Background)

Student Population: 19700

City Type: Rural

Public Hearing Date: 5/5/2015

Public Hearing Advertised: Posted 10 days prior at the District Office and all school sites. Also conducted 3 community input meetings. Additional Public Hearings in Dec 2014 & Jan 2015.

Local Board Approval Date: 1/13/2015

Community Council Reviewed By: Cert. and class. unions, DELAC, Parent Advisory Committee, African American Success Committee

Community Council Reviewed Date: 11/10/2014

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Darrin Watters  
Position: Asst. Superintendent Business Services  
E-mail: [dwatters@valverde.edu](mailto:dwatters@valverde.edu)  
Telephone: 951-940-6100 x10607  
Fax:

Bargaining Unit Date: 10/7/2014  
Name: Val Verde Teachers Association  
Representative: Albert G. Trudel  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 10/7/2014  
Name: Classified School Employees Association (CSEA)  
Representative: Daniela Andrade  
Title: President  
Position: Support  
Comments:

## Attachment A

### 6. Education Code or California Code of Regulations Section to be Waived

The Val Verde 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.

(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 Val Verde 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. More 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 STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

#### General Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Bogus Elementary School District</b> to waive California <i>Education Code</i> Section 35780(a), which requires lapsation of a district with an average daily attendance of less than six.</p> <p>Waiver Number: 6-5-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

At the time this waiver request was submitted, the Bogus Elementary School District (ESD) in Siskiyou County reported that it had 11 students enrolled in the first through eighth grades. However, due to clerical errors made in the State Attendance Register and Independent Study process, the district's auditor disallowed some of the district's attendance, resulting in the district's average daily attendance (ADA) falling below six. *Education Code (EC)* Section 35780(a) requires the Siskiyou County Committee on School District Organization (County Committee) to lapse the district if its ADA in these grade levels is below six at the close of the 2014–15 school year. The Bogus ESD 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 Siskiyou County Superintendent of Schools 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 Bogus ESD 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, a county committee is required to annex the territory of the lapsed district to one or more adjoining districts.

The Bogus ESD reports that the auditor-approved ADA for the first through eighth grades of the district has fallen below six, although the district had 11 students enrolled

in these grades. The district's auditor disallowed some of the attendance because of clerical errors made in the State Attendance Register and Independent Study process.

In addition to this issue of clerical errors reducing the reported ADA, the Bogus ESD notes the following conditions in support of its waiver request:

- The district expects to have an enrollment of 16 students to begin the 2015–16 school-year—with 14 of these students in first through eighth grade.
- Enrollment in the district has been relatively stable over the past 10 years, fluctuating between eight and 16 students.
- The Bogus School is located in a remote valley about 20 miles from the Oregon border and transportation in and out of the valley can be treacherous due to narrow, curvy, and steep roads that are subject to snow, slush, ice, and foggy conditions.
- Even if the district were to lapse, there may be no cost savings since the Bogus School likely would continue to operate as a “necessary small school.”

The Siskiyou County Superintendent of Schools supports the district's request to waive *EC* Section 35780, noting that the trigger for the County Committee lapsation process is the unexpected disallowance of ADA due to district clerical errors.

The 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 Bogus ESD to waive subdivision (a) of *EC* Section 35780.

### **Demographic Information:**

The Bogus ESD has a kindergarten through eighth grade student population of 14 and is located in a rural area of Siskiyou 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](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).

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### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The SBE has approved similar requests for other school districts—most recently for the Maple Creek ESD (Humboldt County) at the May 2015 SBE meeting.

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### **FISCAL ANALYSIS (AS APPROPRIATE)**

Approval of the waiver request will not have negative fiscal effects on any local or state agency.

**ATTACHMENT(S)**

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Attachment 1: Information from District Requesting Waiver of Lapsation Requirement  
(1 page)

Attachment 2: Bogus Elementary School District General Waiver Request  
6-5-2015 (6 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
6-5-2015	Bogus Elementary School District	<p><b>Requested:</b>            July 1, 2015            to            June 29, 2016</p> <p><b>Recommended:</b>            May 1, 2015            to            June 29, 2016</p>	District has no bargaining units.	5/8/15	Notice was posted in three public places in the district: Bogus School, Copco Chapel, and the Montague post office.	Bogus School Site Council president, 5/8/15 <b>No objections</b>

Created by California Department of Education  
 May 14, 2015

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 4770193

Waiver Number: 6-5-2015

Active Year: 2015

Date In: 5/11/2015 11:32:31 AM

Local Education Agency: Bogus Elementary School District  
Address: 13735 Ager-Beswick Rd.  
Montague, CA 96064

Start: 7/1/2015

End: 6/29/2016

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: School District Reorganization  
Ed Code Title: Lapsation of a Small District  
Ed Code Section: 35780(a)  
Ed Code Authority: 33050

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 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:

Subject

Request by Bogus 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.

Summary of Issue(s)

At the time this waiver request was submitted, the Bogus Elementary School District (ESD) in Siskiyou County had eleven students enrolled in the first through seventh grades. Our teacher was new to the State Attendance Register and Independent Study process and some clerical errors in Independent Study paperwork and State Attendance Register were made. As a result, the auditors disallowed some of the attendance. Bogus School started this year with 6 students, two of which were kindergartners, and remained at such until the end of December. This put us deep in the hole. Our subsequent recruitment efforts gained us students throughout the year from January to our present level of 14 kindergarten through 7th grade students. The Bogus ESD governing board is requesting that the California State Board of Education waive *EC*

section 35780 in order to let the district to continue operations for the 2015/16 school year. The Siskiyou County Superintendent of Schools strongly supports the Bogus ESD waiver request.

### 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 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 Bogus Elementary School District reports that the first through seventh grade ADA of the district will be below the six students required at the end of the 2014/15 school year. Due to our recruiting efforts the district reports a current enrollment of 11 students in grades 1st—7th and three kindergarteners. The district is requesting a waiver of subdivision (a) of *EC* 35780 (the requirement to lapse the district) for one year. Due to a clerical error some of the attendance from Independent Study was disallowed by the auditors, thus putting us below the required six ADA required.

Given current and projected kindergarten and 1st-7th grade student enrollment, we anticipate starting the 2015/16 school year with 14 students in grades 1st—7th and we also anticipate having at least two more kindergarten students enrolling. Total enrollment in the district has fluctuated between 8 and 16 students over the past 7 years. (see chart below).

#### Year Enrollment

2008/09	10
2009/10	9
2010/11	16
2011/12	9
2012/13	9
2013/14	10
2014/15	8

About one half of our current students live approximately 8+ miles above the school at Copco Lake. The nearest school for those students is approximately 16.94 miles down a narrow, steep, winding road that leads to Willow Creek School. Our school is located in far Northern California about 20 miles from the Oregon border. In the wintertime we routinely get snow and ice that covers all of our roads. Although Willow Creek Elementary School is our nearest school there is no guarantee that Bogus ESD, if lapsed, would be annexed to that district. The next nearest school, Hornbrook Elementary, is an additional 10 miles away from Willow Creek. The Siskiyou County Committee determines the best interests of the adjoining districts and the residents of the lapsed district.

The Siskiyou County Superintendent of Schools has provided strong support for the district's request to waive *EC* 35780, noting that:

- Safety of the elementary students is the primary concern. Bogus School is located in a remote valley and transportation in and out of the valley can be very treacherous.

- The Bogus School academic program is a quality program in a “neighborhood, family like setting.” Parents historically have been, and continue to be, very active in the school.
- The current enrollment dip appears to be an anomaly. Enrollment should stabilize as younger students in the community become school-age.
- Board membership for Bogus School has been very stable, unlike many small districts. Some of the board members have been seated for several years. There has been little difficulty attracting members of the community to serve on the board.
- Because of its remoteness, even if the district was forced to lapse, it is highly likely Bogus Elementary School would have to operate as a “necessary small school”—thus; there would be no financial savings from the lapsation.

Bogus Elementary School has until the end of the 2014/15 school year to determine if ADA is above the six students needed. Approval of this waiver will provide another year to stabilize enrollment. If ADA is not at six or above by June 29, 2016 the County Committee will be required to initiate lapsation at that time.

#### Demographic Information:

The Bogus ESD has a kindergarten through seventh grade student population of 8 (currently 14 students) and is located in rural Siskiyou County. In an effort to keep our enrollment higher, and we believe, raise our enrollment for next year and subsequent years, Bogus ESD is going to re-designate to a Kindergarten—8th grade school for the 2015/16 school year. We believe that going to K-8th will give our students the opportunity to complete their entire elementary education at one site, thus eliminating the need for parents to move their students to another school or a middle school to complete their elementary education. We find that many parents prefer the K-8 setting to a middle school situation.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven resources in *EC 33051(a)*, available at <http://leginfo.legislature.ca.gov/faces/codesdisplaySection.xhtml?lawCode=EDE&sectionNum=3051>

#### Addendum A

##### Desired Ourcomes/Rational

##### School District Background and Geography

Bogus Elementary School District is located in the foothills of Shasta Valley on Ager Beswick Road in Mongtague, CA. Bogus School has was first established in 1872. The original school, a one room school house, is still standing on the banks of Bogus Creek and is now Copco Chapel. Our current site is 1/8 mile up the road and is a two room school. Properties for both schools was deeded by a local rancher for the sum of one dollar (\$1). Bogus School is very rural and surrounded by sprawling cattle ranches and farms. We are also adjacent to Copco Lake where about ½ of our students reside. The school building is kept in excellent condition as serves as both an education facility as well as a community gathering place in a centralized location for the students and community who live in our isolated foothills.

## Students Being Served

The school has averaged 10 students per year since 2008/09. This one school district serves Transitional-kindergarten—7th grade students currently.

CBEDS enrollment for Bogus School fluctuates between 8 and 16 students. Typically more than 80% of the student population qualifies for the Free and Reduced Lunch Program. The student population is typically a mix of Caucasian and Native American students.

At the present time we have a total of 14 students, 11 of which are first through 7th grades. However our year started out with only 6 students, 2 of which were kindergarteners. This scenario played out until our December break which put us in the hole, attendance wise. Due to our efforts, we began to pick up students in January 2015. Due to our new teacher being unfamiliar with the State Attendance Register, some mistakes were made on the Independent Study paperwork and the auditors disallowed some of the attendance.

## Staffing and Support

Staffing for the school is minimal and efficient. There is one highly qualified Principal/Teacher, one Instructional Aide/Bus Driver, one lunch program coordinator/cook, one part-time superintendent and one part-time piano teacher. The music program consists of individual piano lessons for each student in the school as well as general music theory. Additionally each of the students is learning to play Native American flute. We are able to fund our music program through grants and community support. All of the employees are experienced and most have been at the school from 8 to 22 years. We have an active School Site Council and Parent Group as well as a Title VII Indian Ed parent committee. Support from the community and parents is phenomenal.

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 public meetings, musical recitals and theatrical presentations. The Copco Lake community is reciprocal in letting the school use their club house, gratis, for our annual Spaghetti Dinner/Raffle fundraiser which helps to fund our music program and fieldtrips. The economy in the area is primarily cattle ranching and agriculture. A few of the parents work outside the community in Yreka or Montague. However in most cases at least one of the parents are able to be at the school on a regular basis providing valuable support. The location of the school is very accessible for parents who want to be directly involved in their student's education.

## Contiguous School Districts

There are four contiguous school districts; Willow Creek ESD, Hornbrook ESD, Montague ESD and Dorris ESD, that range in distance from about 17 to about 70 miles away from Bogus School. All of those schools require treks over the rural foothill road system and some involve going over mountain passes.

## Challenges in Transportation

Bogus School provides transportation for students. Our bus driver lives in our district and has been driving these sometimes snow and ice covered foothill roads for over 20 years. Through a grant we purchased a new bus in 2012. During the winter months we put on our studded snow and ice tires and have chains available if we need them. From October—May there is also a potential in Siskiyou County for rock slides, mud slides, chain restrictions, accidents and other road closure issues. These may range in length from hours to days.

If the students are required to travel out of the foothills to attend school in another district, they are likely to miss more days of school, due to the weather conditions and limitations in transportation. The roads are narrow, curvy, and steep in places and are subject to snow, slush, ice and foggy conditions.

Another consideration is the distance students would have to travel to attend another school rather than attending Bogus School. The students would have to leave their homes earlier and return later. This would be particularly difficult for the younger students, and may cause issues for parents arranging childcare.

## Financial Considerations

As mentioned above, if the Bogus Elementary School District is lapsed, it is likely to be reorganized into one of the contiguous districts. Because of the distance students would be required to travel to a neighboring district, due to the transportation costs and liability, the receiving district would most likely have to keep Bogus School open as a school site, and would continue to qualify as a Necessary Small School. Due to the Necessary Small School funding, there is no real cost savings to the state as a result of the lapsation.

## Total Community Support

To reiterate—Support for Bogus Elementary School started back in 1872 with the deeding of the land for the original school. The family that donated that land is still a prominent rancher in the valley. They consistently show up at our music recitals and seasonal plays and events and support our fundraisers. They are not alone. Many other farmers, ranchers and retired people from Copco Lake also vigorously support our school in many ways. The school also enjoys unending support from our parents and families and their extended families. Parents volunteer countless hours both at the school and from home helping out with whatever needs to be done. Bogus School is truly a family orientated, enriching environment.

Student Population: 14

City Type: Rural

Public Hearing Date: 5/8/2015

Public Hearing Advertised: Public Hearing was posted in three public places: Bogus School, Copco Chapel, Montague PO

Local Board Approval Date: 5/8/2015

Community Council Reviewed By: Bogus ESD Board of Directors  
Community Council Reviewed Date: 5/8/2015  
Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N  
Submitted by: Mr. Fred Ehmke  
Position: Superintendent  
E-mail: [fehmk@sisnet.ssku.k12.ca.us](mailto:fehmk@sisnet.ssku.k12.ca.us)  
Telephone: 530-459-3163  
Fax: 530-459-0706



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

#### Specific Waiver

<b>SUBJECT</b>	<input checked="" type="checkbox"/> <b>Action</b>
Request by seven local educational agencies under the authority of California <i>Education Code</i> Section 52863 for waivers of <i>Education Code</i> Section 52852, relating to schoolsite councils regarding changes in shared, composition, or shared and composition members.	<input checked="" type="checkbox"/> <b>Consent</b>
Waiver Numbers: Delhi Unified School District 13-3-2015 Eastern Sierra Unified School District 22-2-2015 Eastern Sierra Unified School District 23-2-2015 Marin County Office of Education 23-3-2015 Santa Barbara County Office of Education 36-3-2015 Terra Bella Union Elementary School District 8-4-2015 Trinity Center Elementary School District 3-3-2015 Woodland Joint Unified School District 14-3-2015 Woodland Joint Unified School District 15-3-2015	

#### **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 Delhi Unified School District is requesting a shared SSC with composition change for two schools: Shattuck Educational Park Continuation High School (42 students in grades nine through twelve) and Shattuck Independent Studies School (27 students in grades nine through twelve). The two schools share many resources such as the

principal and three teachers in addition to conducting teacher and parent meetings and other school events in the same building. They are located in a rural area.

The Eastern Sierra Unified School District is requesting an SSC composition change for a small school: Bridgeport Elementary School (4 teachers serving 52 students in kindergarten through grade eight). The school is located in a rural area.

The Eastern Sierra Unified School District is requesting an SSC composition change for a small school: Edna Beaman Elementary School (2.5 teachers serving 21 students in kindergarten through grade eight). The school is located in a rural area.

The Marin County Office of Education is requesting to renew a shared SSC with composition change for three small alternative schools: Marin County Community School (7 teachers serving 86 students in grades six through twelve), Marin County Juvenile Court School (1 teacher serving 5 students in grades seven through twelve), and Phoenix Academy (1 teacher serving 4 students in grades nine through twelve). These schools operate with common site administration, curriculum, and share other services. In addition, students have the potential of moving through all three schools. They are located in a suburban area.

The Santa Barbara County Office of Education is requesting a shared SSC with composition change for two small schools: Santa Barbara County Community School (2 teachers serving 40 students in grades seven through twelve) and Santa Barbara County Juvenile Court School (6 teachers serving 96 students in grades seven through twelve) on two campuses. The two schools share a principal, common administration, curriculum, and services in addition to coordinating program planning and services. The majority of the students enrolled in the community school are probation referred and/or expelled from the local school districts. Student populations are similar and they tend to move back and forth between the community school and the court school. They are located in a small city.

The Terra Bella Union Elementary School District is requesting to renew a shared SSC for two schools: Terra Bella Elementary School (29 teachers serving 621 students in kindergarten through grade five) and Carl F. Smith Middle School (14 teachers serving 289 students in grades six through eight). The two schools are in close proximity to each other, which lends to collaborative planning. In addition, some parents have children attending both schools. The schools are located in a rural area.

The Trinity Center Elementary School District is requesting to renew an SSC composition change for a small school: Trinity Center Elementary School (1 teacher serving 12 students in kindergarten through grade eight). The school is located in a rural area.

The Woodland Joint Unified School District is requesting to renew an SSC composition change for a small school: Cache Creek Continuation High School (10 teachers serving 130 to 140 students in grades nine through twelve). The school enrolls students from all over the district and the number of students fluctuates throughout the year. It is located 6 to 10 miles north of town in a rural area, which makes it difficult for a shared SSC.

The Woodland Joint Unified School District is requesting to renew a shared SSC for two schools: Gibson Elementary School (30 teachers serving 658 students in kindergarten through grade six) and Woodland Community Day School (1 teacher serving 5 to 10 students in kindergarten through grade six). Student population at Woodland Community Day School fluctuates throughout the year as students gain desired skills and move back to their home schools. These two schools are located in a rural area.

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#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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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.

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#### **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no statewide fiscal impact of waiver approval.

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#### **ATTACHMENT(S)**

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- Attachment 1: Local Educational Agencies Requesting a Schoolsite Council Waiver (6 Pages)
- Attachment 2: Delhi Unified School District Specific Waiver Request 13-3-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 3: Eastern Sierra Unified School District Specific Waiver Request 22-2-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 4: Eastern Sierra Unified School District Specific Waiver Request 23-2-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 5: Marin County Office of Education Specific Waiver Request 23-3-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 6: Santa Barbara County Office of Education Specific Waiver Request 36-3-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 7: Terra Bella Union Elementary School District Specific Waiver Request 8-4-2015 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 8: Trinity Center Elementary School District Specific Waiver Request  
3-3-2015 (2 Pages) (Original waiver request is signed and on file in the  
Waiver Office.)

Attachment 9: Woodland Joint Unified School District Specific Waiver Request  
14-3-2015 (2 Pages) (Original waiver request is signed and on file in the  
Waiver Office.)

Attachment 10: Woodland Joint Unified School District Specific Waiver Request  
15-3-2015 (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
13-3-2015	Delhi Unified School District for Shattuck Educational Park Continuation High School (2475366 2430197) and Shattuck Independent Study School (2475366 0114538)	Shared SSC and 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), two parents/community members (selected by parents), and two students (selected by peers).	<b>No</b>  <b>Requested:</b> 08/01/2014 to 06/30/2016  <b>Recommended:</b> 08/01/2014 to 06/30/2016	Delhi Teachers Association Joy Pressly, President 02/03/2015  <b>Neutral</b>	Shattuck Educational Park Continuation High School SSC and Shattuck Independent Studies School SSC 02/06/2015  <b>No Objections</b>	01/13/2015
22-2-2015	Eastern Sierra Unified School District for Bridgeport Elementary School (2673668 6025936)	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).	<b>No</b>  <b>Requested:</b> 07/01/2014 to 06/30/2016  <b>Recommended:</b> 07/01/2014 to 06/30/2016	None indicated	Bridgeport Elementary School SSC 02/11/2015  <b>No Objections</b>	02/11/2015

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
23-2-2015	Eastern Sierra Unified School District for Edna Beaman Elementary School (2673668 6025928)	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).	<b>No</b>  <b>Requested:</b> 07/01/2014 to 06/30/2016  <b>Recommended:</b> 07/01/2014 to 06/30/2016	None indicated	Edna Beaman Elementary School SSC 02/11/2015  <b>No Objections</b>	02/11/2015
23-3-2015	Marin County Office of Education for Marin County Community School (2110215 2130037), Marin County Juvenile Court School (2110215 0113183), and Phoenix Academy (2110215 2130102)	Shared SSC and composition change	Approval with conditions: the SSC must consist of one principal, one classroom teacher (selected by peers), one parent/community member (selected by parents), and one student (selected by peers.)	<b>Yes</b>  <b>Requested:</b> 05/15/2015 to 05/14/2017  <b>Recommended:</b> 05/22/2015 to 05/21/2017	Marin County Educators Association Thomas Laughlin, President 02/26/2015  <b>Support</b>	Alternative Education Program Council 01/28/2015  <b>No Objections</b>	03/10/2015

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
36-3-2015	Santa Barbara County Office of Education for Santa Barbara County Community School (4210421 4230207) and Santa Barbara County Juvenile Court School (4210421 4230157)	Shared SSC and 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), two parents/community members (selected by parents), and two students (selected by peers).	<p><b>No</b></p> <p><b>Requested:</b> 07/01/2015 to 06/30/2017</p> <p><b>Recommended:</b> 07/01/2015 to 06/30/2017</p>	<p>California School Employees Association Lettie Padilla, President 10/04/2014</p> <p><b>Support</b></p> <p>Santa Barbara County Education Association Laura Ishikawa, Co-President 10/06/2014</p> <p><b>Support</b></p>	<p>Santa Barbara County Community School Parent Staff Advisory Committee and Santa Barbara County Juvenile Court School Parent Staff Advisory Committee 10/29/2014</p> <p><b>No Objections</b></p>	12/11/2014

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
8-4-2015	Terra Bella Union Elementary School District for Terra Bella Elementary School (5472199 6054415) and Carl F. Smith Middle School (5472199 6112510)	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).	<b>Yes</b>  <b>Requested:</b> 07/01/2015 to 06/30/2017  <b>Recommended:</b> 07/01/2015 to 06/30/2017	California School Employees Association Ruben Ornelas, President 02/19/2015  <b>Support</b>  Terra Bella Teachers' Group Jack Berry, President 02/19/2015  <b>Support</b>	Terra Bella Elementary School and Carl F. Smith Middle School Joint SSC 11/19/2014  <b>No Objections</b>	03/12/2015
3-3-2015	Trinity Center Elementary School District for Trinity Center Elementary School (5371761 6053813)	SSC composition change	Approval with conditions: the SSC must consist of one principal, one classroom teacher (selected by peers), and two parents/community members (selected by parents).	<b>Yes</b>  <b>Requested:</b> 07/01/2014 to 06/30/2017  <b>Recommended:</b> 07/01/2014 to 06/30/2016	None indicated	Trinity Center Elementary School SSC 01/16/2015  <b>No Objections</b>	02/26/2015

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
14-3-2015	Woodland Joint Unified School District for Cache Creek Continuation High School (5772710 5738810)	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), two parents/community members (selected by parents), and two students (selected by peers).	<p><b>Yes</b></p> <p><b>Requested:</b> 07/01/2015 to 06/30/2017</p> <p><b>Recommended:</b> 07/01/2015 to 06/30/2017</p>	<p>Woodland Education Association Karen Taylor, President 12/15/2014</p> <p><b>Support</b></p> <p>California School Employees Association Jacob Miller, President 12/15/2014</p> <p><b>Support</b></p>	<p>Cache Creek Continuation High School SSC 02/23/2015</p> <p><b>No Objections</b></p>	03/11/2015

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
15-3-2015	Woodland Joint Unified School District for Gibson Elementary School (5772710 6056485) and Woodland Community Day School (5772710 6116479)	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).	<b>Yes</b>  <b>Requested:</b> 07/01/2015 to 06/30/2017  <b>Recommended:</b> 07/01/2015 to 06/30/2017	Woodland Education Association Certificated Union Karen Taylor, President 12/15/2014  <b>Support</b>  California School Employees Association Classified Union Jacob Miller, President 12/15/2014  <b>Support</b>	Gibson Elementary School SSC 02/10/2015  <b>No Objections</b>	03/11/2015

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 2475366

Waiver Number: 13-3-2015

Active Year: 2015

Date In: 3/12/2015 4:51:42 PM

Local Education Agency: Delhi Unified School District  
Address: 9716 Hinton Ave.  
Delhi, CA 95315

Start: 8/1/2014

End: 6/30/2016

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

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: Ed Code or *CCR* to Waive: *EC 52852* A school site 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.

Outcome Rationale: Outcome Rationale: The Delhi Unified School District is a small district that services approximately 2700 students. Our Continuation High School (Shattuck Continuation High School) and Independent Studies School (Shattuck Independent Studies School) grades 10-12 services at the maximum 70 students combined per year. Both schools are housed in one building. One person serves as the principal for both schools and 3 teachers service both schools. Both schools share in some instances the same families. Due to the circumstances of shared facilities, students and families, teachers meetings, parent meetings and school events are conducted at the one school.

With a staff of only 3 teachers and one principal it is not feasible to fulfill the regular SSC composition requirement as a compensatory high school (12). We propose, instead, a SSC composition of 8 persons, which will include the principal, 2 teachers, one other staff member, 2 parents, and 2 students.

Student Population: 70

City Type: Rural

Local Board Approval Date: 1/13/2015

Council Reviewed By: Shattuck Continuation High School and Shattuck Independent Studies  
School School Site Council

Council Reviewed Date: 2/6/2015

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Sue Gomes

Position: Director of Curriculum and Instruction

E-mail: [sgomes@delhi.k12.ca.us](mailto:sgomes@delhi.k12.ca.us)

Telephone: 209-656-2000 x1110

Fax: 209-656-2002

Bargaining Unit Date: 02/03/2015

Name: Delhi Teachers Association

Representative: Joy Pressly

Title: President

Position: Neutral

Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 2673668

Waiver Number: 22-2-2015

Active Year: 2015

Date In: 2/25/2015 2:35:12 PM

Local Education Agency: Eastern Sierra Unified School District  
Address: 231 Kingsley St.  
Bridgeport, CA 93517

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

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: 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: The school has only 4 teachers, 1 part-time administrator, and 3 FTE classified employees. The school has experienced difficulty in meeting the minimum number of members on a school site council due to the low number of employees/parents. The school would like a SSC comprised of 5 members: an administrator, 1 teacher, and 3 parents/local community members.

Student Population: 52

City Type: Rural

Local Board Approval Date: 2/11/2015

Council Reviewed By: School Site Council

Council Reviewed Date: 2/11/2015

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Arik Avanesyans

Position: Business Manager

E-mail: [aavanesyans@esUSD.org](mailto:aavanesyans@esUSD.org)

Telephone: 760-932-7443

Fax:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 2673668

Waiver Number: 23-2-2015

Active Year: 2015

Date In: 2/25/2015 2:44:13 PM

Local Education Agency: Eastern Sierra Unified School District  
Address: 231 Kingsley St.  
Bridgeport, CA 93517

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

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: 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: Edna Beaman Elementary has 2.5 FTE teachers, .5 FTE administrators and 2.5 FTE classified employees. The school has experienced difficulties meeting the minimum number of members that comprises the SSC. We'd like to create a SSC with 5 members, 2 school employees, and 3 parents/local community members.

Student Population: 21

City Type: Rural

Local Board Approval Date: 2/11/2015

Council Reviewed By: School Site Council

Council Reviewed Date: 2/11/2015

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Arik Avanesyans

Position: Business Manager

E-mail: [aavanesyans@esusd.org](mailto:aavanesyans@esusd.org)

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**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 2110215

Waiver Number: 23-3-2015

Active Year: 2015

Date In: 3/17/2015 8:01:49 AM

Local Education Agency: Marin County Office of Education  
Address: 1111 Las Gallinas Ave.  
San Rafael, CA 94913

Start: 5/15/2015

End: 5/14/2017

Waiver Renewal: Y

Previous Waiver Number: 24-5-2013-W-02

Previous SBE Approval Date: 9/4/2013

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: A school-site council shall be established at [each school] which participates in a school-based program coordination. The secondary school site council shall be composed of [1 principal, 3 teachers and 2 other school employees (6 total) and 3 parents or other community members as well as 3 students (6 total).]

Outcome Rationale: Our three Alternative Education schools Marin Community School, Juvenile Court School and Phoenix Academy are small in size and operate with a common site administration, curriculum and continuous shared services. Students within these programs have the potential to move through all three programs as indicated by their unique needs.

Student Population: 50

City Type: Suburban

Local Board Approval Date: 3/10/2015

Council Reviewed By: Marin County Board of Education; Alternative Education Program Council  
Council Reviewed Date: 1/28/2015

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: Y

Submitted by: Ms. Raquel Rose  
Position: Assistant Superintendent  
E-mail: [rose@marinschools.org](mailto:rose@marinschools.org)  
Telephone: 415-499-5891  
Fax:

Bargaining Unit Date: 02/26/2015  
Name: Marin County Educators Association  
Representative: Thomas Laughlin  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 4210421

Waiver Number: 36-3-2015

Active Year: 2015

Date In: 3/30/2015 1:54:29 PM

Local Education Agency: Santa Barbara County Office of Education  
Address: 4400 Cathedral Oaks Rd.  
Santa Barbara, CA 93110

Start: 7/1/2015

End: 6/30/2017

Waiver Renewal: Y

Previous Waiver Number: 3-11-2013-W-14

Previous SBE Approval Date: 3/12/2014

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: *EC 52852* A schoolsite council shall be established [at each school which participates in school based coordination.] The council shall be composed of one [the principal] administrator and [representatives of:] two teachers selected by teachers [at the school]; one other school personnel selected by other school personnel [at the school]; two parents of pupils attending the schools or other community members selected by such parents; and in secondary schools, two pupils selected by pupils attending the schools.

Outcome Rationale: By creating one council to serve all sites with a reduced number of members, we believe all interested parties can still be properly represented and served. The council is composed of representatives from each site when feasible. The combined SSC will identify and address the unique student population and program requirements at each school, along with those identified program improvement needs common to all schools. We believe that the establishment of a joint schoolsite council will allow streamlined site operations, reduce duplicate efforts, and consolidate planning. Ensuring a synergic effort to provide effective standard based instruction, program evaluation, parent engagement, and school-to-home communication resulting in greater opportunities to increase student achievement.

Because of the July 2013 closing of three school sites in Santa Barbara, the reduced student enrollment, and teachers at the remaining school sites, we believe to operate as a joint schoolsite council with a reduced number of members, managed by by-laws and procedures, SBCEO can continue to provide adequate representation selected from the four groups available for membership and ensure a parity of representation with the membership composition required by the California *Education Code*.

SBCEO operates two community school sites and two court school sites, grade 7-12, in Santa Barbara County ranging at a maximum distance between north county and south county of about 100 miles. The schools share a common administrator acting as principal for all sites. Each school shares common administration, curriculum and services, coordinated program planning, including special education services. The majority of students enrolled in the

community schools are probation referred and/or expelled from the local school districts. The student populations are similar. The students are very mobile from one school to another staying with an SBCEO school for approximately 90-100 days. Students attending the court schools in many cases are some of the same students who were attending the community school before an arrest or adjudication with a pattern of going from community school to court school and back again.

The mobile student population at the community and court schools also creates the challenge of having separate schoolsite councils. It is extremely difficult to secure a consistent number of parents/community members and students to meet the 50% parents/community members and students mandate for the secondary site council.

Student Population: 163

City Type: Small

Local Board Approval Date: 12/11/2014

Council Reviewed By: Parent Staff Advisory Committee

Council Reviewed Date: 10/29/2014

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Kathy Hollis

Position: Assistant Superintendent

E-mail: [khollis@sbceo.org](mailto:khollis@sbceo.org)

Telephone: 805-964-4711 x5265

Fax:

Bargaining Unit Date: 10/04/2014

Name: California School Employees Association

Representative: Lettie Padilla

Title: President

Position: Support

Comments:

Bargaining Unit Date: 10/06/2014

Name: Santa Barbara County Education Association

Representative: Laura Ishikawa

Title: Co-President

Position: Support

Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 5472199

Waiver Number: 8-4-2015

Active Year: 2015

Date In: 4/10/2015 4:04:14 PM

Local Education Agency: Terra Bella Union Elementary School District  
Address: 9121 Road 240  
Terra Bella, CA 93270

Start: 7/1/2015

End: 6/30/2017

Waiver Renewal: Y

Previous Waiver Number: 53-3-2013-W-02

Previous SBE Approval Date: 7/11/2013

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: A school site 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.

Outcome Rationale: A single school site council for the two schools and the district is the desired outcome. The combined ADA population of the two schools is approximately nine hundred students. The principals regularly plan and collaborate on categorical programs for the district. The schools are located across the street from each other. The elementary school serves students in grades kindergarten through fifth grade. The middle school serves grades sixth through eighth. The close proximity of the campuses lends itself to collaborative planning. Often, the parents who serve on the council have students at both schools. Their commitment is to the district as a whole. Staffing and running two site councils would fragment the implementation of the various mandated plans and would tax parent participation. Consistent parent participation would be difficult to maintain as the same parents would be serving on both site councils. Being a small district with limited revenues, single site council would enhance, not hinder the decision making process concerning the categorical programs. A single site council would provide continuity and consistency in planning and implementation. The site principals will rotate membership on the council, the other attending as non-voting participant. The current site council strongly supports a single site council.

Student Population: 937

City Type: Rural

Local Board Approval Date: 3/12/2015

Council Reviewed By: Terra Bella Union Elementary School District School Site Council  
Council Reviewed Date: 11/19/2014  
Council Objection: N  
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Frank Betry  
Position: Superintendent  
E-mail: [fhbetry@tbuesd.org](mailto:fhbetry@tbuesd.org)  
Telephone: 559-535-4451 x1115  
Fax: 559-535-0314

Bargaining Unit Date: 02/19/2015  
Name: CSEA Terra Bella Chapter 764  
Representative: Ruben Ornelas  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 02/19/2015  
Name: Terra Bella Teachers' Group  
Representative: Jack Berry  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 5371761

Waiver Number: 3-3-2015

Active Year: 2015

Date In: 3/4/2015 3:17:28 PM

Local Education Agency: Trinity Center Elementary School District  
Address: 1 Trinity Vista Dr.  
Trinity Center, CA 96091

Start: 7/1/2014

End: 6/30/2017

Waiver Renewal: Y

Previous Waiver Number: 23-5-2012-W-08

Previous SBE Approval Date: 9/13/2012

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.

Outcome Rationale: Our school needs to apply for this waiver because our school's enrollment is dropping and our staff is at the minimum. Currently, our School Site Council consists of 4 members: the administrator, the teacher, a parent, and a community member. Trinity Center Elementary School is extremely small. We are a single-school district with enrollment of 12 students in K-8th grades. Our school does not have a cafeteria or transportation system so our staff body is also extremely small. Renewing this waiver will enable us to comply with the State requirements on a smaller scale.

Student Population: 12

City Type: Rural

Local Board Approval Date: 2/26/2015

Council Reviewed By: Trinity Center Elementary School Site Council

Council Reviewed Date: 1/16/2015

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Veronica Stewart  
Position: Admin Assist / Business Mngr  
E-mail: [vstewart@tcoek12.org](mailto:vstewart@tcoek12.org)  
Telephone: 530-266-3342  
Fax:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 5772710

Waiver Number: 14-3-2015

Active Year: 2015

Date In: 3/13/2015 10:16:43 AM

Local Education Agency: Woodland Joint Unified School District  
Address: 435 Sixth St.  
Woodland, CA 95695

Start: 7/1/2015

End: 6/30/2017

Waiver Renewal: Y

Previous Waiver Number: 26-5-2013-W-02

Previous SBE Approval Date: 9/4/2013

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: *EC 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.

Outcome Rationale: We are requesting approval for Cache Creek Continuation High School's, School Site Council to be approved for a composition of 8 members verses 12 members. The required 50:50 ratio of Staff to Community/Students will be observed.

The first rationale for the request is that the school community is made up of students from all over our rural district, yet the school is physically located 6 to 10 miles north of town just off Interstate 5 (actual miles depends on the student's address). The school's location also prevents the opportunity for a shared School Site Council. The second rationale for requesting a smaller composition is the size of the school: one principal, 10 teachers and 130 to 140 students (Enrollment fluctuates as students graduate or return to the comprehensive high school). The final rationale is the fact that student enrollment does fluctuate throughout the year causing parental qualification for School Site Council difficult and inconsistent.

The desire to maintain consistent participation is very important in building a comprehensive data driven educational program. Maintaining a quorum of a smaller School Site Council will facilitate our local operations as it will aid in streamlining data analyzes, program development and budget approvals to within one meeting verses having to reschedule due to lack of a quorum, consistent attendance hinders program development and utilizing funding in a timely manner.

All parents will continue to be informed of all meetings, site programs, student achievement and site funding regardless if they are officially on the School Site Council.

Student Population: 135

City Type: Rural

Local Board Approval Date: 3/11/2015

Council Reviewed By: Cache Creek School Site Council

Council Reviewed Date: 2/23/2015

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Denise Parnell

Position: Director

E-mail: [denise.parnell@wjusd.org](mailto:denise.parnell@wjusd.org)

Telephone: 530-406-3255

Fax:

Bargaining Unit Date: 12/15/2014

Name: WEA & CSEA (Certificated & Classified Unions)

Representative: Karen & Jacob Taylor & Miller

Title: Union Presidents

Position: Support

Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 5772710

Waiver Number: 15-3-2015

Active Year: 2015

Date In: 3/13/2015 10:31:14 AM

Local Education Agency: Woodland Joint Unified School District  
Address: 435 Sixth St.  
Woodland, CA 95695

Start: 7/1/2015

End: 6/30/2017

Waiver Renewal: N

Previous Waiver Number: 27-5-2013-W-02

Previous SBE Approval Date: 9/4/2013

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: *EC 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.

Outcome Rationale: The Woodland Joint Unified School District's Community Day School (CDS) provides an alternative education program to students in our district. Due to relocation we are requesting to have a shared School Site Council with a new elementary school, Gibson Elementary. The enrollment in the CDS is very small, 5 to 10 students, and fluctuates often throughout the year as students gain the desired skills and go back to their home school. Both school communities feel it is in the best interest of the students and staff to have a shared School Site Council (Gibson SSC approved it). The shared council will provide a savings in time and resources. All parents will continue to be informed of all meetings, site programs, student achievement and site funding and both schools will continue to have their own Single Plan for Student Achievement.

Student Population: 8

City Type: Rural

Local Board Approval Date: 3/11/2015

Council Reviewed By: Gibson Elementary School Site Council  
Council Reviewed Date: 2/10/2015  
Council Objection: N  
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Denise Parnell

Position: Director

E-mail: [denise.parnell@wjusd.org](mailto:denise.parnell@wjusd.org)

Telephone: 530-406-3255

Fax:

Bargaining Unit Date: 12/15/2014

Name: Woodland Education Association (WEA) Certificated Union

Representative: Karen Taylor

Title: Union President

Position: Support

Comments:

Bargaining Unit Date: 12/15/2014

Name: California Schools Employees Association (CSEA) Classified Union

Representative: Jacob Miller

Title: Union President

Position: Support

Comments:



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

**Specific Waiver**

<p><b>SUBJECT</b></p> <p>Request by three local educational agencies to waive California <i>Education Code</i> Section 51224.5(b), the requirement that all students graduating in the 2014–2015 school year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation, for seven special education student(s) based on <i>Education Code</i> Section 56101, the special education waiver authority.</p> <p>Waiver Numbers: Los Banos Unified School District 33-3-2015 Natomas Unified School District 4-3-2015 Pleasanton Unified School District 9-5-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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### SUMMARY OF THE ISSUE(S)

The local educational agencies (LEAs) request to waive the requirement that students be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation for seven special education students who are not able to meet the Algebra I requirement but meet other graduation requirements.

**Authority for Waiver:** *Education Code (EC)* Section 56101

### RECOMMENDATION

**Approval**  **Approval with conditions**  **Denial**

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the request to waive only the requirement that the students successfully complete a course in Algebra I (or its equivalent) for the 2014–2015 graduating year. These students have met other course requirements stipulated by the governing board of the school district and California *Education Code (EC)* Section 51225.3 in order to receive a high school diploma.

## **SUMMARY OF KEY ISSUES**

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For the review of this waiver request, the LEAs provided the following documentation:

- A valid, current copy of each student's individualized education program (IEP) highlighting the areas of mathematic deficiencies and how the students' needs in mathematics were addressed.
- Selected pages from each student's IEP from three previous years showing that the student was consistently on a diploma-track, and that the IEPs were written to support their participation in diploma-track math courses, particularly Algebra I.
- The specific assistance the district provided to the students, which included supplementary aids, services, accommodations, test modifications, and supports to attain the diploma-track goal, specifically for the Algebra I requirement.
- A copy of the transcript for each student highlighting attempts to pass Algebra I and pre-algebra classes.
- An assessment summary that reports the students participated in the Standardized Testing and Reporting program and failed to meet graduation requirements related to the Algebra I requirement.

The above documentation was confidentially reviewed by more than one special education consultant. The LEAs documentation provided facts indicating that failure to approve these waiver requests would result in the students not meeting graduation requirements.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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In 2000, *EC* Section 51224.5 was enacted to require students to complete a course in Algebra I as a condition of receiving a high school diploma. The Algebra I requirement applied to students who were scheduled for graduation beginning in 2003–04. All waiver requests of this type have been granted by the SBE for students with special needs.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no statewide fiscal impact of waiver approval.

## **ATTACHMENT(S)**

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Attachment 1: Algebra 1 Summary Table (1 Page)

Attachment 2: Los Banos Unified School District Specific Waiver Request 33-3-2015 (1 page). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Natomas Unified School District Specific Waiver Request 4-3-2015  
(2 pages). (Original waiver request is signed and on file in the Waiver  
Office.)

Attachment 4: Pleasanton Unified School District Specific Waiver Request 9-5-2015  
(1 page). (Original waiver request is signed and on file in the Waiver  
Office.)

Algebra 1 Summary Table

Waiver Number	Local Educational Agency	Demographics	Period of Request	Local Board Approval Date
33-3-2015	Los Banos Unified School District	<b>Student Population:</b> 10,112  <b>City Type:</b> Small  <b>County:</b> Merced	<b>Requested and Recommended:</b> 7/21/2014 to 6/3/2015	3/24/2015
4-3-2015	Natomas Unified School District	<b>Student Population:</b> 13,824  <b>City Type:</b> Urban  <b>County:</b> Sacramento	<b>Requested and Recommended:</b> 8/13/2014 to 5/29/2015	2/25/2015
9-5-2015	Pleasanton Unified School District	<b>Student Population:</b> 19,000  <b>City Type:</b> Suburban  <b>County:</b> Alameda	<b>Requested:</b> 9/2/2011 to 6/12/2015  <b>Recommended:</b> 9/2/2014 to 6/12/2015	3/24/2015

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 2465755

Waiver Number: 33-3-2015

Active Year: 2015

Date In: 3/26/2015 1:17:22 PM

Local Education Agency: Los Banos Unified School District  
Address: 1717 South 11th St.  
Los Banos, CA 93635

Start: 7/21/2014

End: 6/3/2015

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program  
Ed Code Title: Algebra I Requirement for Graduation  
Ed Code Section: 51224.5  
Ed Code Authority: 56101

Ed Code or *CCR* to Waive: Pursuant to *Education Code* Section 56101, a district, Special Education Local Plan Area (SELPA), county office, or public education agency may request the board to grant a waiver of the Algebra I requirement for individuals with exceptional needs.

Outcome Rationale: Student is on track to graduate with a diploma. He is currently taking an Algebra class and has taken prealgebra and Algebra in the past. This is one of the last remaining courses he needs to take to graduate with a diploma.

Student is identified with a Specific Learning Disability with math being one area that it affects. Math reasoning, math calculation, and broad math skills are his areas of relative weakness.

Student Population: 10112

City Type: Small

Local Board Approval Date: 3/24/2015

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Dean Purser  
Position: Special Ed Program Specialist  
E-mail: [dpurser@losbanosusd.k12.ca.us](mailto:dpurser@losbanosusd.k12.ca.us)  
Telephone: 209-827-0120 x1044  
Fax: 209-827-3552

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 3475283

Waiver Number: 4-3-2015

Active Year: 2015

Date In: 3/5/2015 1:37:01 PM

Local Education Agency: Natomas Unified School District  
Address: 1901 Arena Blvd.  
Sacramento, CA 95834

Start: 8/13/2014

End: 5/29/2015

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program  
Ed Code Title: Algebra I Requirement for Graduation  
Ed Code Section: 51224.5  
Ed Code Authority: 56101

Ed Code or CCR to Waive: Ed Code or CCR to Waive: 51224.5. (a) The adopted course of study for grades 7 to 12, inclusive, shall include algebra as part of the mathematics area of study pursuant to subdivision (f) of Section 51220.

(b) Commencing with the 2003-04 school year and each year thereafter, at least one course, or a combination of the two courses in mathematics required to be completed pursuant to subparagraph (B) of paragraph (1) of subdivision (a) of Section 51225.3 by pupils while in grades 9 to 12, inclusive, prior to receiving a diploma of graduation from high school, shall meet or exceed the rigor of the content standards for Algebra I, as adopted by the State Board of Education pursuant to Section 60605.

(c) If at any time, in any of grades 7 to 12, inclusive, or in any combination of those grades, a pupil completes coursework that meets or exceeds the academic content standards for Algebra. Those courses shall apply towards satisfying the requirements of subparagraph (B) of paragraph (1) of subdivision (a) of Section 51225.3.

56101: (a) Any district, special education local plan area, county office, or public education agency, as defined in Section 56500, may request the board to grant a waiver of any provision of this code or regulations adopted pursuant to that provision if the waiver is necessary or beneficial to the content and implementation of the pupil's individualized education program and does not abrogate any right provided individuals with exceptional needs and their parents or guardians under the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), or to the compliance of a district, special education local plan area, or county office with the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), and federal regulations relating thereto.

(b) The board may grant, in whole or in part, any request pursuant to subdivision (a) when the facts indicate that failure to do so would hinder implementation of the pupil's individualized

education program or compliance by a district, special education local plan area, or county office with federal mandates for a free, appropriate education for children or youth with disabilities.

Outcome Rationale: The purpose of this request is to ask for the requirement of Algebra I be waived for five students on an IEP who has met all requirements as articulated by the CDE Special Education Wavier process.

Student Population: 13824

City Type: Urban

Local Board Approval Date: 2/25/2015

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Lisa Claussen  
Position: Program Specialist  
E-mail: [lclaussen@natomas.k12.ca.us](mailto:lclaussen@natomas.k12.ca.us)  
Telephone: 916-567-5434  
Fax: 916-567-5441

Bargaining Unit Date: March 10, 2015  
Name: Natomas Teachers Association  
Representative: Kristen Rocha  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 0175101

Waiver Number: 9-5-2015

Active Year: 2015

Date In: 5/13/2015 3:29:53 PM

Local Education Agency: Pleasanton Unified School District  
Address: 4665 Bernal Ave.  
Pleasanton, CA 94566

Start: 9/2/2011

End: 6/12/2015

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program  
Ed Code Title: Algebra I Requirement for Graduation  
Ed Code Section: 51224.5  
Ed Code Authority: 56101

Ed Code or CCR to Waive: Algebra 1 Graduation Requirements for Pupils with Disabilities.

Outcome Rationale: This student has attempted Algebra numerous times during his high school career. He has fulfilled all other requirements to gain a diploma but has been unable to pass the Algebra class.

Student Population: 19000

City Type: Suburban

Local Board Approval Date: 3/24/2015

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Laura Kimpton  
Position: Program Specialist  
E-mail: [lkimpton@pleasantonusd.net](mailto:lkimpton@pleasantonusd.net)  
Telephone: 925-426-4293  
Fax:



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

#### Specific Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Siskiyou County Office of Education</b> to waive California <i>Education Code</i> Section 56366.1(a), the requirement for state certification to allow an uncertified out-of-state nonpublic school, KidsPeace National Centers located in Orefield, Pennsylvania, to provide services to one special education student.</p> <p>Waiver Number: 3-4-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUE(S)**

The Siskiyou County Office of Education (COE) contacted in-state nonpublic schools and nonpublic agencies, and residential treatment centers to offer a free appropriate public education to one high school student who has been determined to have emotional/mental health needs. However, none of these placement options would accept the student, or could not meet the student's comprehensive, unique needs. The uncertified out-of-state nonpublic school, KidsPeace National Centers, located in Orefield, Pennsylvania, accepted the student. The parents and district agree this is the most appropriate placement to implement the student's Individualized Education Program (IEP) as a result of an interagency agreement between education and social services. The District requests to waive California *Education Code* Section 56366.1(a), the requirement for state certification, to allow the use of California's federal special education funds for the placement of this student at the KidsPeace National Centers.

**Authority for Waiver:** *Education Code (EC)* Section 56101

#### **RECOMMENDATION**

**Approval**    **Approval with conditions**    **Denial**

The California Department of Education (CDE) recommends approval of this waiver for approximately one year (June 30, 2016).

#### **SUMMARY OF KEY ISSUES**

The Siskiyou COE contacted certified, in-state nonpublic schools and agencies and residential treatment centers for possible placement to offer a free appropriate public education to the student. These placement options would not accept the student or

could not meet the student's unique needs as defined in the IEP. KidsPeace National Centers accepted the student and the parents and district agree this is the appropriate placement for the student because it provides services for students emotional/mental health needs.

As a result of a negotiated agreement between education, social services, and the student's education rights holder, the student will be placed at KidsPeace National Centers.

The CDE staff recommends approval of this waiver for a period not to exceed June 30, 2016, following the student's annual IEP and discussion of appropriate placement in a non-certified nonpublic school.

The waiver is beneficial to the content and implementation of the student's IEP and does not abrogate any right provided to individuals with exceptional needs and their parents or guardians under the federal Individuals with Disabilities Education Act; or affect the compliance of the Siskiyou COE with federal laws and regulations. In addition, before contracting with the nonpublic, nonsectarian school outside of this state, the Siskiyou COE documented its efforts to utilize public schools and to locate an appropriate nonpublic, nonsectarian school or agency program, or both, within the state.

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#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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In March 2015, the California State Board of Education approved a waiver similar to this one, allowing Capistrano Unified School District to waive California *Education Code* Section 56366.1(a), the requirement for state certification, in order to place one special education student at KidsPeace National Centers.

#### **Demographic Information:**

The Siskiyou Union High School District has a student population of 5,421 and is located in a rural area in Siskiyou County.

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#### **FISCAL ANALYSIS (AS APPROPRIATE)**

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If this waiver is approved, the Siskiyou COE may use state and federal special education funds for the placement of this student at the KidsPeace National Centers. If this waiver is denied, the Siskiyou COE may only use local funds to support the student's placement at KidsPeace National Centers. The estimated yearly cost for placement is \$23,783.43.

## **ATTACHMENT(S)**

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Attachment 1: Information from District Requesting Waiver of Child Specific NPA or NPS Certification (1 page)

Attachment 2: Siskiyou County Office of Education Specific Waiver Request 3-4-2015 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

**Information from District Requesting Waiver of Child Specific / NPA or NPS Certification**  
 California *Education Code* Section 56366.1(a)

Waiver Number	Local Educational Agency	Period of Request	Demographics	Local Board Approval Date
3-4-2015	Siskiyou COE	<b>Requested:</b> 2/28/2015 to 10/13/2017  <b>Recommended:</b> 2/28/2015 to 6/30/2016	<b>Student population:</b> 5,421  <b>City Type:</b> Rural  <b>County:</b> Siskiyou	2/27/2015

Created by California Department of Education  
 May 22, 2015

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 4710470

Waiver Number: 3-4-2015

Active Year: 2015

Date In: 4/7/2015 12:15:07 PM

Local Education Agency: Siskiyou County Office of Education  
Address: 609 South Gold St.  
Yreka, CA 96097

Start: 2/28/2015

End: 10/13/2017

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program  
Ed Code Title: Child Specific/ NPA or NPS Certification  
Ed Code Section: 56366.1(a)  
Ed Code Authority: 56101

Ed Code or CCR to Waive: (a) A nonpublic, nonsectarian school or agency that seeks [certification] shall file an application with the Superintendent on forms provided by the department and include the following information on the application:

(1) A description of the special education and designated instruction and services provided to individuals with exceptional needs if the application is for nonpublic, nonsectarian school[certification].

(2) A description of the designated instruction and services provided to individuals with exceptional needs if the application is for nonpublic, nonsectarian agency [certification].

(3) A list of appropriately qualified staff, a description of the credential, license, or registration that qualifies each staff member rendering special education or designated instruction and services to do so, and copies of their credentials, licenses, or certificates of registration with the appropriate state or national organization that has established standards for the service rendered.

(4) An annual operating budget.

(5) Affidavits and assurances necessary to comply with all applicable federal, state, and local laws and regulations that include criminal record summaries required of all nonpublic, nonsectarian school or agency personnel having contact with minor children under Section 44237.

Outcome Rationale: This request is as a result of negotiated agreement between education, social services, and student's education right's holder to effectuate a placement that simultaneously meets student's social services placement and educational needs, and to avoid litigation.

Student Population: 5421

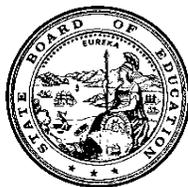
City Type: Rural

Local Board Approval Date: 2/27/2015

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Constance McCoy  
Position: Associate Superintendent/SELPA Director  
E-mail: [cmccoy@siskiyoucoe.net](mailto:cmccoy@siskiyoucoe.net)  
Telephone: 530-842-8441  
Fax: 530-842-8435



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

#### General Waiver

<p><b>SUBJECT</b></p> <p>Request by two local educational agencies to waive the State Testing Apportionment Information Report deadline as stipulated in the <i>California Code of Regulations</i>, Title 5, Section 11517.5(b)(1)(A), regarding the California English Language Development Test; or Title 5, Section 1225(b)(3)(A), regarding the California High School Exit Examination; or Title 5, Section 862(b)(2)(A) prior to February 2014, regarding the Standardized Testing and Reporting Program; or Title 5, Section 862(b)(2)(A), regarding the California Assessment of Student Performance and Progress System.</p> <p>Waiver Numbers: Alisal Union School District 30-3-2015 Marin County Office of Education 29-3-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

State regulations for the California English Language Development Test (CELDT), the California High School Exit Examination (CAHSEE), the Standardized Testing and Reporting (STAR) Program, and the California Assessment of Student Performance and Progress (CAASPP) each include, as a condition to be eligible for apportionment reimbursement, an annual deadline for the return of a certified State Testing Apportionment Information Report for prior year testing.

The local educational agencies (LEAs) filing for this waiver request missed the regulatory deadline for one or more State Testing Apportionment Information Report for the 2013–14 school year.

**Authority for Waiver:** *Education Code (EC) Section 33050*

#### **RECOMMENDATION**

**Approval**    **Approval with conditions**    **Denial**

The California Department of Education (CDE) recommends that the state regulatory deadline for submission of the State Testing Apportionment Information Reports be waived for the LEAs and school year(s) shown on Attachment 1.

## **SUMMARY OF KEY ISSUES**

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Each fall, the CDE develops separate State Testing Apportionment Information Reports for the CELDT, CAHSEE, and CAASPP compiled from data produced by the testing contractors. STAR reports were developed and distributed from 1998 to 2013. The reports include the amount to be apportioned to the LEA based on the number of pupils tested during the previous school year. The CDE distributes the reports to the LEAs. State regulations require each LEA to certify the accuracy of the report by returning a signed report to the CDE by the regulatory deadline.

The CDE staff verified that these LEAs submitted reports after the deadline and are required to submit a waiver as a condition to receive the applicable apportionment reimbursement.

### **Demographic Information:**

Alisal Union School District has a student population of 8,833 and is located in a rural city in Monterey County.

Marin County Office of Education has a student population of 312 and is located in a suburban city in Marin 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](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The State Board of Education (SBE) has approved all previous LEA requests to waive the State Testing Apportionment Information Report deadline since deadlines for submission of the State Testing Apportionment Information Reports were added to the *California Code of Regulations (CCR)*. **The SBE Waiver Policy 08-#:** State Testing Apportionment Information Report Deadline is available at <http://www.cde.ca.gov/re/lr/wr/documents/statetesting.doc>.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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If these waivers are approved, these two LEAs will be reimbursed for the costs of the CELDT, CAHSEE, STAR Program, or the CAASPP System for the 2013–14 school year.

## **ATTACHMENT(S)**

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Attachment 1: Local Educational Agencies Requesting Waiver of State Testing Apportionment Information Report Deadline (1 Page)

Attachment 2: Alisal Union School District General Waiver Request 30-3-2015  
(2 Pages). (Original waiver request is signed and on file in the Waiver  
Office.)

Attachment 3: Marin County Office of Education General Waiver Request  
29-3-2015 (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
30-3-2015	Alisal Union School District	<b>Requested:</b> July 1, 2014 to December 31, 2014  <b>Recommended:</b> July 1, 2014 to December 31, 2014	California English Language Development Test	Yes	2013–14	\$33,210.00	Support
29-3-2015	Marin County Office of Education	<b>Requested:</b> December 31, 2014 to March 11, 2015  <b>Recommended:</b> July 1, 2014 to December 31, 2014	California High School Exit Examination	Yes	2013–14	\$224.76	Support

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 2765961

Waiver Number: 30-3-2015

Active Year: 2015

Date In: 3/23/2015 3:06:53 PM

Local Education Agency: Alisal Union School District  
Address: 1205 East Market St.  
Salinas, CA 93905

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 V Section 11517.5(b)(1)(A)P  
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: District missed postmarked date of December 31, 2014 for submission of the Apportionment Information Report and Certification: California English Language Development Test (CELDT) 2013-14 Report. Apportionment amount: \$33,210.

Student Population: 8833

City Type: Rural

Public Hearing Date: 3/18/2015

Public Hearing Advertised: Board Meeting Agenda

Local Board Approval Date: 3/18/2015

Community Council Reviewed By: Alisal Union School District Board of Trustees  
Community Council Reviewed Date: 3/18/2015  
Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Esteban Hernandez  
Position: Director of Research and Evaluation  
E-mail: [esteban.hernandez@alisal.org](mailto:esteban.hernandez@alisal.org)  
Telephone: 831-753-5700 x2010  
Fax: 831-796-3911

Bargaining Unit Date: 03/16/2015  
Name: Alisal Teachers Association  
Representative: Estela Mercado-Rodriguez  
Title: Association President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 2110215

Waiver Number: 29-3-2015

Active Year: 2015

Date In: 3/20/2015 5:21:25 PM

Local Education Agency: Marin County Office of Education  
Address: 1111 Las Gallinas Ave.  
San Rafael, CA 94913

Start: 12/31/2014

End: 3/11/2015

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)  
Ed Code Authority: 33050

Ed Code or CCR to Waive: CCR, Title 5, Section 1225(b)(3)(A)

(b) To be eligible for apportionment payment, school districts must meet the following conditions:

(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

Outcome Rationale: Due to initial delivery failure or internal routing error, the apportionment report was not signed and returned by the December 31 deadline.

Student Population: 312

City Type: Suburban

Public Hearing Date: 3/10/2015

Public Hearing Advertised: Notice posted at main office and each school site.

Local Board Approval Date: 3/10/2015

Community Council Reviewed By: Schoolsite Council

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. Raquel Rose  
Position: Assistant Superintendent  
E-mail: [rose@marinschools.org](mailto:rose@marinschools.org)  
Telephone: 415-491-5581  
Fax: 415-491-6621

Bargaining Unit Date: 02/26/2015  
Name: Marin County Educators Association  
Representative: Thomas Laughlin  
Title: Teacher/MCEA Representative  
Position: Support  
Comments:



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

**Specific Waiver**

<p><b>SUBJECT</b></p> <p>Request by three school districts, under the authority of California <i>Education Code</i> Section 41382, to waive portions of <i>Education Code</i> sections 41376(a), (c), and (d) and/or 41378(a) through (e), relating to class size penalties for kindergarten through grade three. For kindergarten, the overall class size average is 31 to one with no class larger than 33. For grades one through three, the overall class size average is 30 to one with no class larger than 32.</p> <p>Waiver Numbers: Hemet Unified School District 6-3-2015 Santa Rita Union Elementary School District 27-3-2015 Whittier City Elementary School District 19-3-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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### SUMMARY OF THE ISSUE(S)

Request by three school districts, under the authority of California *Education Code (EC)* Section 41382, to waive portions of *EC* Section 41382, portions of *EC* sections 41376(a), (c), and (d) and/or 41378(a) through (e), relating to class size penalties for kindergarten through grade three for fiscal year 2013–14.

**Authority for Waiver:** *EC* Section 41382

### RECOMMENDATION

**Approval**  **Approval with conditions**  **Denial**

The California Department of Education (CDE) recommends that the California State Board of Education (SBE) approve the waiver request by the districts shown on Attachment 1 that the class size penalties for kindergarten and/or grades one through three be waived, for the recommended periods shown on Attachment 1, provided the overall average and individual class size average is not greater than the CDE recommended level shown on Attachment 1. Should the district exceed these conditions, the class size penalty will be applied per statute. The CDE also recommends that the SBE find that the class size penalty provisions of *EC* sections 41376 and/or 41378 will, if not waived, prevent the districts from developing more effective educational programs to improve instruction in reading and mathematics for students in the classes specified in the district's application.

## SUMMARY OF KEY ISSUES

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### Statutes Related to Kindergarten Through Grade Three Class Size

There are two different requirements regarding kindergarten through grade three (K–3) class sizes under the Local Control Funding Formula (LCFF).

The first requirement has been in law since the mid-1960s and is the subject of this waiver. This law requires the CDE to apply a financial class size penalty to a school district's LCFF funding if any of the following occur:

- A single kindergarten class exceeds an average enrollment of 33.
- The average enrollment of all kindergarten classes in the district exceeds 31.
- A single class in grades one through three exceeds an average enrollment of 32.
- The average enrollment of all grades one through three classes in the district exceeds 30.

School districts report their average class enrollment information to the CDE in the spring of the applicable year. If a school district does not meet the requirements, the CDE reduces the district's final payment for the year. Generally, the penalty is equal to a loss of all funding for enrollment above 31 in kindergarten classes or 30 in grades one through three classes. *EC* Section 41382 allows the SBE to waive this penalty if the associated class size requirements prevent the school and school district from developing more effective education programs to improve instruction in reading and mathematics.

The second requirement, which is new beginning in fiscal year 2013–14, is related to the K–3 grade-span adjustment (GSA) that increases the LCFF target funding for the K–3 grade span by 10.4 percent. The LCFF target represents what a school district would receive if the state had the resources to fully fund LCFF. As a condition of receiving this adjustment, school districts must meet one of the following conditions at each school site:

- If a school site's average class enrollment in K–3 was more than 24 pupils in the prior year, make progress toward maintaining, at that school site, an average class enrollment in K–3 of not more than 24 pupils.
- If a school site's average class enrollment in K–3 was 24 pupils or less in the prior year, maintain, at that school site, an average class enrollment in K–3 of not more than 24 pupils.
- Agree to a collectively bargained alternative to the statutory K–3 GSA requirements.

If an independent auditor finds that a school district did not meet one of the conditions, the CDE must retroactively remove the K–3 GSA from the district's funding. *EC* Section 42238.02(d)(3)(E) does not allow the SBE to waive the adjustment.

These two statutes operate independently. It is possible that a district could comply with the ostensibly more restrictive conditions for the K–3 GSA and be out of compliance with the K–3 class size penalty statutes for several reasons. For instance, the district could have negotiated an alternative to the K–3 GSA class size average that exceeds the class

size penalty levels. Similarly, districts could be meeting the conditions for the K–3 GSA by making progress towards achieving an average class size of 24 at a school site, but still exceed the levels that trigger a class size penalty.

In September 2014, the SBE adopted Policy #14–01, which requires districts to provide certain types of information with their waiver requests commencing with fiscal year 2014–15. Although each waiver request is for fiscal year 2013–14, the districts included the information outlined in the policy.

### **Districts' Request**

The districts listed on Attachment 1 are requesting, under the authority of *EC* Section 41382, that the SBE waive subdivisions (a) through (e) of *EC* Section 41378 and/or subdivisions (a), (c), and (d) of *EC* Section 41376, which provide a penalty when a school district exceeds the class sizes noted above. All three waiver requests are for fiscal year 2013–14. Under the LCFF, the districts were able to move towards reducing class sizes. However, due to the statewide economic crisis and budget reductions in prior years the districts were unable to hire enough teachers to reduce class sizes within the statutory limits. According to the districts, with the additional funding provided in fiscal year 2014–15, the districts continued to hire additional teachers and are now in compliance with the statutory limits. The districts state that without the waiver, the core reading and math programs will be compromised by the fiscal penalties incurred. Without the waiver, the actual annual penalty is listed on Attachment 1.

The CDE recommends that the class size penalties for kindergarten and/or grades one through three be waived, for the recommended period shown on Attachment 1, provided the overall average and individual class size average is not greater than the CDE recommended level shown on Attachment 1. Should these districts exceed this condition, the class size penalty will be applied per statute.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

Before the September 2009 board meeting, no waivers had been submitted since 1999. Due to the state budget crisis and resulting significant reduction in funding, the SBE began receiving a large number of waiver requests beginning in 2009. As a result, the SBE has approved all class size penalty waiver requests through fiscal year 2013–14. Under the LCFF, most districts funding levels will increase over the next several years. However, due to certain factors some districts will not see the increase for several years. For that reason, in September 2014, the SBE adopted a policy for the type of information districts should provide when submitting a class size penalty waiver for fiscal years commencing with 2014–15. A copy of the policy is available at <http://www.cde.ca.gov/re/lr/wr/waiverpolicies.asp>, under Class Size Penalties for Grades Kindergarten and Grades One through Three. At the March 2015 board meeting, the SBE approved two waivers for fiscal year 2014–15.

**FISCAL ANALYSIS (AS APPROPRIATE)**

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See Attachment 1 for the penalty amount should the waiver requests be denied.

**ATTACHMENT(S)**

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- Attachment 1: Information from Districts Requesting Kindergarten Through Grade Three Class Size Penalty Waivers. (1 page)
- Attachment 2: Hemet Unified School District Specific Waiver 6-3-2015 (8 pages). (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 3: Santa Rita Union Elementary School District Specific Waiver 27-3-2015 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 4: Whittier City Elementary School District Specific Waiver 19-3-2015 (4 pages). (Original waiver request is signed and on file in the Waiver Office.)

### District(s) Requesting Kindergarten Through Grade Three Class Size Penalty Waiver(s)

California Education Code sections 41376 and 41378: For Kindergarten: Overall average 31; no class larger than 33.

For Grades 1–3: Overall average 30; no class larger than 32.

Waiver Number	District/County and District Code	District's Period of Request/CDE Recommendation	District's Request	CDE Recommended New Maximum	Local Board Approval Date	*Bargaining Unit, Representative(s) Consulted, Date, and Position	Annual Penalty Without Waiver	Previous Waivers
6-3-2015	Hemet Unified School District 33-67082	<b>Requested:</b> July 1, 2013 to June 30, 2014  <b>Recommended:</b> July 1, 2013 to June 29, 2014	For 1–3: Overall average 31; no class size larger than 33	For 1–3: Overall average 31; no class size larger than 33	3/3/15	Hemet Teachers Association Robert Hudson, President 3/11/15 <b>Oppose</b>	\$246,459 FY 2013–14	No
27-3-2015	Santa Rita Union Elementary School District 27-66191	<b>Requested:</b> July 1, 2013 to June 30, 2014  <b>Recommended:</b> July 1, 2013 to June 29, 2014	For 1–3: Overall average 31; no class size larger than 34	For 1–3: Overall average 31; no class size larger than 34	3/18/15	Santa Rita Teachers Association Jan Bradley, President 3/16/15 <b>Neutral</b>	\$171,012 FY 2013–14	Yes: FY 2011–12 FY 2012–13
19-3-2015	Whittier City Elementary School District 19-65110	<b>Requested:</b> August 12, 2013 to June 5, 2014  <b>Recommended:</b> July 1, 2013 to June 29, 2014	For 1–3: Overall average 30; no class size larger than 33	For 1–3: Overall average 30; no class size larger than 33	3/10/15	Whittier Area Teachers Association, Anthony Granado, President 3/2/14 <b>Neutral</b>	\$241,429 FY 2013–14	Yes: FY 2009–10 FY 2010–11 FY 2011–12 FY 2012–13

\* For specific waivers bargaining unit consultation is not required.

Created by California Department of Education  
April 22, 2015

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 3367082

Waiver Number: 6-3-2015

Active Year: 2015

Date In: 3/6/2015 2:45:19 PM

Local Education Agency: Hemet Unified School District  
Address: 1791 West Acacia Ave.  
Hemet, CA 92545

Start: 7/1/2013

End: 6/30/2014

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Class Size Penalties  
Ed Code Title: Over Limit on Grades 1-3  
Ed Code Section: portions of 41376(a) (c) and (d)  
Ed Code Authority: 41382

Ed Code or CCR to Waive: Attachment #1 - Ed Codes Sections attached with brackets used to strike out pertinent sentences

Outcome Rationale: Attachment #2

Yes. A principal may recommend to the governing board or the governing board of the school district may adopt a resolution determining that an exemption should be granted from any of the provisions of Section 41376 and 41378, with respect to such core classes on the basis that such provisions prevent the school and school district from developing more effective education programs to improve instruction in reading and mathematics. (Required see EC 41382)

A potential penalty of \$246,459 could be incurred by the district without this waiver.

Student Population: 21507

City Type: Small

Local Board Approval Date: 3/3/2015

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Vincent Christakos  
Position: Ass't Superintendent, Business Services  
E-mail: [vchristakos@hemetusd.org](mailto:vchristakos@hemetusd.org)  
Telephone: 951-765-5100 x5000  
Fax: 951-765-5128

Bargaining Unit Date: 02/24/2015

Name: Hemet Teachers Association

Representative: Robert Hudson

Title: President

Position: Neutral

Comments: Opposed on 3/11/15 per e-mail on 3/17/15 from Vincent Christakos (See Attachment 3)

Attachment 1

EC 41376 (a)(c) and (d). The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district: [(a) For grades 1 to 3, inclusive, he shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class. For those districts which do not have any classes with an enrollment in excess of 32 and whose average size for all the classes is 30.0 or less, there shall be no excess declared. For those districts which have one or more classes in excess of an enrollment of 32 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30.] (b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher. He shall also determine the excess if any, of pupils enrolled in such grades in the following manner: (1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board. (2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year. (3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above. [(c) He shall compute the product obtained by multiplying the excess number of pupils, if any, under the provisions of subdivision (a) of this section by ninety-seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to district change in average daily attendance. Change in average daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3 reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year. (d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the provisions of Section 41601 by the product determined under subdivision (c) of this section.]

41378. The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the kindergarten classes maintained by each school district maintaining kindergarten classes. [(a) The number of pupils enrolled in each kindergarten class, the total enrollment in all such classes, and the average number of pupils enrolled per class. (b) The total number of pupils which are in excess of thirty-three (33) in each class having an enrollment of more than thirty- three (33). (c) The total number of pupils by which the average class size in the district exceeds 31. (d) The greater number of pupils as determined in (b) or (c) above. (e) He shall compute the product obtained by multiplying the excess number of pupils computed

pursuant to subdivision (d) of this section by ninety-seven hundredths (0.97). He shall decrease the average daily attendance reported under the provisions of Section 41601 by the resulting product.]

Attachment 2

**Hemet USD**

Waiver Data Elements (Required):

1. Discussion of the extraordinary or atypical circumstances that prevent the school district from meeting class size thresholds. If the reasons are financial, the district should explain why LCFF funds cannot be used to reduce class sizes.  
***We were still in a post-recession recovery and we are working on a multi-year plan to bring down class sizes. Even though we staffed K-3 classes at 27.5:1, students did not show up at some schools and more students showed up at other schools. Despite our efforts to shift staff to schools where more students enrolled than projected, the district had one class with 33 students which triggered the penalty. To maintain stability for students we allowed them to remain at their home school.***
2. Demonstrate that the increased class size is consistent with the school district's goals and actions in its Local Accountability Plan (LCAP).  
***Waiver request applies to 2013-14, prior to adoption of a district LCAP. The current year LCAP includes a goal to work toward reducing class sizes across all grade levels and specifically to work toward reducing class sizes to an average of 24 in grades K-3.***
3. Explanation of how the district is addressing the educational needs of pupils to mitigate potential consequences of increased class size.  
***Additional instructional aides and coaches were provided for teachers with higher class sizes.***
4. Remediation plan that describes how and when the district will return to statutory levels.  
***The district will monitor class sizes on a weekly basis and makes adjustments as necessary to ensure compliance with class sizes. Return to statutory levels has been achieved in the 2014-15 year.***
5. Statement by the district that the class size provisions prevent development of more effective educational programs to improve instruction in reading and mathematics.  
***Instructional reading and math coaches were added to provide a more effective educational program versus lowering class sizes.***
6. An estimate of the financial impact if the class size penalty was assessed by the CDE.  
***The penalty will amount to \$246,459.***
7. The requested new maximum individual and overall class size averages.  
***Requesting to increase maximum average class size to 30 and the maximum individual class size to 33.***

8. The position of the exclusive representative of employees, if any, as provided in Chapter 10.7 of Division 4 of Title 1 of the Government Code. If the representative is opposed, include a written summary of any objections to the request.

***# 8 is answered in the Bargaining Unit section of the waiver form.***

Attachment 3

**Pam Buckhout**

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**From:** Vince Christakos  
**Sent:** Tuesday, March 17, 2015 9:11 AM  
**To:** Robert Hudson  
**Cc:** Kayrell, Barry; Vchristakos@hemetusd.org; Horton, David; LaFaye Platter; Buckhout, Pam  
**Subject:** Re: Waiver

Dear Robert,

Thank you for your response. I am a little surprised HTA is taking an opposed position on this because the waiver is only for last year and does not allow the district to waive the requirements for the current year or any future year. As you know, many classes throughout the district were reduced from the prior year. Most of the classes we are asking for a waiver were also reduced from the prior year when we had a State waiver to go up to 34 students. The district was not in violation of HTA's contract either, which caps classes at 34. I'm not sure what it serves to oppose this versus just taking a neutral position, as it does not benefit anyone by doing so. In fact it could cost the district \$250K that could be used for a needed one-time project.

The district is continuing to lower class sizes next year as well across all grade levels. It took several years for class sizes to grow during the recession to the point they were in 2012-13, and it takes several years for the class sizes to go back down.

I will include your recommendation in our waiver

request at CDE. Regards,

Vince

On Mon, Mar 16, 2015 at 3:13 PM, Robert Hudson  
<[htapresident@yahoo.com](mailto:htapresident@yahoo.com)> wrote:

Vince,

The Executive Board of the Hemet Teachers Association is taking an "Oppose" position on the "Class Size Penalties Waiver for Kindergarten and Grades One through Three".

HTA has been concerned with large class sizes and class sizes was one of the top three concerns brought up at the bargaining table over the last few years. Teachers across the district have brought up the concerns of large class size, HTA became aware of this during site visits at each school across the district. Where as the district does not seem concerned with large class size and will fill a classroom to its capacity and then seek a waiver to remedy this problem. HTA feels that lower class size would benefit the students in our district. However the needs of these students are not being met by the current district policy of not closely monitoring class sizes effectively.

HTA requested all relevant information regarding this class size waiver from the District and was outraged to find out there were 33 affected classes that were over the state limits set for class size at grades one through three. The district has reported that "Additional instructional aids and coaches were provided for teachers with higher class sizes". HTA's investigation has turned up that none of the teachers we have contacted from the affected classes/teachers list that was provided us by the District, had received any of the assistance outlined on the "Waiver Data Elements" sheet, response #3, thus far.

When the issue was brought to the Hemet Teachers Association, Representative Council on March 11, 2015, the reps voted unanimously to direct the Executive Board to take an "Oppose" position on the Class Size Penalties, Kindergarten and Grades One through Three. Therefore the Hemet Teachers Association is opposing this waiver and would like this letter attached to the Waiver as our response/rational.

Robert Hudson  
President  
Hemet Teachers Association  
Office 951-925-8263, Cell 951-392-1729

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Vincent J. Christakos  
Assistant Superintendent, Business Services  
Hemet Unified School District  
1791 W. Acacia Avenue  
Hemet, CA 92545  
(951)765-5100 ext. 5000  
(951)766-0629 Fax

PLEASE NOTE: My Email address has changed to: [vchristakos@hemetUSD.org](mailto:vchristakos@hemetUSD.org)

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 2766191

Waiver Number: 27-3-2015

Active Year: 2015

Date In: 3/20/2015 4:23:26 PM

Local Education Agency: Santa Rita Union Elementary School District  
Address: 57 Russell Rd.  
Salinas, CA 93906

Start: 7/1/2013

End: 6/30/2014

Waiver Renewal: Y

Previous Waiver Number: 35-4-2012-W-27

Previous SBE Approval Date: 7/19/2012

Waiver Topic: Class Size Penalties

Ed Code Title: Over Limit on Kindergarten – Grade 3

Ed Code Section: portions of 41376(a), (c), (d) and 41378(a) through (e)

Ed Code Authority: 41382

Ed Code or CCR to Waive: EC 41376(a)(c) and (d) The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district: [(a) For grades 1 to 3, inclusive, he shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class. For those districts which do not have any classes with an enrollment in excess of 32 and whose average size for all the classes is 30.0 or less, there shall be no excess declared. For those districts which have one or more classes in excess of an enrollment of 32 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30.] (b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher. He shall also determine the excess if any, of pupils enrolled in such grades in the following manner: (1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board. (2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year. (3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above. [(c) He shall compute the product obtained by multiplying the excess number of pupils, if any, under the provisions of subdivision (a) of this section by ninety-seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to district change in average daily attendance. Change in average

daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3 reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year. (d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the provisions of Section 41601 by the product determined under subdivision (c) of this section.]

Outcome Rationale:

1. Local Control Funding Formula was first came into play in 2013-2014. For many school District, it was unclear what the requirements were and how this impacted class sizes in general. Our District assumed that the new regulations for Grade Span progress was in place and the class size requirement under section 41376 and 41378 were no longer in place.
2. The District had a class waiver request in place for class sizes. With the loss in revenue of over 20% in prior years class sizes were fairly large. Although the District made progress to meet the LCFF requirements, it was not enough to meet the requirements under section code 41376 and 41378 without extending this waiver for one more year.
3. In 2014-2015 the district has made significant progress to reducing class sizes and is well below the grade span progress requirements as well as the requirement under education codes section 41376 and 41378.
4. The district is now in compliance with statutory requirements.
5. If this waiver is not approved the district will be assessed a penalty of \$171,000.
6. The District is requesting an individual class size average of 34, with an overall class size average of 31.

Yes. A principal may recommend to the governing board or the governing board of the school district may adopt a resolution determining that an exemption should be granted from any of the provisions of Section 41376 and 41378, with respect to such core classes on the basis that such provisions prevent the school and school district from developing more effective education programs to improve instruction in reading and mathematics. (Required see *EC* 41382)

A potential penalty of \$171,000 could be incurred by the district without this waiver.

Student Population: 3292

City Type: Urban

Local Board Approval Date: 3/18/2015

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Nancy Pfeiffer  
Position: Chief Business Officer  
E-mail: [npfeiffer@santaritaschools.org](mailto:npfeiffer@santaritaschools.org)  
Telephone: 831-443-7200 x1208  
Fax: 831-442-1729

Bargaining Unit Date: 03/16/2015  
Name: Santa Rita Teachers Association  
Representative: Jan Bradley  
Title: President  
Position: Neutral  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 1965110

Waiver Number: 19-3-2015

Active Year: 2015

Date In: 3/13/2015 4:18:24 PM

Local Education Agency: Whittier City Elementary School District  
Address: 7211 South Whittier Ave.  
Whittier, CA 90602

Start: 8/12/2013

End: 6/5/2014

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Class Size Penalties  
Ed Code Title: Over Limit on Grades 1-3  
Ed Code Section: portions of 41376(a) (c) and (d)  
Ed Code Authority: 41382

Ed Code or CCR to Waive: EC 41376(a) (c) and (d) The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district: [(a) For grades 1 to 3, inclusive, he shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class. For those districts which do not have any classes with an enrollment in excess of 32 and whose average size for all the classes is 30.0 or less, there shall be no excess declared. For those districts which have one or more classes in excess of an enrollment of 32 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30.] (b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher. He shall also determine the excess if any, of pupils enrolled in such grades in the following manner: (1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board. (2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year. (3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above. (c) He shall compute the product obtained by multiplying the excess number of pupils, if any, under the provisions of subdivision (a) of this section by ninety-seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to district change in average daily attendance. Change in average daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3

reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year. (d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the provisions of Section 41601 by the product determined under subdivision (c) of this section. ]

Outcome Rationale: Whittier City School District has become the 5th most improved district in the state after being the first district in the state to implement the maximum furlough days. Our district was in a very difficult situation before the recession and then the combination of being an elementary district with no other funds to draw from and the state reductions, we were able to slowly climb out of the financial hole by maintaining larger class sizes. Our resolve to improve student achievement has been demonstrated by the past test scores and our recent recognition of our schools by both the Federal and State Departments of Education. Our budget for the next year includes additional teachers to improve the student to teacher ratio.

That the class size penalty for grades 1-3, Inclusive will be waived provided the district class size average will not be greater than 30:1, and no individual class will exceed 33 students.

Yes. A principal may recommend to the governing board or the governing board of the school district may adopt a resolution determining that an exemption should be granted from any of the provisions of Section 41376 and 41378, with respect to such core classes on the basis that such provisions prevent the school and school district from developing more effective education programs to improve instruction in reading and mathematics. (Required see *EC 41382*)

A potential penalty of \$241,429 could be incurred by the district without this waiver.

Student Population: 6097

City Type: Urban

Local Board Approval Date: 3/10/2015

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Jon E McNeil  
Position: Assistant Superintendent Business Services  
E-mail: [jmcneil@whittiercity.net](mailto:jmcneil@whittiercity.net)  
Telephone: 562-789-3045  
Fax: 562-907-9425

Bargaining Unit Date: 03/02/2014  
Name: Whittier Area Teachers Association  
Representative: Anthony Granado  
Title: President  
Position: Neutral  
Comments:

Whittier City School District  
Waiver Request for Class Size Penalty  
Grades 1 - 3

A principal may recommend to the governing board or the governing board of the school district may adopt a resolution determining that an exemption should be granted from any of the provisions of Section 41376 and 41378, with respect to such core classes on the basis that such provisions prevent the school and school district from developing more effective education programs to improve instruction in reading and mathematics. (Required see EC 41382) The district without this waiver could incur a potential penalty of \$ \$241,429.

1. Discussion of the extraordinary or atypical circumstances that prevent the school district from meeting the class size thresholds. If the reasons are financial, the district should explain why LCFF funds couldn't be used to reduce class sizes.

The Whittier City School District was hit very hard during the financial recession and was the first district in the state to take furlough days and a salary roll back. As a result of these extraordinary financial times we had to push class size up to meet our obligations. Currently the LCFF funds have been applied to hire additional teachers, however there was not enough money in the first year to make a difference in our class size. We immediately hired teacher coaches to work in the classrooms to minimize the impact on the student as a result of getting more money. We also hired a Common Core person to coordinate this change in the classroom as well as an instructional technology person to implement the SBACK test. We plan a year in advance and there was not enough time to make a change in the class size.

2. Demonstration that the increased class size is consistent with the school district's goals and actions in its Local Control and Accountability Plan (LCAP).

Class size reduction is one of the key elements of the LCAP for our district. Our district went from 20:1 to 30:1 during the recession because of the cut in the state budget. Our teachers and community are committed to improving our instruction through reduced class size.

3. Explanation of how the district is addressing the educational needs of pupils to mitigate potential consequences of increased class sizes.

The class size increase has come at a time that we are implementing Common Core and these two items have stressed everyone. We immediately hired teacher coaches to work in the classrooms and we hired additional help to take over the implementation of Common Core in the classroom. Along with this help we hired someone to implement the new SBACK testing system.

4. Remediation plan that describes how and when the district will return to the statutory levels.

Whittier City SD has staffed in fiscal year 2014-15 below the statutory level and has included this in budget for next year. The Second Interim Report includes the additional teachers and our board and the county office of education has accepted this report.

5. Statement by the district that the class size provisions prevents the development of more effective educational programs to improve instruction in reading and mathematics.

The district maintains that we want to implement smaller class sizes in all future years. In spite of larger classes, our district was the 5<sup>th</sup> most improved district in the state the last year that scores were available. We have continued to test our students on standardized tests that we have both purchased and developed in-house, and we have found that our students are continuing to make significant improvements. The financial situation in the state made things very difficult, however we have proof that our students continued to improve and we expect that they will do better as we return to smaller classes.

6. An estimate of the financial impact if the class size penalty was assessed by the CDE.

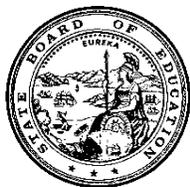
The class size penalty for 1-3 was \$241,429

7. The requested new maximum individual and overall class size averages.

The individual class size that is requested is 33:1 and an overall class size average requested by the district is 30:1 for 1-3

8. The position of the exclusive representative of employees, if any, as provided in Chapter 10.7 of Division 4 of Title 1 of the *Government Code*. If the representative is opposed, include a written summary of any objections to the request.

The representatives of employees took a neutral position on this waiver. There was no descent from the leadership or the membership of the union.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by <b>Whittier City Elementary School District</b> to waive portions of California <i>Education Code</i> Section 41376(b) and (e), relating to class size penalties for grades four through eight. A district's current class size maximum is the greater of the 1964 statewide average of 29.9 to one or the district's 1964 average.</p> <p>Waiver Number: 22-3-2015</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

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Request by the Whittier City Elementary School District (ESD) to waive portions of California *Education Code* (EC) Section 41376(b) and (e), relating to the class size penalty calculation for grades four through eight for fiscal year 2013–14. A district's current class size maximum is the greater of the 1964 statewide average of 29.9 to one or the district's 1964 average.

**Authority for Waiver:** EC Section 33050

#### **RECOMMENDATION**

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**Approval**  **Approval with conditions**  **Denial**

The California Department of Education (CDE) recommends that the California State Board of Education (SBE) approve the waiver request by Whittier City ESD that the class size penalty for grades four through eight be waived provided that the class size average is not greater than the recommended maximum average shown on Attachment 1. Should the district exceed this limit, the class size penalty would be calculated as required by statute. The waiver does not exceed two years less one day, therefore, EC Section 33051(b) will not apply, and the district must reapply to continue the waiver.

#### **SUMMARY OF KEY ISSUES**

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##### **Statute Related to Grades Four Through Eight Class Size**

The class size requirement for grades four through eight has been in law since the late 1960s and is the subject of this waiver. This law requires the CDE to apply a financial class size penalty to a school district's Local Control Funding Formula (LCFF) funding if the district exceeds the greater of:

- The 1964 statewide class size average of 29.9 for grades four through eight; or
- The district's class size average for grades four through eight from 1964.

School districts report their average class enrollment information to the CDE in the spring of the applicable year. If a school district does not meet the requirements, the CDE reduces the district's final payment for the year. *EC* Section 33051 allows the SBE to approve an exemption to this penalty under the general waiver authority.

In September 2014, the SBE adopted Policy #14-02, which requires districts to provide the following documentation with their waiver requests for fiscal years commencing with 2014–15:

1. Discussion of the extraordinary or atypical circumstances that prevent the school district from meeting the class size thresholds. If the reasons are financial, the district should explain why LCFF funds cannot be used to reduce class sizes.
2. Demonstration that the increased class size is consistent with the school district's goals and actions in its Local Control and Accountability Plan (LCAP).
3. Explanation of how the district is addressing the educational needs of pupils to mitigate potential consequences of increased class sizes.
4. Remediation plan that describes how and when the district will return to the statutory levels.
5. An estimate of the financial impact if the class size penalty was assessed by the CDE.
6. The requested new maximum grades four through eight class size average.
7. The position of the exclusive representative of employees, if any, as provided in Chapter 10.7 of Division 4 of Title 1 of the *Government Code*. If the representative is opposed, include a written summary of any objections to the request.

### **District's Request**

The Whittier City ESD is requesting that the SBE waive subdivisions (b) and (e) of *EC* Section 41376 for fiscal year 2013–14, which provide a penalty when the district exceeds the class sizes noted above and on Attachment 1. Without this waiver, the district's annual penalty is \$150,075.

The Whittier City ESD provided with its waiver the information required by the SBE's Policy #14-02. According to the district, due to the state budget crisis and resulting significant reduction in funding, the district had no choice but to increase class sizes to meet its obligations. Under the LCFF, additional teachers were hired to reduce class sizes; however, the increase in funding was not sufficient to reduce class sizes to the statutory limit. The district has made every effort to mitigate potential consequences by hiring teacher coaches to work in the classrooms. Class size reduction remains a priority within the district's LCAP. Approval of the class size waiver is critical for the district to meet other fiscal obligations such as implementation of Common Core Standards and other priorities.

According to the district, in spite of larger classes, it was the fifth most improved district in the state last year. In fiscal year 2014–15, the district's class size average was 27.5, which is below the statutory limit of 29.9.

The CDE recommends that the class size penalties for grades four through eight be waived for fiscal year 2013–14, provided the class size average is not greater than the recommended maximum average shown on Attachment 1. Should the district exceed this limit, the class size penalty would be calculated as required by statute.

### **Demographic Information:**

The Whittier City ESD has a student population of 6,097 and is located in an urban city 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](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

Before the September 2009 board meeting, no waivers had been submitted since 1999. Due to the state budget crisis and resulting significant reduction in funding, the SBE began receiving a large number of waiver requests beginning in 2009. As a result, the SBE has approved all class size penalty waiver requests through fiscal year 2013–14. Under LCFF, most districts funding levels will increase over the next several years. However, due to certain factors some districts will not see the increase for several years. For that reason, in September 2014, the SBE adopted a policy for the type of information districts should provide when submitting a class size penalty waiver for fiscal years commencing with 2014–15. A copy of the policy is available at <http://www.cde.ca.gov/re/lr/wr/waiverpolicies.asp>, under Class Size Penalties for Grades Four through Eight. The SBE approved two waivers for fiscal year 2014–15 at its March 2015 meeting. This waiver is for fiscal year 2013–14.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

See Attachment 1 for the penalty amount should the waiver request be denied.

### **ATTACHMENT(S)**

Attachment 1: Information from District Requesting Grades Four Through Eight Class Size Penalty Waiver. (1 page)

Attachment 2: Whittier City Elementary School District General Waiver Request 22-3-2015 (5 pages). (Original waiver request is signed and on file in the Waiver Office.)

**District Requesting Grades Four Through Eight Class Size Penalty Waiver**

California *Education Code* Section 41376(b) and (e): A district's current class size maximum is the greater of the 1964 statewide average of 29.9 to one or the district's 1964 average.

Waiver Number	District, County and District Code	Period of Request and CDE's Recommendation	Statutory Class Size Maximum	District's Request	CDE's Recommended New Maximum	Bargaining Unit, Representatives Consulted, Date, and Position	Local Board Approval Date	Annual Penalty Without Waiver	Previous Waivers
22-3-2015	Whittier City Elementary School District 19-65110	<b>Requested:</b> August 12, 2013 to June 5, 2015  <b>Recommended:</b> July 1, 2013 to June 29, 2014	29.9	31	31	Whittier Elementary Teachers Association, Anthony Granado, President, 3/2/14 <b>Neutral</b>	3/10/15	\$150,075 FY 2013-14	Yes: FY 2010-11 FY 2011-12

Created by California Department of Education  
 April 28, 2015

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 1965110

Waiver Number: 22-3-2015

Active Year: 2015

Date In: 3/16/2015 2:40:01 PM

Local Education Agency: Whittier City Elementary School District  
Address: 7211 South Whittier Ave.  
Whittier, CA 90602

Start: 8/12/2013

End: 6/5/2014

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Class Size Penalties  
Ed Code Title: Over Limit on Grades 4-8  
Ed Code Section: portions of 41376(b) and (e)  
Ed Code Authority: 33050

Ed Code or CCR to Waive: 41376(b) and (e) The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district: (a) For grades 1 to 3, inclusive, he shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class. For those districts which do not have any classes with an enrollment in excess of 32 and whose average size for all the classes is 30.0 or less, there shall be no excess declared. For those districts which have one or more classes in excess of an enrollment of 32 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30. (b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher. He shall also determine the excess if any, of pupils enrolled in such grades in the following manner: (1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board. (2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year. (3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above. (c) He shall compute the product obtained by multiplying the excess number of pupils, if any, under the provisions of subdivision (a) of this section by ninety-seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to district change in average daily attendance. Change in average

daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3 reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year. (d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the provisions of Section 41601 by the product determined under subdivision (c) of this section. [ (e) If the school district reports that it has maintained, during the current fiscal year, no classes in which there were enrolled pupils in excess of thirty (30) per class determined pursuant to subdivision (a) of this section, and there is an excess number of pupils computed pursuant to subdivision (b) of this section, he shall make the following computation: He shall compute the product obtained by multiplying the excess number of pupils computed pursuant to subdivision (b) of this section by ninety-seven hundredths (0.97) and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to the district change in average daily attendance. He shall decrease the average daily attendance reported under the provisions of Section 41601 by the resulting product. ]

Outcome Rationale: Whittier City School District has become the 5th most improved district in the state after being the first district in the state to implement the maximum furlough days. Our district was in a very difficult situation before the recession and then the combination of being an elementary district with no other funds to draw from and the state reductions, we were able to slowly climb out of the financial hole by maintaining larger class sizes. Our resolve to improve student achievement has been demonstrated by the past test scores and our recent recognition of our schools by both the Federal and State Departments of Education. Our budget for the next year includes additional teachers to improve the student to teacher ratio.

Waiver of the class size penalty for exceeding the 1964 district and/or statewide average number of pupils per teacher in grades 4-8. The District's class size maximum in 1964 was 29.9. Currently the District's class size average is at 27.5 for grades 4-8. Due to fiscal crisis, the District is requesting a waiver to allow for a class size average of 31:1.

Student Population: 6097

City Type: Urban

Public Hearing Date: 3/10/2015

Public Hearing Advertised: Duly posted with the monthly Board agenda

Local Board Approval Date: 3/10/2015

Community Council Reviewed By: School Site Council; Whittier Elementary Teachers Association attachment

Community Council Reviewed Date: 4/30/2014

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Jon E McNeil  
Position: Assistant Superintendent Business Services  
E-mail: [jmcneil@whittiercity.net](mailto:jmcneil@whittiercity.net)  
Telephone: 562-789-3045  
Fax: 562-907-9425

Bargaining Unit Date: 03/02/2014  
Name: Whittier Elementary Teachers Association  
Representative: Anthony Granado  
Title: President  
Position: Neutral  
Comments:

Whittier City School District  
Waiver Request for Class Size Penalty  
Grades 4 - 8

A principal may recommend to the governing board or the governing board of the school district may adopt a resolution determining that an exemption should be granted from any of the provisions of Section 41376 and 41378, with respect to such core classes on the basis that such provisions prevent the school and school district from developing more effective education programs to improve instruction in reading and mathematics. (Required see EC 41382) The district without this waiver could incur a potential penalty of \$ 150,075.

1. Discussion of the extraordinary or atypical circumstances that prevent the school district from meeting the class size thresholds. If the reasons are financial, the district should explain why LCFF funds couldn't be used to reduce class sizes.

The Whittier City School District was hit very hard during the financial recession and was the first district in the state to take furlough days and a salary roll back. As a result of these extraordinary financial times we had to push class size up to meet our obligations. Currently the LCFF funds have been applied to hire additional teachers, however there was not enough money in the first year to make a difference in our class size. We immediately hired teacher coaches to work in the classrooms to minimize the impact on the student as a result of getting more money. We also hired a Common Core person to coordinate this change in the classroom as well as an instructional technology person to implement the SBACK test. We plan a year in advance and there was not enough time to make a change in the class size.

2. Demonstration that the increased class size is consistent with the school district's goals and actions in its Local Control and Accountability Plan (LCAP).

Class size reduction is one of the key elements of the LCAP for our district. Our district went from 20:1 to 30:1 during the recession because of the cut in the state budget. Our teachers and community are committed to improving our instruction through reduced class size.

3. Explanation of how the district is addressing the educational needs of pupils to mitigate potential consequences of increased class sizes.

The class size increase has come at a time that we are implementing Common Core and these two items have stressed everyone. We immediately hired teacher coaches to work in the classrooms and we hired additional help to take over the implementation of Common Core in the classroom. Along with this help we hired someone to implement the new SBACK testing system.

4. Remediation plan that describes how and when the district will return to the statutory levels.

Whittier City SD has staffed in fiscal year 2014-15 below the statutory level and has included this in budget for next year. The Second Interim Report includes the additional teachers and our board and the county office of education has accepted this report.

5. Statement by the district that the class size provisions prevents the development of more effective educational programs to improve instruction in reading and mathematics.

The district maintains that we want to implement smaller class sizes in all future years. In spite of larger classes, our district was the 5<sup>th</sup> most improved district in the state the last year that scores were available. We have continued to test our students on standardized tests that we have both purchased and developed in-house, and we have found that our students are continuing to make significant improvements. The financial situation in the state made things very difficult, however we have proof that our students continued to improve and we expect that they will do better as we return to smaller classes.

6. An estimate of the financial impact if the class size penalty was assessed by the CDE.

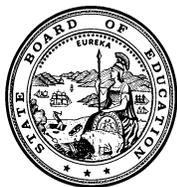
The class size penalty for 4-8 was \$150,075

7. The requested new overall class size averages.

The class size that is requested is 31:1

8. The position of the exclusive representative of employees, if any, as provided in Chapter 10.7 of Division 4 of Title 1 of the *Government Code*. If the representative is opposed, include a written summary of any objections to the request.

The representatives of employees took a neutral position on this waiver. There was no descent from the leadership or the membership of the union.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

<b>SUBJECT</b>  Approval of 2014–15 Consolidated Applications.	<input checked="" type="checkbox"/> Action  <input checked="" type="checkbox"/> Information  <input type="checkbox"/> Public Hearing
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#### **SUMMARY OF THE ISSUE(S)**

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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**

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The CDE recommends that the SBE approve the 2014–15 ConApps submitted by LEAs in Attachment 1.

#### **BRIEF HISTORY OF KEY ISSUES**

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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 federally-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 six LEAs. 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**

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To date, the SBE has approved 2014–15 ConApps for 1,658 LEAs. Attachment 1 represents the sixth set of 2014–15 ConApps presented to the SBE for approval.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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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)**

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Attachment 1: Consolidated Applications List (2014–15) – Regular Approvals (1 Page)

### Consolidated Applications List (2014–15) – Regular Approvals

The following 6 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	31668450121418	John Adams Academy	\$0	\$0	\$0	\$0
2	19647330123992	Animo Ellen Ochoa Charter Middle	\$0	\$0	\$0	\$0
3	37681630128421	Harbor Springs Charter	\$0	\$0	\$0	\$0
4	36677360128439	Empire Springs Charter	\$0	\$0	\$0	\$0
5	19647330129270	Animo Mae Jemison Charter Middle	\$0	\$0	\$0	\$0
6	30768930130765	Magnolia Science Academy Santa Ana	\$0	\$0	\$0	\$0

Total ConApp entitlement funds for districts receiving regular approval: \$0



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

SUBJECT	
Elementary and Secondary Education Act: Approval of Local Educational Agency Plans, Title I, Section 1112.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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The Elementary and Secondary Education Act (ESEA) provides federal funding that may be available to local educational agencies (LEAs) (defined as districts, county offices of education, and direct-funded charter schools) for a variety of programs. Currently, 2 direct-funded charter schools submitted an LEA Plan as part of the application for ESEA funding. California Department of Education (CDE) program staff review LEA Plans for compliance with the requirements of ESEA before recommending approval to the State Board of Education (SBE).

#### **RECOMMENDATION**

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The CDE recommends that the SBE approve 2 direct-funded charter school LEA Plans, listed in Attachment 1.

#### **BRIEF HISTORY OF KEY ISSUES**

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The federal ESEA Section 1112(e)(2) states that the state educational agency (SEA) shall approve an LEA Plan if the SEA determines that the LEA Plan is designed to enable the LEA's schools to substantially help children meet the academic standards expected for all children. As a requirement for receiving federal funding sub-grants for ESEA programs, the local governing board and the SBE must approve the original LEA Plan. Subsequent approval of revisions to LEA Plans is made by the local governing board and kept on file with the original LEA Plan. The LEA Plan includes specific descriptions and assurances as outlined in the provisions included in the ESEA.

The purpose of the LEA Plan is to develop an integrated, coordinated set of actions that LEAs will take to meet certain programmatic requirements, including student academic services designed to increase student achievement and performance, coordination of services, needs assessments, consultations, school choice, supplemental services, services to homeless students, and others as required.

CDE program staff review LEA Plans for compliance with the requirements of the ESEA including evaluation of goals and activities designed to improve student performance in reading and mathematics; improve programs for English learner students; improve professional development and ensure the provision of highly qualified teachers; and promote efforts regarding graduation rates, dropout prevention, and advanced placement. If an LEA Plan lacks the required information, CDE program staff work with the LEA to ensure the necessary information is included in the LEA Plan before recommending approval.

Following initial CDE review and SBE approval, all LEAs are expected to annually review their LEA Plan and update the LEA Plan as necessary. Any changes to an LEA Plan must be approved by the LEA's local governing board.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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Since the current LEA Plan process was developed in July 2003 as a requirement of the ESEA, the SBE has approved 1,810 LEA Plans.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no fiscal impact to state operations.

### **ATTACHMENT(S)**

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Attachment 1: Direct-Funded Charter Schools Recommended for State Board of Education Approval (1 Page)

**Direct-Funded Charter Schools Recommended  
for State Board of Education Approval**

<b>Local Educational Agency Name</b>	<b>County-District-School Code</b>	<b>Academic Performance Data</b>
Hardy Brown College Prep	36 67876 0122317	None available; exempted in 2014.*
Magnolia Science Academy – Santa Ana	30 76893 0130765	None available; opened in August 2014.

- \* For 2014, only high schools and high school local educational agencies (LEAs) that enrolled students in grades nine, ten, eleven, and/or twelve on Fall Census Day in October 2013 will receive an Adequate Yearly Progress (AYP) Report.

Because students in grades three through eight participated in the Smarter Balanced Field Test during the 2013–14 academic year, the U.S. Department of Education approved a determination waiver for California which exempts elementary schools, middle schools, elementary school districts, and unified school districts from receiving a 2014 AYP Report.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

SUBJECT	
School Improvement Grant: Request a Waiver to Carry Over 100 Percent of the Fiscal Year 2014 School Improvement Grant Allocation Under Section 1003(g) of the Elementary and Secondary Education Act.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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On February 9, 2015, the U.S. Department of Education (ED) released the School Improvement Grant (SIG) fiscal year (FY) 2014 state educational agency (SEA) application and updated SIG final requirements, with an SEA SIG Application due date of April 15, 2015. Currently, the FY 2014 SIG allocation is available for obligation through September 30, 2016. California has not been awarded the FY 2014 SIG allocation; however, due to the late release of the SIG Application for FY 2014 and the SIG final requirements, the ED is offering SEAs the opportunity to carry over 100 percent of the FY 2014 SIG allocation to use for program implementation beginning in the 2016–17 school year (SY). To carry over the FY 2014 SIG allocation, the ED requires states to submit an abbreviated SIG Application for FY 2014 and a justification letter containing a “Tydings Amendment” to waive Section 421(b) of the General Education Provisions Act (the “Tydings Amendment”) to obligate federal FY 2014 SIG funds until September 30, 2020.

#### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) authorize SBE President Michael W. Kirst, in consultation with State Superintendent of Public Instruction Tom Torlakson, to approve California’s abbreviated SIG Application for FY 2014 and request a waiver from the ED to allow California to carry over 100 percent of the FY 2014 SIG allocation to be awarded along with the FY 2015 SIG allocation for awards beginning in the 2016–17 SY. The abbreviated SIG Application for FY 2014 is included as Attachment 1. The justification letter, containing a “Tydings Amendment” to obligate California’s FY 2014 SIG allocation until September 30, 2020, to Heather Rieman, Acting Assistant Secretary, is included as Attachment 2.

## **BRIEF HISTORY OF KEY ISSUES**

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On February 26, 2015, the ED provided SEAs with the option to carry over the FY 2014 SIG allocation, to use for program implementation beginning in the 2016–17 SY. The ED process to carry over the FY 2014 SIG allocation requires California to:

- Submit an abbreviated SIG Application for FY 2014 with instruction to:
  - Complete and sign the application cover sheet
  - Complete the chart on page five of the application for schools not renewed
    - The FY 2014 SIG final requirements state that an SEA may use funds from the FY 2014 SIG allocation for continuation awards for existing cohorts. If awarded, California will use the FY 2014 SIG allocation to conduct a new awards competition. Therefore, the chart on page five indicates that use of continuation awards is not applicable (N/A)
- Attach a letter to the application that includes:
  - A justification to carry over funds from the FY 2014 SIG allocation
  - A plan for use of the FY 2014 SIG funds from the FY 2014 SIG allocation
  - A request for a “Tydings Amendment” waiver for the FY 2014 SIG allocation (which can only be extended to September 30, 2020)

The FY 2014 SIG final requirements introduce several program changes that affect future SIG cohorts, including the SIG award grant period. Under the FY 2010 SIG final requirements, awarded local educational agencies (LEAs) are required to implement the selected intervention model(s) for a three-year grant period. The FY 2014 SIG final requirements allow an LEA to implement the selected intervention model(s) for a minimum of three years to a maximum of five years. Without a “Tydings Amendment” waiver, the FY 2014 SIG allocation is available for obligation through September 30, 2016. If California is awarded the FY 2014 SIG allocation and the “Tydings Amendment” is approved, California will be able to extend the period of availability of FY 2014 SIG funds to September 30, 2020. This extension ensures that California has the ability to make five-year awards available to the next cohort of SIG eligible LEAs and schools.

If awarded, California will combine the FY 2014 SIG allocation with the FY 2015 SIG allocation to conduct a new SIG awards competition in 2016. This provides the CDE with additional time to complete all required components of the SIG SEA application and necessary technical assistance to LEAs around the FY 2014 SIG final requirements.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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At its July 2011 meeting, the SBE took action to approve a request for a waiver to carry over 100 percent of the FY 2010 SIG allocation to award subgrants to eligible LEAs and schools in Cohort 2. FY 2010 SIG funds were used to fund the first year of the three-year SIG sub-grant beginning in the 2012–13 SY with subsequent years being funded using California's FY 2011 and FY 2012 SIG allocations.

At its July 2012 meeting, the SBE took action to approve a request for a waiver to carry over 100 percent of the FY 2011 SIG allocation.

At its November 2013 meeting, the SBE took action to approve a request for a waiver to carry over 100 percent of the FY 2012 SIG allocation.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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The SIG funds provide LEAs with grants ranging from \$50,000 to \$2 million per school per year. California's FY 2014 SIG allocation is approximately \$59 million. Pending approval of the carryover request waiver, California will combine the FY 2014 and FY 2015 SIG allocations to award sub-grants to LEAs for the first four years of the five-year grant period (2016–17, 2017–18, 2018–19, and 2019–20 SYs). The fifth year (2020–21) of the grant award period will be funded using the remainder of the FY 2015 SIG funds.

## **ATTACHMENT(S)**

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Attachment 1: School Improvement Grants Application for FY 2014 New Awards Competition (3 Pages)

Attachment 2: Draft July 13, 2015, joint letter from Tom Torlakson, State Superintendent of Public Instruction, California Department of Education, and Michal W. Kirst, President, California State Board of Education, to Heather Rieman, Acting Assistant Secretary, Office of Elementary and Secondary Education, U.S. Department of Education, regarding California's School Improvement Grant Waiver to Carry Over 100 Percent of Fiscal Year 2014 School Improvement Grant Funds and its Conditions (2 Pages)

School Improvement Grants  
**Application for FY 2014 New Awards  
Competition**  
**Section 1003(g) of the  
Elementary and Secondary Education Act**  
Fiscal Year 2014  
CFDA Number: 84.377A

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**State Name: California**



U.S. Department of Education  
Washington, D.C. 20202

OMB Number: 1810-0682  
Expiration Date: September 30, 2016

**Paperwork Burden Statement**

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 100 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 required to obtain or retain benefit (authorized under section 1003(g) of title I of the Elementary and Secondary Education Act of 1965, as amended (ESEA). 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, DC 20210-4537 or email [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) and reference the OMB Control Number 1810-0682. Note: Please do not return the completed School Improvement Grant application to this address.

APPLICATION COVER SHEET  
SCHOOL IMPROVEMENT GRANTS

Legal Name of Applicant:  California Department of Education	Applicant's Mailing Address:  1430 N Street Sacramento, CA 95814-5901
State Contact for the School Improvement Grant  Name: Robert Storelli  Position and Office: Director, Improvement and Accountability Division  Contact's Mailing Address:  California Department of Education 1430 N Street, Suite 6208 Sacramento, CA 95814-5901  Telephone: 916-319-0833  Fax: 916-319-0123  Email address: STO@cde.ca.gov	
Chief State School Officer (Printed Name): Tom Torlakson	Telephone: 916-319-0800
Signature of the Chief State School Officer:  X	Date:
The State, through its authorized representative, agrees to comply with all requirements applicable to the School Improvement Grants program, including the assurances contained herein and the conditions that apply to any waivers that the State receives through this application.	

## PART I: SEA REQUIREMENTS

The directions below indicate information an SEA must provide in its application for a School Improvement Grant under section 1003(g). Where relevant, these directions distinguish between the information that must be provided by SEAs that have approved requests for ESEA flexibility and those that do not. For any section that is not applicable to a particular SEA, the SEA should write “Not Applicable.”

**For SEAs approved for ESEA flexibility: Eligible Schools List:** Each SEA should provide a link to the page on its Web site or a link to the specific page(s) in its approved ESEA flexibility request that includes a list of priority and focus schools. That list should clearly indicate which schools are SIG-eligible (*i.e.*, meet the definition of priority or focus school in the document titled *ESEA Flexibility*).

**For all SEAs: Awards not renewed, or otherwise terminated:** All SEAs are required to list any LEAs with one or more schools for which funding under previously awarded SIG grants will not be renewed for the 2015-2016 school year. For each such school, note the date of nonrenewal or termination, reason for nonrenewal or termination, the amount of unused remaining funds, and explain how the SEA or LEA plans to use those funds. **If all schools have been renewed, please indicate not applicable (“N/A”) in the chart:**

LEA NAME	SCHOOL NAME	DATE OF NONRENEWAL OR TERMINATION	REASON FOR NONRENEWAL OR TERMINATION	DESCRIPTION OF HOW REMAINING FUNDS WERE OR WILL BE USED	AMOUNT OF REMAINING FUNDS
<b>TOTAL AMOUNT OF REMAINING FUNDS:</b>					<b>N/A</b>



**CALIFORNIA DEPARTMENT OF EDUCATION**  
**TOM TORLAKSON**, State Superintendent of Public  
Instruction  
916-319-0800

1430 N Street Sacramento, CA 95814-5901

**CALIFORNIA STATE BOARD OF EDUCATION**  
**MICHAEL W. KIRST**, President  
916-319-0827

DRAFT July 13, 2015

Heather Rieman, Acting Assistant Secretary  
Office of Elementary and Secondary Education  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

Dear Acting Assistant Secretary Rieman:

The state of California hereby submits for your consideration a waiver to allow California to carry over 100 percent of California's fiscal year (FY) 2014 School Improvement Grant (SIG) allocation to be awarded along with the FY 2015 SIG allocation for awards beginning in the 2016–17 school year (SY). California will use the combined allocations to award sub-grants for the first four years of the five-year grant period (2016–17, 2017–18, 2018–19, and 2019–20 SYs). The fifth year (2020–21) of the grant award period will be funded using the remainder of the FY 2015 SIG allocation.

Additionally, the state of California requests to waive Section 421(b) of the General Education Provisions Act (the "Tydings Amendment") as it affects the authority of California and its subgrantees to obligate FY 2014 SIG funds until September 30, 2020.

Due to the late release of the SIG Application for FY 2014 and the SIG final requirements, it was not possible for California to meet the federal deadline for submission of the SIG Application for FY 2014 by April 15, 2015.

Prior to submitting this waiver request, California provided all schools in the state eligible to receive a SIG, as well as the public, with notice and a reasonable opportunity to comment on this request. California provided such notice by posting a public item on the July 2015 Agenda for the California State Board of Education (SBE). Refer to Item 10 on the SBE Agenda for July 2015 Web page at <http://www.cde.ca.gov/be/ag/ag/yr15/agenda201507.asp>. California received \_\_ public comments regarding this issue.

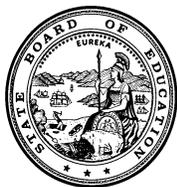
If you have any questions regarding this letter, please contact Keric Ashley, Deputy Superintendent, District, School, and Innovation Branch, by phone at 916-319-0637 or by e-mail at [kashley@cde.ca.gov](mailto:kashley@cde.ca.gov).

Sincerely,

Tom Torlakson  
State Superintendent of Public Instruction  
California Department of Education

Michael W. Kirst  
President  
California State Board of Education

TT/MK:jo



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

SUBJECT	
Procedures for Reviewing Proposed Revisions to Adopted Instructional Materials—Approve Commencement of a 15-Day Public Comment Period for Proposed Amendments to <i>California Code of Regulations</i> , Title 5, Section 9526.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### SUMMARY OF THE ISSUE(S)

In order for the California Department of Education (CDE) to conduct reviews of publisher-proposed revisions to State Board of Education (SBE)-adopted instructional materials, as set forth in California *Education Code (EC)* Section 60200, the attached proposed regulations must be adopted.

#### RECOMMENDATION

The CDE recommends the SBE take the following actions:

- Approve the proposed changes to the proposed regulations;
- Direct that the proposed changes be circulated for a 15-day public comment period in accordance with the Administrative Procedure Act;
- If no relevant comments to the proposed changes are received during the 15-day public comment period, the proposed regulations with changes are deemed adopted, and the CDE is directed to complete the rulemaking package and submit it to the Office of Administrative Law (OAL) for approval;
- If any relevant comments to the proposed changes are received during the 15-day public comment period, the CDE is directed to place the proposed regulations on the SBE's September agenda for action; and
- Authorize the CDE to take any necessary ministerial action to respond to any direction or concern expressed by the OAL during its review of the rulemaking file.

## **BRIEF HISTORY OF KEY ISSUES**

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The California Constitution, Article 9, Section 7.5, establishes that the SBE shall adopt instructional materials for use in grades one through eight (and, pursuant to *EC* Section 60200, kindergarten). *EC* Section 60200 establishes an eight year cycle for the adoption of instructional materials in each subject.

California *EC* Section 60200(b)(2), authorized by Assembly Bill 1246, Statutes of 2012, allows publishers of instructional materials on the current SBE adoption list to submit proposed revisions of those materials to the CDE for consideration. The law requires that publishers pay for the cost of such a review. These proposed regulations would establish the necessary process and fee schedule.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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At its March 2015 meeting, the SBE approved the commencement of the rulemaking process to establish the proposed regulations. The public comment period began on April 4, 2015 and ended on May 19, 2015. Two comments were received during the public comment period and two presenters appeared at the public hearing held on May 19, 2015. Summaries of the comments received, along with the CDE's responses to those comments, appear in Attachment 3. The CDE is proposing an amendment to the proposed regulations to allow for flexibility in the window for accepting publisher proposed revisions; rather than once every two years, the new language allows for "at least once every two years."

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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A Fiscal Impact Statement is provided as Attachment 4.

## **ATTACHMENT(S)**

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Attachment 1: 15-Day Notice of Modifications (2 pages)

Attachment 2: Proposed Regulations (4 pages)

Attachment 3: Final Statement of Reasons (3 pages)

Attachment 4: Economic and Fiscal Impact Statement (STD 399) (6 pages)



**CALIFORNIA DEPARTMENT OF EDUCATION**  
TOM TORLAKSON, State Superintendent of Public Instruction  
916-319-0800

1430 N Street Sacramento, CA 95814-5901

**CALIFORNIA STATE BOARD OF EDUCATION**  
MICHAEL W. KIRST, President  
916-319-0827

July 10, 2015

**15-DAY NOTICE OF MODIFICATIONS TO TEXT OF PROPOSED  
REGULATIONS REGARDING PROCEDURES FOR REVIEWING PROPOSED  
REVISIONS TO ADOPTED INSTRUCTIONAL MATERIALS**

Pursuant to the requirements of Government Code section 11346.8(c), and California Code of Regulations, title 1, section 44, the State Board of Education (SBE) is providing notice of changes made to the above-referenced proposed regulation text which was the subject of a regulatory hearing on May 19, 2015.

**Changes to the text:**

**Proposed section 9526(a)** is amended to add “pursuant to a schedule developed by the CDE. The schedule will invite submissions at least once every two years per subject” and to delete “once every two years following an SBE primary adoption, but no later than two years prior to the next scheduled primary adoption for the same subject.” The amendment is necessary to allow for the possibility of revisions sooner than the originally proposed two-year interval.

If you have any comments regarding the proposed changes that are the topic of this 15-Day Notice, the SBE will accept written comments between July 11, 2015 and July 27, 2015, inclusive. All written comments must be submitted to the Regulations Coordinator via facsimile at 916-319-0155; email at [regcomments@cde.ca.gov](mailto:regcomments@cde.ca.gov) or mailed and received at the following address by close of business at 5:00 p.m. on July 27, 2015 and addressed to:

Debra Thacker, Regulations Coordinator  
Legal, Audits and Compliance Branch  
Administrative Supports and Regulations Adoption Unit  
California Department of Education  
1430 N Street, Suite 5319  
Sacramento, CA 95814

All written comments received by 5:00 p.m. on July 27, 2015, which pertain to the indicated changes will be reviewed and responded to by California Department of Education (CDE) staff as part of the compilation of the rulemaking file. Written comments received by the CDE staff during the public comment period are subject to viewing under the Public Records Act.

**Please note:** Any written comments are to be restricted to the recent modifications as shown in the enclosed language. The SBE is not required to respond to comments received in response to this notice on other aspects of the proposed regulation.

- 1 • The State Board of Education has illustrated changes to the original text in the  
2 following manner: text originally proposed to be added is underlined.
- 3 • The 15-day text proposed to be added is in “**bold underline**”; deleted text is  
4 displayed in “**~~bold strikeout~~**”.

## 6 Title 5. EDUCATION

### 7 Division 1. California Department of Education

#### 8 Chapter 9. Instructional Materials

#### 9 Subchapter 1. Elementary Instructional Materials

#### 10 Article 2. Adoption of Curriculum Frameworks, Evaluation Criteria and 11 Instructional Materials – Procedures

#### 12 **§ 9526. Procedures for Reviewing Proposed Revisions to Adopted Instructional** 13 **Materials.**

14 Reviews of instructional materials appearing on the current list of State Board of  
15 Education (SBE) adopted instructional materials, beginning with adoptions occurring  
16 after 2013, to determine whether publisher-proposed revisions are consistent with the  
17 SBE adopted content standards, curriculum frameworks and evaluation criteria and the  
18 relevant statutes shall be conducted according to the following requirements:

19 (a) Publishers of instructional materials on the current list adopted by the SBE may  
20 submit to the CDE proposed revisions to adopted material **pursuant to a schedule**  
21 **developed by the CDE. The schedule shall invite submissions at least once every**  
22 **two years per subject. ~~once every two years following an SBE primary adoption,~~**  
23 **~~but no later than two years prior to the next scheduled primary adoption for the~~**  
24 **~~same subject.~~**

25 (b) The CDE shall notify publishers of adopted programs at least 90 days in advance  
26 of the submission period for proposed revisions.

27 (c) Publishers shall provide to the CDE an electronic or hard copy version of the  
28 following items:

- 29 (1) A brief description of the cause for and general nature of the proposed revisions;
- 30 (2) A list of the previously adopted instructional materials proposed for revision; and
- 31 (3) Up to 10 copies, as specified by the CDE, of each component of a program  
32 proposed for revision wherein all content proposed for addition and deletion is clearly

1 and precisely indicated. The publishers shall ship the materials to the location(s)  
2 specified by the CDE free of shipping, handling, sampling, or other charges.

3 (d) The CDE or its agents shall conduct a review of the proposed revisions for  
4 consistency with SBE adopted content standards, curriculum frameworks and  
5 evaluation criteria for the corresponding adoption and the relevant statutes. For this  
6 review process the CDE may include previously SBE-appointed Instructional Quality  
7 Commission members, instructional materials reviewers, and content experts.

8 (e) Any review conducted pursuant to subdivision (d) shall confirm that all proposed  
9 revisions comply with the social content standards referenced in section 9518 above.

10 (f) The review recommendations shall be compiled by the CDE, presented to the  
11 Instructional Quality Commission (Commission), and posted on its website at least 10  
12 days before the meeting of the Commission wherein the review recommendations are to  
13 be considered.

14 (g) Prior to recommending to the SBE the approval of proposed revisions for  
15 previously adopted instructional materials, the Commission shall do the following:

16 (1) The Commission shall hold a publicly-noticed meeting during which any  
17 interested party may provide the Commission with written or oral comments regarding  
18 the submitted instructional materials and/or the recommendations contained in the  
19 review report. The primary purpose of this publicly-noticed meeting is to afford the  
20 Commission an opportunity to receive comment from those who disagree with any part  
21 of the review report. The complaining party, and any interested party adverse to the  
22 complaining party, shall be provided a full and fair opportunity to present comments.

23 (2) Nothing in this section shall prevent the Commission from having additional  
24 publicly-noticed meetings that the Commission deems necessary to receive additional  
25 input.

26 (3) Commissioners must evaluate proposed revisions to instructional materials  
27 according to the SBE adopted content standards, curriculum frameworks, evaluation  
28 criteria, and social content standards.

29 (4) Not less than 30 days after the Commission meeting discussed in subdivision  
30 (g)(1) above, the Commission will hold a publicly-noticed meeting at which time it will

1 determine its recommendations to the SBE regarding proposed revisions to previously  
2 adopted instructional materials. The Commission must conduct a roll call vote with at  
3 least 9 affirmative votes required for affirming recommendations, or at least 10  
4 affirmative votes required for affirming recommendations when all 18 commissioners  
5 vote.

6 (5) The Commission's recommendations shall be compiled into a document titled  
7 "Commission Advisory Report." The Commission shall act to recommend or not  
8 recommend the revisions to instructional materials. The Commission Advisory Report  
9 shall be presented to the SBE for consideration of approval.

10 (h) Following the Commission meetings described above, the SBE will hold at least  
11 one publicly-noticed meeting to consider the approval of proposed revisions to  
12 previously adopted instructional materials.

13 (i) For any review conducted pursuant to subdivision (d), the CDE shall charge  
14 publishers a fee to cover the costs of the review as follows:

15 (1) Print Material Fees: \$1.50 per revised page.

16 (2) Non-Print Material Fees:

17 (A) Video/DVD: \$150.00 per standard Video/DVD (Video - 120 minutes, DVD - 4.7  
18 Gigabytes [GB] or approximately 120 minutes);

19 (B) Software: \$450.00 per standard CD (650-700 megabytes [MB]); or

20 (C) Online programs: \$1,000 per grade level.

21 (j) The CDE may reduce the publisher fees identified in subdivision (i) in the event  
22 actual review costs are lower.

23 (k) Publisher fees are due within 30 days of receipt of CDE invoice and are non-  
24 refundable.

25 (l) The CDE shall notify publishers or manufacturers in writing of the results of the  
26 review.

27 (m) Publishers must agree to supply the previous version of state-adopted  
28 instructional materials to school districts that choose to continue using the previous  
29 version during the duration of the adoption period. This subsection does not apply to  
30 online instructional materials.

1 NOTE: Authority cited: Section 33031, Education Code. Reference: Section 60200  
2 Education Code.

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6-05-15 [California Department of Education]

**FINAL STATEMENT OF REASONS**  
**PROCEDURES FOR REVIEWING PROPOSED REVISIONS TO**  
**ADOPTED INSTRUCTIONAL MATERIALS**

**UPDATE OF INITIAL STATEMENT OF REASONS**

The original proposed text was made available for public comment for at least 45 days from April 3, 2015 through May 19, 2015. Two individuals provided comments during the 45-day comment period.

A public hearing was held at 9:00 a.m. on May 19, 2015, at the California Department of Education (CDE). Two individuals attended the public hearing.

**SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD OF APRIL 3, 2015 THROUGH MAY 19, 2015.**

**David Stevenson, Vice President, Government Relations, Amplify (letter signed by Mr. Stevenson; comments presented at public hearing by Ms. Lee Angela Reid on behalf of Mr. Stevenson)**

**Comment:** Ms. Reid requests that changes of a technical nature to digital instructional materials, such as software updates or improvements included bug fixes, not be included as requiring proposed revision review, and that changes in functionality of digital instructional materials, such as cosmetic changes, not be included as requiring proposed revision review.

**Reject:** Existing regulations allow for minimal improvements including technical or cosmetic updates to digital instructional materials. Section 9529(b) specifically states “Upgrades of technology-based materials that do not contain content changes can be made by publishers without CDE approval, unless the upgrade results in a new ISBN or identifier.”

**Comment:** Ms. Reid requests the regulations be amended to allow for publisher submission of proposed revisions once every year, instead of the current proposal of every two years.

**Reject:** Current law allows the State Board of Education (SBE) to consider instructional materials for adoption once every 8 years per subject (Education Code section 60200(b)(1)). These proposed regulations specify a period of accepting proposed revisions as being “at least once every two years per subject.” At the specified minimum two-year cycle, adopted publishers would have a 75 percent reduction in their revision wait time under these proposed regulations. This proposal is reasonable and conceivably workable.

**Comment:** Ms. Reid requests the ability for a publisher to “add additional supplemental materials or content to previously adopted digital instructional materials without being classified as a revision and triggering full review....”

**Reject:** This proposed revision process includes publisher revisions which would add

content to the adopted materials. Were it permissible for a publisher simply to add content to an SBE-adopted instructional materials program without review, no regulations for review process would be necessary. Publishers are free to create, market and sell content as they like; the SBE reviews and considers for adoption programs of a specified content which, pending approval of these proposed regulations, will be allowed to evolve through a quality-assured revision process. School districts purchasing instructional materials programs appearing on an approved SBE list must remain confident the materials they select are those reviewed and approved via the SBE specifications and process.

**Dale Shimasaki, Association of American Publishers**

**Comment:** Mr. Shimasaki states that it is “inappropriate to have publishers pay a fee to have their instructional materials adopted by the State Board.”

**Reject:** California Education Code section 60200(b)(2) specifically states that if a publisher or manufacturer submits revisions to currently adopted instructional material for review after the timeframe specified by the state board, the CDE shall assess a fee on the submitting publisher or manufacturer in an amount that shall not exceed the reasonable costs to the department to conduct a review of the instructional materials.

**Comment:** Mr. Shimasaki requests that the regulations emphasize that this is a revision process and not an adoption.

**Reject:** The proposed regulations are entitled “Procedures for Reviewing Proposed Revisions to Adopted Instructional Materials” (*emphasis added*). The word “revision” appears 14 times in the proposed regulations. The first and second paragraph of the proposed regulations reference publisher-proposed revisions to materials appearing on the current list of SBE-adopted instructional materials, include the following statement “Publishers of instructional materials on the current list adopted by the SBE may submit to the CDE proposed revisions....”

**Comment:** Mr. Shimasaki addresses the proposed associated fees, specifically the following three points:

- “...clear transparent delineation of what costs are incurred for the reviews should be made public.”
- “There is no analytical rationale as to why a print passage would incur a cost that is different from that same passage in a digital format.”
- “There is no language which provides for an audit of the adoption costs for the revision process.”

**Reject:** The proposed regulations include subdivision (i) to specifically delineate the costs associated with a review and identify the specific fees by media format. The authorizing law stipulates that the CDE will assess a fee to those choosing to participate.

The cost of reviewing print material is easily established (e.g. dollar amount per page reviewed); however, reviews of technology-based instructional materials are more difficult and time consuming and the costs of the review are harder to quantify. In order

to accurately estimate the cost of reviewing non-print material fees, we identified a standard video as 120 minutes, a DVD as 4.7 gigabytes or 120 minutes, and a CD size as 650-700 megabytes. We also set the cost of an online program at \$1,000 per grade level which if in print form would equate to 667 pages which is reasonable in consideration of the added features and functionality of an online program. Additionally, note that proposed section 9526(j) allows for the reduction of these fees based upon actual review costs. This overall cost structure is based upon the costs associated with a Social Content Review pursuant to section 9820 but expanded to account for the significant increased level of review, i.e., the curriculum framework evaluation criteria including the academic content standards versus only the social content standards.

Additionally, the publisher would not submit multiple media formats of a proposed revision. Existing regulations (section 9528) allow for alternative format versions of adopted instructional materials. When submitting a proposed revision to adopted materials under these proposed regulations, the publisher may choose the format of submittal. In this manner, the publisher may directly control the associated fee.

The costs associated with a review are clearly identified and quantifiable. All state programs are subject to audit pursuant to the State Administrative Manual. The additional costs of a specifically identified financial audit of these obvious costs would be an unnecessary added burden for publishers to bear.

***After the 45-day comment period, the following changes were made to the proposed text of the regulations and sent out for a 15-Day comment period:***

**Proposed section 9526(a)** is amended to add “pursuant to a schedule developed by the CDE. The schedule will invite submissions at least once every two years per subject” and to remove “once every two years following an SBE primary adoption, but no later than two years prior to the next scheduled primary adoption for the same subject.” The amendment is necessary to allow for the possibility of revisions sooner than the originally proposed two-year interval.

## **ALTERNATIVES DETERMINATION**

The SBE has determined that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

## **LOCAL MANDATE DETERMINATION**

The proposed regulations do not impose any mandate on local agencies or school districts.

6-05-15 [California Department of Education]

This is the official scanned version of Item 11 Attachment 4 from the California State Board of Education (SBE) Meeting Agenda for July 2015 posted at <http://www.cde.ca.gov/be/ag/ag/yr15/agenda201507.asp>

An accessible version of the contents of this document is located at <http://www.cde.ca.gov/be/ag/ag/yr15/jun15item11a4aav.asp>

The scanned document starts following this initial page.

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

**ECONOMIC IMPACT STATEMENT**

DEPARTMENT NAME Education	CONTACT PERSON Linda Hakala	EMAIL ADDRESS lhakala@cde.ca.gov	TELEPHONE NUMBER 319-0658
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 Procedures for Reviewing Proposed Revisions to Adopted Instructional Materials (dated 1-6-15)			NOTICE FILE NUMBER Z

**A. ESTIMATED PRIVATE SECTOR COST IMPACTS** *Include calculations and assumptions in the rulemaking record.*

1. Check the appropriate box(es) below to indicate whether this regulation:

- a. Impacts business and/or employees
- b. Impacts small businesses
- c. Impacts jobs or occupations
- d. Impacts California competitiveness
- e. Imposes reporting requirements
- f. Imposes prescriptive instead of performance
- g. Impacts individuals
- h. None of the above (Explain below):

The regulations align to Ed Code and would not impose add'l private sector costs.

*If any box in Items 1 a through g is checked, complete this Economic Impact Statement.  
If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.*

2. The \_\_\_\_\_ (Agency/Department) estimates that the economic impact of this regulation (which includes the fiscal impact) is:

- Below \$10 million
- Between \$10 and \$25 million
- Between \$25 and \$50 million
- Over \$50 million *[If the economic impact is over \$50 million, agencies are required to submit a Standardized Regulatory Impact Assessment as specified in Government Code Section 11346.3(c)]*

3. Enter the total number of businesses impacted: \_\_\_\_\_

Describe the types of businesses (Include nonprofits): \_\_\_\_\_

Enter the number or percentage of total businesses impacted that are small businesses: \_\_\_\_\_

4. Enter the number of businesses that will be created: \_\_\_\_\_ eliminated: \_\_\_\_\_

Explain: \_\_\_\_\_

5. Indicate the geographic extent of impacts:  Statewide  
 Local or regional (List areas): \_\_\_\_\_

6. Enter the number of jobs created: \_\_\_\_\_ and eliminated: \_\_\_\_\_

Describe the types of jobs or occupations impacted: \_\_\_\_\_

7. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here?  YES  NO

If YES, explain briefly: \_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT**

**(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

**ECONOMIC IMPACT STATEMENT (CONTINUED)**

**B. ESTIMATED COSTS** *Include calculations and assumptions in the rulemaking record.*

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ \_\_\_\_\_

a. Initial costs for a small business: \$ \_\_\_\_\_ Annual ongoing costs: \$ \_\_\_\_\_ Years: \_\_\_\_\_

b. Initial costs for a typical business: \$ \_\_\_\_\_ Annual ongoing costs: \$ \_\_\_\_\_ Years: \_\_\_\_\_

c. Initial costs for an individual: \$ \_\_\_\_\_ Annual ongoing costs: \$ \_\_\_\_\_ Years: \_\_\_\_\_

d. Describe other economic costs that may occur: \_\_\_\_\_

2. If multiple industries are impacted, enter the share of total costs for each industry: \_\_\_\_\_

3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted. \$ \_\_\_\_\_

4. Will this regulation directly impact housing costs?  YES  NO

If YES, enter the annual dollar cost per housing unit: \$ \_\_\_\_\_

Number of units: \_\_\_\_\_

5. Are there comparable Federal regulations?  YES  NO

Explain the need for State regulation given the existence or absence of Federal regulations: \_\_\_\_\_

Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ \_\_\_\_\_

**C. ESTIMATED BENEFITS** *Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State's environment: \_\_\_\_\_

2. Are the benefits the result of:  specific statutory requirements, or  goals developed by the agency based on broad statutory authority?

Explain: \_\_\_\_\_

3. What are the total statewide benefits from this regulation over its lifetime? \$ \_\_\_\_\_

4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: \_\_\_\_\_

**D. ALTERNATIVES TO THE REGULATION** *Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: \_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT**

**(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

**ECONOMIC IMPACT STATEMENT (CONTINUED)**

2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

Regulation: Benefit: \$ \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Alternative 1: Benefit: \$ \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Alternative 2: Benefit: \$ \_\_\_\_\_ Cost: \$ \_\_\_\_\_

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives:

\_\_\_\_\_

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs?  YES  NO

Explain: \_\_\_\_\_

**E. MAJOR REGULATIONS** include calculations and assumptions in the rulemaking record.

*California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.*

1. Will the estimated costs of this regulation to California business enterprises exceed \$10 million?  YES  NO

*If YES, complete E2. and E3  
If NO, skip to E4*

2. Briefly describe each alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: \_\_\_\_\_

Alternative 2: \_\_\_\_\_

*(Attach additional pages for other alternatives)*

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

Alternative 1: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

Alternative 2: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

4. Will the regulation subject to OAL review have an estimated economic impact to business enterprises and individuals located in or doing business in California exceeding \$50 million in any 12-month period between the date the major regulation is estimated to be filed with the Secretary of State through 12 months after the major regulation is estimated to be fully implemented?

YES  NO

*If YES, agencies are required to submit a Standardized Regulatory Impact Assessment (SRIA) as specified in Government Code Section 11346.3(c) and to include the SRIA in the Initial Statement of Reasons.*

5. Briefly describe the following:

The increase or decrease of investment in the State: \_\_\_\_\_

The incentive for innovation in products, materials or processes: \_\_\_\_\_

The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency: \_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

**FISCAL IMPACT STATEMENT**

**A. FISCAL EFFECT ON LOCAL GOVERNMENT** *Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year which are reimbursable by the State. (Approximate)  
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ \_\_\_\_\_

a. Funding provided in \_\_\_\_\_

Budget Act of \_\_\_\_\_ or Chapter \_\_\_\_\_, Statutes of \_\_\_\_\_

b. Funding will be requested in the Governor's Budget Act of \_\_\_\_\_

Fiscal Year: \_\_\_\_\_

2. Additional expenditures in the current State Fiscal Year which are NOT reimbursable by the State. (Approximate)  
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ \_\_\_\_\_

*Check reason(s) this regulation is not reimbursable and provide the appropriate information:*

a. Implements the Federal mandate contained in \_\_\_\_\_

b. Implements the court mandate set forth by the \_\_\_\_\_ Court.

Case of: \_\_\_\_\_ vs. \_\_\_\_\_

c. Implements a mandate of the people of this State expressed in their approval of Proposition No. \_\_\_\_\_

Date of Election: \_\_\_\_\_

d. Issued only in response to a specific request from affected local entity(s).

Local entity(s) affected: \_\_\_\_\_

e. Will be fully financed from the fees, revenue, etc. from: \_\_\_\_\_

Authorized by Section: \_\_\_\_\_ of the \_\_\_\_\_ Code;

f. Provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each;

g. Creates, eliminates, or changes the penalty for a new crime or infraction contained in \_\_\_\_\_

3. Annual Savings. (approximate)

\$ \_\_\_\_\_

4. No additional costs or savings. This regulation makes only technical, non-substantive or clarifying changes to current law regulations.

5. No fiscal impact exists. This regulation does not affect any local entity or program.

6. Other. Explain The regulations do not impose any additional costs as they further define the Education Code related to publisher-proposed revisions to adopted instructional materials.

**ECONOMIC AND FISCAL IMPACT STATEMENT**

**(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

**FISCAL IMPACT STATEMENT (CONTINUED)**

**B. FISCAL EFFECT ON STATE GOVERNMENT** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

*It is anticipated that State agencies will:*

a. Absorb these additional costs within their existing budgets and resources.

b. Increase the currently authorized budget level for the \_\_\_\_\_ Fiscal Year

2. Savings in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

3. No fiscal impact exists. This regulation does not affect any State agency or program.

4. Other. Explain The regulations do not impose any additional costs as they concur with existing regulations and serve only to define the procedure,  
including assessment of fees, for publisher-proposed revisions to adopted instructional materials as provided in the Education Code.

**C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

2. Savings in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.

4. Other. Explain \_\_\_\_\_

FISCAL OFFICER SIGNATURE



DATE

February 10, 2015

*The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.*

AGENCY SECRETARY



DATE

2/19/15

*Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.*

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER



DATE

**Economic and Fiscal Impact Analysis  
Proposed Amendments of Title 5, CCR, Regulations  
Procedures for Reviewing Proposed Revisions to Adopted Instructional Materials**

The Fiscal Policy Office has reviewed for economic and fiscal impact the proposed regulations adding section 9526 to Article 2, Subchapter 1, Chapter 9, Division 1, of Title 5, of the California Code of Regulations, relating to the procedures for reviewing proposed revisions to State Board adopted instructional materials.

**What would the proposed regulations do?**

The proposed regulations are necessary to facilitate the review of publisher-proposed revisions to the adopted instructional materials. The regulations establish the revision review process, including the assessment of a fee as stipulated in statute.

**ECONOMIC IMPACT STATEMENT**

**A. ESTIMATED PRIVATE SECTOR COST IMPACTS**

None. The proposed regulations impose no additional costs upon the private sector.

**FISCAL IMPACT STATEMENT**

**A. FISCAL EFFECT ON LOCAL GOVERNMENT**

None. The proposed regulations impose no additional costs upon local government.

**B. FISCAL EFFECT ON STATE GOVERNMENT**

None. The proposed regulations would impose no additional costs upon the state. The fees imposed upon the publishers will cover the cost of the review incurred by the state.

**C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS**

None. The proposed regulations have no impact on a state program with federal funding.



Linda Hakala, Consultant  
Government Affairs Division

Feb. 10, 2015  
Date



Monique Ramos, Director  
Government Affairs Division

2/13/15  
Date

## AAV of Item 11 Attachment 4

Accessible Alternative Version (AAV) of Item 11 Attachment 4 for the July 2015 SBE Meeting Agenda.

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This page is the Accessible Alternative Version (AAV) of Item 11 Attachment 4 from the California State Board of Education (SBE) Meeting Agenda for July 2015. The scanned [Item 11 Attachment 4](#) (PDF) version is considered to be the official version of the document.

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### Economic and Fiscal Impact Statement

(REGULATIONS AND ORDERS). *User entries from the STD. 399 (REV. 12/2013) Form.*

**Department Name:** Education

**Contact Person:** Linda Hakala

**E-mail Address:** [lhakala@cde.ca.gov](mailto:lhakala@cde.ca.gov)

**Telephone Number:** 916-319-0658

**Descriptive Title From Notice Register Or From 400:** Procedures for Reviewing Proposed Revisions to Adopted Instructional Materials (dated January 6, 2015)

**Notice File Number:** Z

### Economic Impact Statement

**Section A. ESTIMATED PRIVATE SECTOR COST IMPACTS** (Include calculations and assumptions in the rulemaking record.)

**Section A.1.** Check the appropriate box(es) below to indicate whether this regulation:

- Selected option is H: None of the above (Explain below)
- Option H explanation: *The regulations align to Education Code and would not impose additional private sector costs.*

### Fiscal Impact Statement

**Section A. FISCAL EFFECT ON LOCAL GOVERNMENT** (Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)

- Selected option is 6: Other. Explain. *The regulations do not impose any additional costs as they further define the Education Code related to publisher-proposed revisions to adopted instructional materials.*

**Section B. FISCAL EFFECT ON STATE GOVERNMENT** (Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)

- Selected option is 4: Other. Explain. *The regulations do not impose any additional costs as they concur with existing regulations and serve only to define the procedure, including assessment of fees, for publisher-proposed revisions to adopted instructional materials as provided in the Education Code.*

**Section C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS** (Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)

- Selected option is 3: No fiscal impact exists. This regulation does not affect any federally funded State agency or program.

**Fiscal Officer Signature:** Signed by Linda Hakala dated February 10, 2015

*The signature attests that the agency has completed the STD.399 according to the instructions in the State Administrative Manual (SAM) sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or department not under an Agency Secretary must have the form signed by the highest ranking official in the organization.*

**Agency Secretary:** Contains signature dated February 19, 2015

*Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.*

**Economic and Fiscal Impact Analysis  
Proposed Amendments of Title 5, CCR, Regulations  
Procedures for Reviewing Proposed Revisions to Adopted Instructional Materials**

The Fiscal Policy Office has reviewed for economic and fiscal impact the proposed regulations adding section 9526 to Article 2, Subchapter 1, Chapter 9, Division 1, of Title 5, of the *California Code of Regulations*, relating to the procedures for reviewing proposed revisions to State Board adopted instructional materials.

**What would the proposed regulations do?**

The proposed regulations are necessary to facilitate the review of publisher-proposed revisions to the adopted instructional materials. The regulations establish the revision review process, including the assessment of a fee as stipulated in statute.

**ECONOMIC IMPACT STATEMENT**

**A. A. ESTIMATED PRIVATE SECTOR COST IMPACTS**

None. The proposed regulations impose no additional costs upon the private sector.

**FISCAL IMPACT STATEMENT**

**A. A. FISCAL EFFECT ON LOCAL GOVERNMENT**

None. The proposed regulations impose no additional costs upon local government.

**B. B. FISCAL EFFECT ON STATE GOVERNMENT**

None. The proposed regulations would impose no additional costs upon the state. The fees imposed upon the publishers will cover the cost of the review incurred by the state.

**C. C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS**

None. The proposed regulations have no impact on a state program with federal funding.

Signed by Linda Hakala, Consultant, Government Affairs Division, dated February 10, 2015

Signed by Monique Ramos, Director, Government Affairs Division, dated February 13, 2015



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

SUBJECT	
Modification to the State Board Adopted Guidelines for the <i>Science Framework for California Public Schools</i> .	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

---

California *Education Code (EC)* Section 60200.9 requires the State Board of Education (SBE) to adopt a revised science framework and evaluation criteria for instructional materials in science. The revised *Science Framework for California Public Schools (Science Framework)* shall be based on the science content standards adopted pursuant to *EC* Section 60605.85. Based on feedback from several focus groups, the Instructional Quality Commission (IQC) recommended guidelines to direct the work of the Curriculum Framework and Evaluation Criteria Committee. The SBE approved the guidelines on July 10, 2014. The guidelines directed the work of the Science Curriculum Framework and Evaluation Criteria Committee (Science CFCC). At the July 2015 meeting, the SBE will modify the guidelines for the 2016 revision of the *Science Framework*.

#### **RECOMMENDATION**

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The CDE recommends that the SBE approve the modifications to the guidelines for the 2016 revision of the *Science Framework*.

#### **BRIEF HISTORY OF KEY ISSUES**

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Revising the *Science Framework* to align with the new science standards is an important component in the implementation of the *Next Generation Science Standards for California Public Schools (CA NGSS)* adopted by the SBE in September 2013. The revision of the *Science Framework* is a multi-step process involving educators, content experts, and other education and community stakeholders. Throughout the revision process, there are opportunities for public input at meetings of the Science CFCC, the IQC, SBE, and during two 60-day public review periods.

At its July 2014 meeting, the SBE approved 20 members of the Science CFCC and the “Curriculum Framework and Evaluation Criteria Committee Guidelines for the 2016 Revision of the *Science Framework for California Public Schools*.” The Science CFCC began its work in September 2014 with a two-day meeting on September 9–10. That was followed by meetings on October 9–10, 2014 and November 5–6, 2014. Meetings that had been scheduled for December 11–12, 2014, and February 26–27, 2015, were rescheduled.

An additional meeting of the Science CFCC was held on January 22–23, 2015, as scheduled in the original timeline. The revised timeline provides for additional Science CFCC meetings on March 26–27, 2015, and May 20–21, 2015, and allows the IQC additional time to prepare the draft document for the first 60-day field review as required by the *California Code of Regulations*, Title 5 (5 CCR).

CDE staff and the Science CFCC has been diligent in their efforts to meet all of the guidelines adopted by the SBE at its July 2014 meeting. Currently, guideline 1.S. reads “Include a narrative and rationale for the preferred CA Integrated Learning Progression Courses for Middle Grades Six through Eight in the framework. Also include a discussion and rationale for the Alternative Discipline Specific Courses for Grades Six through Eight in the framework appendix.” This guideline should be modified to read: “Include a narrative and rationale for the preferred CA Integrated Learning Progression Courses for Middle Grades Six through Eight, and narrative and rationale for the Alternative Discipline Specific Courses for Grades Six through Eight in the framework.” The current wording obscures the role of discipline specific courses and gives the appearance that districts would not be supported in implementing the discipline specific sequence of courses. In order to allow districts more flexibility, the recommendation is to remove the word “appendix” and allow for a narrative of both course models in the body of the framework. At the same time, this revision will signal to publishers of instructional materials that both types of programs may be submitted in the next adoption of science instructional material to meet the districts’ needs.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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**July 2014:** The SBE appointed 20 members of the Science CFCC and approved guidelines to direct the work of the Science CFCC on the development of the new framework.

**January 2014:** The SBE approved the timeline and Science CFCC application form for the 2016 revision of the *Science Framework*. The Science CFCC application was available online from January 15 through April 18, 2014.

**November 2013:** The SBE took action on the middle grades learning progressions.

**October 2013:** Governor Brown signed Senate Bill (SB) 300, requiring the SBE to consider the adoption of a revised curriculum framework and evaluation criteria for instructional materials in science on or before January 31, 2016.

**September 2013:** Pursuant to SB 300 (2011) and SB 1200 (2012), the SBE adopted the CA NGSS.

**January 2008:** The SBE adopted new 5 CCR sections governing the curriculum framework and instructional materials adoption process.

#### **FISCAL ANALYSIS (AS APPROPRIATE)**

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The cost to revise the *Science Framework* is anticipated to be a total of \$349,700 over two budget years, 2014–2015 and 2015–2016. This cost includes the expenses of the focus groups, the Science CFCC, and the meetings of the IQC and Science Subject Matter Committee.

The expenses are also comprised of the costs of a contracted *Science Framework* writing team and other costs associated with the procedures mandated in 5 CCR regulations for the adoption of curriculum frameworks. In addition, the CDE budget will cover the anticipated \$1.54 million in CDE staff costs. Costs to revise the *Science Framework* will be paid by State General Fund dollars.

#### **ATTACHMENT(S)**

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Attachment 1: *Modified Curriculum Framework and Evaluation Criteria Committee Guidelines for the Science Framework for California Public Schools, Kindergarten through Grade Twelve (10 Pages).*

***Modified Curriculum Framework and Evaluation Criteria Committee Guidelines for the Science Framework for California Public Schools, Kindergarten through Grade Twelve<sup>1</sup>***

The State Board of Education (SBE) approved the guidelines on July 10, 2014. The guidelines will direct the work of the science Curriculum Framework and Evaluation Criteria Committee (science CFCC).

The following guidelines are based on statutory requirements, information provided by the Instructional Quality Commission and the State Board of Education (SBE), feedback from the five focus group meetings held in January and February 2014, and public comment.

**1. In general, the updated *Science Framework for California Public Schools, Kindergarten through Grade Twelve (Science Framework)* shall:**

- A. Be aligned to the *Next Generation Science Standards for California Public Schools, Kindergarten Through Grade Twelve (CA NGSS)* and the NGSS Appendices A-M, adopted by the SBE in September 2013.
- B. Be aligned to the CA NGSS Integrated Learning Progression Courses for Middle Grades Six through Eight as recommended by the Science Expert Panel (SEP) and the State Superintendent of Public Instruction (SSPI), and adopted in November 2013 by the SBE as California's preferred model.
- C. Provide an overview of the CA NGSS including an explanation of how the standards are organized.
- D. When appropriate, follow the organization and design of other standards-based frameworks.
- E. Clearly state the basic overarching purpose and goals of the *Science Framework*.
- F. Retain and reaffirm the "State Board of Education Policy on the Teaching of Natural Sciences."
- G. Provide a clear and concise narrative that serves the needs of teachers, educators, curriculum leaders, family members, and students and that reflects current and confirmed research.

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<sup>1</sup> At its July 9–10, 2014, meeting, the SBE approved the guidelines for the 2016 revision of the *Science Framework*.

- H. Explain how the *CA NGSS* align to the *California Common Core State Standards for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects (CA CCSS ELA/Literacy)*, the *California Common Core State Standards for Mathematics (CA CCSSM)*, and the *California English Language Development (CA ELD)* standards.
- I. Discuss lab safety and access to laboratory equipment and supplies aligned to the *CDE Science Safety Handbook for California Public Schools*.
- J. Support and clearly outline the progression of learning from transitional kindergarten through high school (vertical alignment maps) to ensure that all students can achieve college, career, and citizenship readiness.
- K. Identify and discuss the major conceptual shifts as identified in Appendix A of the *CA NGSS*.
- L. Include guidance, resources, and references for more standards-based, hands on science activities.
- M. Be a living document with annotated links that include an explanation of implementation tools, research-based instructional practices, model/sample exemplars, and high-quality research.
- N. Provide appropriate guidance for teachers with educational backgrounds in science and those without such experience including those with multiple subject credentials.
- O. Provide guidance from the *CA NGSS* appendices A–M.
- P. Include guidance regarding how the “Performance Expectations,” “Disciplinary Core Ideas,” “Crosscutting Concepts,” and “Science and Engineering Practices” should be implemented together in classroom instruction.
- Q. Provide research-based effective models for instruction throughout the narrative and in vignettes to support teachers as they implement the *CA NGSS*, with examples using subject areas other than science and specific attention to the “Science and Engineering Practices” and the differences between them when used for science or engineering.
- R. Guidance for “bundling” the “Performance Expectations” in alignment with guidance documents at the national level and multi-state organizations.
- S. Include a narrative and rationale for the preferred *CA Integrated Learning Progression Courses* for Middle Grades Six through Eight in the framework. Also

include a narrative and rationale for the Alternative Discipline Specific Courses for Grades Six through Eight in the framework. appendix.

- T. Provide course sequences for high school level based on the “Course Maps” provided in Appendix K of the NGSS with a discussion of A–G requirements for college and university entry.
  - U. Provide guidance for teachers to implement the CA CCSS ELA/Literacy, grades TK–12, including recommended literature and informational text suggestions for the science classroom.
  - V. Feature a glossary of relevant science terms.
  - W. Reference the Environmental Education Initiative (EEI) curriculum and incorporate California’s approved Environmental Principles and Concepts (EP&Cs) pursuant to *EC* Section 71301, *Public Resources Code*.
  - X. Discuss human tissue and organ donation as appropriate pursuant to *EC* Section 33542.
  - Y. Promote and provide guidance in the creation of Science Technology Engineering and Mathematics (STEM) programs to encourage groups that are currently underrepresented in STEM fields to seek careers in STEM-related fields.
  - Z. Discuss trends and research in science, including medical research, neuroscience and neurological diseases (such as Amyotrophic Lateral Sclerosis, or Lou Gehrig’s disease) and inform students about career pathways in science.
  - AA. Provide links to resources and curriculum related to the *CA NGSS*.
  - BB. Provide guidance for incorporating or including nature of science as described in Appendix H.
- 2. The revised *Science Framework* will address instructional strategies and professional learning, including the following:**
- A. Instructional strategies based on current and confirmed research that support student engagement in the science curriculum and incorporate science inquiry skills, such as, but not limited to, the use of interactive science notebooks, scientific discourse, argument, evidence, and scientific debate, and the 5E Learning Cycle.

- B. Suggestions for low-cost laboratories at every grade level, and recommended ways to assess student learning using laboratory assignments.
  - C. Discussion of a variety of research-based instructional models.
  - D. Support for a collaborative teaching model that encourages teachers to work with colleagues across subjects and grade levels.
  - E. Guidance for teachers regarding how to use technology, real world applications, project-based learning, and performance tasks to develop literacy.
  - F. Discussion and examples on effective models of professional learning.
  - G. Guidance on developing professional learning communities to promote ongoing professional growth to develop and inform effective practice.
  - H. Information for district administrators to support teachers with professional learning opportunities as they implement the *CA NGSS*, as well as guidance regarding professional learning for administrators implementing the *CA NGSS*.
  - I. An explanation of Webb's "Depth of Knowledge Levels" and guidance for teachers to deliver rigorous and challenging science instruction at all grade levels.
  - J. Information that supports the development of academic and content-specific vocabulary.
- 3. The revised *Science Framework* will address the topic of assessment and include the following:**
- A. The latest scholarly research on effective assessment strategies.
  - B. Clarification on the purposes and examples of various types of assessment including: entry-level, diagnostic, ongoing formative, performance-based, interim, and summative.
  - C. Guidance on the use of assessment results to monitor, plan, and adjust instruction and improve achievement for all students.
  - D. Guidance on developing and using formative and summative assessment tools, such as rubrics, technology, portfolios, exemplars, collaborative conversations, teacher observations, and authentic writing for students to demonstrate grade-level proficiency.

- E. Guidance to teachers on how to develop students' abilities and metacognition in order to take responsibility for their own assessments, growth, and goals, and to organize ongoing information for students' self-assessments.
- F. Discussion of how assessments should be based on multiple measures of student ability and include a variety of techniques for various learning styles and levels of readiness.
- G. Suggestions for low-cost laboratories at every grade level, and recommended ways to assess student learning using laboratory assignments.
- H. Current information on California's assessment of the *CA NGSS*.

**4. The revised *Science Framework* will address the topic of providing access and equity in the classroom and support teachers in providing standards-aligned instruction to all learners. The framework will include:**

- A. Explanations of Universal Design for Learning (UDL) and Multi-Tiered Systems of Support (MTSS) and their implications for science instruction.
- B. Suggestions for making academic and content-specific vocabulary accessible to all students.
- C. Specific examples of differentiated instruction, including scaffolding and critical-thinking questioning strategies.
- D. Research-based instructional strategies, including the use of technology, to motivate and meet the needs of **all** students, including, but not limited to:
  - English Learners
  - Advanced learners
  - Students with disabilities
  - Young women
  - Students with reading skills below grade level
  - Underachieving students
  - Standard English Learners
  - Students living in poverty
  - Foster youth
- E. Include relevant research from the *CA ELA/ELD Framework* that applies to literacy development in the science classroom.
- F. Support for teachers in meeting the needs of students with diverse cultural and educational backgrounds.

- G. Examples of effective instructional strategies at various grade levels that include pre-teaching, a focus on good first instruction, rigor, and high expectations for all students and how the sharing of effective instructional strategies facilitates collaboration among educators across the curriculum and grades.

**5. The revised *Science Framework* will address teaching and learning science in the 21<sup>st</sup> century and include the following:**

- A. The importance of strategies that support critical thinking, collaboration, creativity, and communication in the science classroom.
- B. A discussion regarding how the CA NGSS are designed to prepare students for college, career, and citizenship.
- C. Examples of instructional strategies in the science classroom, including those that highlight the science and engineering practices and support the development of 21<sup>st</sup> century skills.
- D. Discussion of the strengths and limitations of various technological tools and media, the selection and use of the tool(s), and strategies best suited science instruction.
- E. Support for the strategic use of technology in the classroom at different grade levels and for different purposes, considering, equity and access issues throughout the state.
- F. Information regarding the use of technology to deliver assessments, analyze the results, and provide targeted information to increase student learning and intervention.
- G. References and links to technology-based tools and strategies for instruction and learning (e.g., performance tasks, project-based learning, research, integration, production, distribution, and presentation of knowledge and ideas).
- H. Information on the role of technology in professional learning and resources for online professional learning.
- I. Discussion of the role of technology in supporting universal access.

**6. The revised *Science Framework* will provide guidance on implementing high-quality science instruction, which includes information for all stakeholders, and include the following:**

- A. Discussion of the role of district and site leaders in supporting the implementation of high-quality science programs grades TK-12, including the fiscal and infrastructural support to build and maintain those programs.
- B. Resources for administrators including information clarifying and supporting the instructional shifts required for NGSS and support for parents/families and other stakeholders, including guidance on collaboration between work, school, and home.
- C. Guidance for administrators and teachers to build partnerships with external organizations, including higher education and industry.
- D. Resources for teachers and administrators to provide students with real-world science experiences and expose students to various careers in the field of science.
- E. A list of state organizations and community resources to support teachers and administrators in building robust science programs at their sites.
- F. Suggestions for enriching science activities beyond the regular school day to pique students' interest in science.

**7. The revised *Science Framework* will include a chapter on instructional materials that incorporates the criteria for evaluating K–8 instructional materials and general information.**

**The criteria for evaluating K–8 instructional materials will:**

- A. Require alignment to the CA NGSS, adopted by the SBE in September 2013 for grades K–5 and materials from grades 6–8 will be aligned to preferred Integrated Learning Progression Courses for Middle Grades Six through Eight adopted in November 2013 and/or the Alternative Discipline Specific Courses for Grades Six through Eight.
- B. Request that publishers and producers of instructional materials provide assessment practices (e.g., entry-level, diagnostic, formative, interim, performance-based, and summative) at each grade level necessary to prepare all students for success in higher level science instruction.
- C. Request that publishers and producers of instructional materials provide embedded assessments and guidance for their use in the classroom.
- D. Require instructional materials to be consistent with the revised science framework and standards.

- E. Provide opportunities for hands-on activities and include discussion of equipment and materials for any hands-on activities, guidance on obtaining those materials inexpensively, and explicit instructions for organizing and safely conducting the instruction.
- F. Include instructions to publishers and producers of instructional materials to incorporate strategies for English learners that are consistent with the ELD standards adopted by the SBE in November 2012, pursuant to *EC* Section 60204(b)(1).
- G. Request that science materials provide support for instruction in English and another language to support biliteracy, English language development, and *CA NGSS*.
- H. Include strategies that are consistent with the *CA NGSS* to support student achievement in mastering the grade-level standards.
- I. Include instructions to publishers and producers of instructional materials to incorporate instructional strategies to address the needs of students with disabilities in both lessons and teacher's editions, as appropriate, at every grade level pursuant to *EC* Section 60204(b)(2).
- J. Require instructional materials to discuss humanity's place in ecological systems and the necessity for protection of our environment (*EC* Section 60041, and *Public Resources Code* Section 71301).
- K. Include specific criteria for technology-based instructional materials and online curriculum.
- L. Be consistent with criteria developed by collaborative multi-state organizations, recognizing the unique needs of California.
- M. Support teachers in connecting the *CA NGSS* to the *CCSS* strand for Literacy in History/Social Studies, Science and Technical Subjects, grades K–12

**The criteria for evaluating grades 9–12 instructional materials will:**

- A. Include guidance for local educational agencies to determine the extent that instructional materials align with the *CA NGSS*, recognizing that not all standards may be taught in a particular course, and a combination of materials may be used to teach all grade-level standards.

**Guidance on Open Education Resources**

- A. Include guidance and references to using Open Educational Resources (OER) and how they provide opportunities for increasing equity and access to high-quality TK–12 education. At the same time, the discussion should focus on the

available evaluation instruments and how OERs are being incorporated into classrooms.

## 8. Statutory Requirements

The framework update must reflect changes in statute affecting the science curriculum and instructional materials that have been enacted since the last revision of the *Science Framework*, in addition to continuing statutes. These statutes require that certain topics may need to be referenced in the *Science Framework*. These include, but are not necessarily limited to, the following topics:

- The availability of sufficient textbooks and other instructional materials in the core curriculum areas, including science and science laboratory equipment for grades nine through twelve as appropriate (*EC* sections 33126[6][B] and 60119).
- Teacher assignment to a class for which the teacher lacks subject matter competency (*EC* Section 35186[4][e][2][C]).
- Maximum weight standards for textbooks for students in elementary and secondary schools (*EC* Section 4915).
- Adopted course of study for grades one to six in science include the biological and physical aspects of science, with emphasis on the processes of experimental inquiry and on the place of humans in ecological systems (*EC* Section 51210[d]).
- The objectives of a credentialed teacher designated as a science coach by a governing board of a school district (*EC* Section 51210.3).
- Adopted course of study for grades seven through twelve in science includes the physical and biological aspects with emphasis on basic concepts, theories, and processes of scientific investigation, the place of humans in ecological systems, and appropriate applications of interrelation and interdependence of the sciences (*EC* Section 51220[e]).
- The Environmental Principles & Concepts developed by the California Environmental Protection Agency and adopted by the SBE (*EC* Section 71301, *Public Resources Code*)
- Environmental education topics, including but not limited to integrated waste management, energy conservation, water conservation, pollution prevention, air resources, integrated pest management, toxic materials, wildlife conservation, and forestry (*EC* Section 33541 [a-b]).

- The subject of organ procurement and tissue donation (*EC Section 33542*).
- English language development strategies aligned to the *California English Language Development Standards*, as well as strategies to address the needs of pupils with disabilities (*EC Section 60200.9*).



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

<b>SUBJECT</b>	
Consideration of Requests for Determination of Funding as Required for Nonclassroom-based Charter Schools Pursuant to California <i>Education Code</i> Sections 47612.5 and 47634.2, and Associated <i>California Code of Regulations</i> , Title 5.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE**

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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**

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The CDE recommends that the SBE approve the determinations of funding and the periods specified for San Diego Virtual School and Squaw Valley Preparatory charter schools as provided in Attachment 1.

#### **Advisory Commission on Charter Schools Recommendation**

The ACCS met on June 10, 2015, and voted unanimously to approve the CDE recommendation that the SBE approve the determinations of funding and the periods specified as provided in Attachment 1.

#### **BRIEF HISTORY OF KEY ISSUES**

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San Diego Virtual School and Squaw Valley Preparatory charter schools 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.

*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. Squaw Valley Preparatory requested five years but did not qualify on the API rankings.

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, the CDE recommends four years for San Diego Virtual School and three years for Squaw Valley Preparatory. The number of years recommended is based on the number of years the charter school has been in operation.

The funding determination requests are provided in Attachments 2 through 3 of Agenda Item 1 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/accsnotice061015.asp>

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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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)**

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If approved, the charter schools listed in Attachment 1 would receive apportionment funding under the Local Control Funding Formula model.

## **ATTACHMENT**

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Attachment 1: California Department of Education Determination of Funding Recommendation for Nonclassroom-based Charter Schools (1 Page)

**California Department of Education  
 Determination of Funding Recommendation for Nonclassroom-based Charter Schools**

<b>County-District-School Code</b>	<b>Charter Authorizer</b>	<b>County</b>	<b>Charter School (Charter Number)</b>	<b>First Year of Operation</b>	<b>Percent Spent on Certificated Staff Compensation<sup>^</sup></b>	<b>Percent Spent on Instruction and Instruction-Related Services<sup>^</sup></b>	<b>Pupil-Teacher Ratio<sup>^</sup></b>	<b>Funding Determination and Years Requested by Charter School</b>	<b>CDE Proposed Recommendation Funding Determination and Years</b>
31-66852-0127902	Newcastle Elementary	Placer	Squaw Valley Preparatory (1529)	2013–14	60.31%	80.11%	13.00:1	100% for 5 Years (2015–16 through 2019–20)	*100% for 3 Years (2015–16 through 2017–18)
37-68213-0123224	Mountain Empire Unified	San Diego	San Diego Virtual School (1264)	2010–11	40.24%	91.96%	25.00:1	100% for 4 Years (2015–16 through 2018–19)	*100% for 4 Years (2015–16 through 2018–19)

<sup>^</sup>The 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.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

SUBJECT	
Consideration of Retroactive Requests for Determination of Funding as Required for Nonclassroom-based Charter Schools Pursuant to California <i>Education Code</i> Sections 47612.5 and 47634.2, and Associated <i>California Code of Regulations</i> , Title 5.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> 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(a), any determination of funding request approved by the SBE for a newly operational charter school must be submitted by December 1 of the charter school's first year of operation. The CDE received completed requests from Success 1! and Delta Charter Online after the December 1, 2014, deadline, thereby making each request retroactive. Since the charter schools did not submit a completed request by the regulatory filing deadline, Success 1! And Delta Charter Online were each required to request a waiver for SBE approval to allow the charter school to request a retroactive funding determination.

The waivers were submitted to the SBE requesting approval for a retroactive funding determination for fiscal year (FY) 2014–15. The waivers were approved by the SBE at its May 2015 meeting. The waiver requests are provided in the SBE May 2015, Meeting Notice for the SBE Web page located at <http://www.cde.ca.gov/be/ag/ag/yr15/documents/may15w01.doc>.

#### RECOMMENDATION

The CDE recommends that the SBE approve the determinations of funding as provided in Attachment 1.

## **Advisory Commission on Charter Schools Recommendation**

The ACCS met on June 10, 2015 and voted unanimously to approve the CDE recommendation that the SBE approve the determinations of funding as provided in Attachment 1.

### **BRIEF HISTORY OF KEY ISSUES**

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Success 1! and Delta Charter Online 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 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(a) requires a determination of two years for a new charter school in its first year of operation.

The CDE recommends a determination of two years since Success 1! and Delta Charter Online are each in its first year of operation, as provided in Attachment 1.

The funding determination requests are provided in Attachments 2 through 3 of ACCS Agenda Item 2 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/accsnotice061015.asp>

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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At its May 2015 meeting, the SBE approved the CDE's recommendation to approve Glenn County Office of Education's and New Jerusalem Elementary School District's request to waive specific portions of 5 CCR Section 11963.6 (a), which allow Success 1! and Delta Charter Online to submit a determination of funding request for the retroactive 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 non-recurring action item for the SBE.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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If approved, the charter schools listed in Attachment 1 would receive apportionment funding under the Local Control Funding Formula model.

### **ATTACHMENT**

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Attachment 1: California Department of Education Determination of Funding Recommendation for Nonclassroom-based Charter Schools (1 Page)

California Department of Education

Determination of Funding Recommendation for Nonclassroom-based Charter Schools

CDS Code	Charter Authorizer	County	Charter School (Charter Number)	First Year of Operation	Percent Spent on Certificated Staff Compensation <sup>^</sup>	Percent Spent on Instruction and Instruction-Related Services <sup>^</sup>	Pupil-Teacher Ratio <sup>^</sup>	Funding Determination and Years Requested by Charter School	CDE Recommendation Funding Determination and Years
11-10116-0130724	Glenn County Office of Education	Glenn	Success 1! (1666)	2014–15	42.46%	82.80%	25.00:1	100% for 2 Years (2014–15 through 2015–16)	*100% for 2 Years (2014–15 through 2015–16)
39-68627-0130864	New Jerusalem Elementary School District	San Joaquin	Delta Charter Online (1654)	2014–15	58.48%	80.18%	22.00:1	100% for 2 Years (2014–15 through 2015–16)	*100% for 2 Years (2014–15 through 2015–16)

<sup>^</sup>The spending percentages and pupil-teacher ratio correspond to the charter school's funding determination request as originally submitted to the California Department of Education.

\*California Code of Regulations, Title 5 (CCR) Section 11963.6(a) requires a determination of two years for a new charter school in its first year of operation.

At its May 2015 meeting, the State Board of Education approved the request to waive specific portions of 5 CCR Section 11963.6(a), for the fiscal period of July 1, 2014, through June 30, 2015.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

SUBJECT	
Consideration of a Retroactive Request for Determination of Funding with "Reasonable Basis"/Mitigating Circumstances as Required for a Nonclassroom-based Charter School Pursuant to California <i>Education Code</i> sections 47612.5 and 47634.2, and Associated <i>California Code of Regulations</i> , Title 5.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### SUMMARY OF THE ISSUE

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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.

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 Long Valley Charter School (LVCS) after the required February 1, 2015, deadline, thereby making the request retroactive, not prospective. LVCS 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 May 2015 meeting. The waiver request is provided in the SBE May 2015, Meeting Notice for the SBE Web page located at <http://www.cde.ca.gov/be/ag/ag/yr15/agenda201505.asp>.

#### RECOMMENDATION

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The CDE recommends that the SBE approve the mitigating circumstances request and the proposed determination of funding for LVCS as provided in Attachment 1.

## Advisory Commission on Charter Schools Recommendation

The ACCS met on June 10, 2015 and voted unanimously to approve the CDE recommendation that the SBE approve the mitigating circumstances request and the determination of funding as provided in Attachment 1.

### **BRIEF HISTORY OF KEY ISSUES**

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LVCS 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. 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.

LVCS does not meet the criteria to qualify for a recommendation of 100 percent funding based on reported FY 2013–14 data. Therefore, LVCS submitted a request to consider mitigating circumstances. A summary of the request from LVCS is provided below.

LVCS (#1549) is requesting a 100 percent determination of funding for three years with the consideration of the charter school's mitigating circumstances. LVCS reported expenditures of 28.95 percent on certificated staff costs and expenditures of 55.77 percent on instruction and instruction related services costs, which make the charter school ineligible for a determination of funding. Based on LVCS's 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 circumstances, the regulation requires the ACCS to recommend that the SBE deny the request unless there is a reasonable basis to recommend otherwise.

LVCS's mitigating circumstances request cites conserving cash due to the uncertainty in the amount of funding that LVCS would be funded for from the first year implementation of the Local Control Funding Formula (LCFF) in FY 2013–14. LVCS received approximately 42 percent or \$1.5 million of its total LCFF entitlement after the FY 2013–14 ended. The CDE finds that the information submitted supports the claim for mitigating circumstances in that due to the uncertainty of LCFF funding levels, LVCS exercised fiscal caution during FY 2013–14 and, as a result, was unable to meet the funding determination criteria for full funding. 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 FYs (2015–16 through 2016–17) instead of the three years requested by the charter school as provided in Attachment 1.

The funding determination request and mitigating circumstances are provided in Attachments 2 through 3 of Agenda Item 3 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/accsnotice061015.asp>.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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At its May 2015 meeting, the SBE approved the CDE's recommendation to approve Ravendale-Termo Elementary School District's request to waive specific portions of 5 CCR, Section 11963.6(c), which allows LVCS 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 non-recurring action item for the SBE.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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If approved, the charter school listed in Attachment 1 would receive apportionment funding under the Local Control Funding Formula model.

## **ATTACHMENT**

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Attachment 1: California Department of Education Determination of Funding Recommendation for a Nonclassroom-based Charter School (1 Page)

California Department of Education

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 with Mitigating Circumstances	Funding Determination Without Mitigating Circumstances (5 CCR Section 11963.4)	CDE Recommendation Funding Determination and Years*	CDE Recommendation Mitigating Circumstances Provided
18-64162-6010763	Ravendale-Termo Elementary School District / Lassen	Long Valley Charter School (1549)	2013-14	28.95%	55.77%	23.77:1	100% for 3 Years (2015-16 through 2017-18)	Deny	100% for 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 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 May 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

### JULY 2015 AGENDA

SUBJECT	
Consideration of a Request for Determination of Funding with “Reasonable Basis”/Mitigating Circumstances as Required for a Nonclassroom-based Charter School Pursuant to California <i>Education Code</i> Sections 47612.5 and 47634.2, and Associated <i>California Code of Regulations</i> , Title 5.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> 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

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The CDE recommends that the SBE approve the mitigating circumstances request and the proposed determination of funding for Pioneer Technical Center (PTC) as provided in Attachment 1.

#### Advisory Commission on Charter Schools Recommendation

The ACCS met on June 10, 2015, and voted unanimously to approve the CDE recommendation that the SBE approve the mitigating circumstances request and the determination of funding as provided in Attachment 1.

#### BRIEF HISTORY OF KEY ISSUES

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PTC 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 (ADA) 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. 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 ADA or that are in their first year of operation serious consideration of full funding.

PTC does not meet the criteria to qualify for a proposed recommendation of 100 percent funding based on reported fiscal year (FY) 2013–14 data. Therefore, the charter school submitted a request to consider mitigating circumstances. A summary of the request from PTC is provided below.

PTC (#460) is requesting a 100 percent determination of funding for two years with the consideration of the charter school's mitigating circumstances. PTC reported expenditures of 51.36 percent on certificated staff costs; however, it reported 71.55 percent on instruction and instruction-related services, which qualifies PTC for a determination of funding of 85 percent.

PTC's mitigating circumstances request cites conserving cash due to the uncertainty in the amount of funding that the charter school would be funded for from the first year implementation of the Local Control Funding Formula (LCFF) in FY 2013–14. PTC received approximately 14 percent or \$100,846 of its total LCFF entitlement after the FY 2013–14 ended and funding of \$74,000 was withheld pending reclassification of a portion of PTC's ADA. The CDE finds that the information submitted supports the claim for mitigating circumstances in that due to the uncertainties of LCFF funding levels, PTC exercised fiscal caution during FY 2013–14 and, as a result, was unable to meet the funding determination criteria for full funding. Therefore, the CDE recommends a funding determination of 100 percent for two FYs (2014–15 through 2015–16) as provided in Attachment 1.

The funding determination request and mitigating circumstances are provided in Attachments 2 through 3 of Agenda Item 4 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/accsnotice061015.asp>.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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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)**

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If approved, the charter school listed in Attachment 1 would receive apportionment funding under the Local Control Funding Formula model.

## **ATTACHMENTS**

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Attachment 1: California Department of Education Determination of Funding  
Recommendation for a Nonclassroom-based Charter School (1 Page)

**California Department of Education  
 Determination of Funding Recommendation for a Nonclassroom-based Charter School**

<b>CDS Code</b>	<b>Charter Authorizer / County</b>	<b>Charter School (Charter Number)</b>	<b>First Year of Operation</b>	<b>Percent Spent on Certificated Staff Compensation<sup>^</sup></b>	<b>Percent Spent on Instruction and Instruction-Related Services<sup>^</sup></b>	<b>Pupil-Teacher Ratio<sup>^</sup></b>	<b>Funding Determination and Years Requested by Charter School With Mitigating Circumstances</b>	<b>Funding Determination Without Mitigating Circumstances (5 CCR Section 11963.4)</b>	<b>CDE Recommendation Funding Determination and Years<sup>*</sup></b>	<b>CDE Recommendation Mitigating Circumstances Provided</b>
20-10207-2030229	Madera County Office of Education / Madera	Pioneer Technical Center (0460)	2002-03	51.36%	71.55%	19.60: 1	100% for 2 Years (2014-15 through 2015-16)	85%	100% for 2 Years (2014-15 through 2015-16)	Yes

<sup>^</sup>Spending percentages and pupil to teacher ratio correspond to the charter school's funding determination request as originally submitted to the California Department of Education (CDE).

<sup>\*</sup>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.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

<b>SUBJECT</b>	
Approval of the Charter School Numbers Assigned to Newly Established Charter Schools.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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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**

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The CDE recommends that the SBE assign charter numbers to the charter schools identified in Attachment 1.

#### **BRIEF HISTORY OF KEY ISSUES**

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Since the charter school law was enacted in 1992, the SBE has assigned numbers to 1,742 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 2015–16 is 1,950. 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**

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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)**

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There is no fiscal impact to the state resulting from the assignment of numbers to recently authorized charter schools.

## **ATTACHMENT(S)**

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Attachment 1: Assignment of Numbers for Charter School Petitions (3 Pages)

**Assignment of Numbers for Charter School Petitions**

Number	Term	Charter Name	County	Authorizing Entity	Classroom-Based/ Nonclassroom-Based
1743	7/1/2015– 6/30/2020	Voices College-Bound Language Academy at Mt. Pleasant	Santa Clara	Santa Clara County Office of Education	Classroom-Based
1744	2/1/2015– 6/30/2019	Valiente College Preparatory Charter School	Los Angeles	Los Angeles County Office of Education	Classroom-Based
1745	7/1/2015– 6/30/2020	Conservatory of Vocal/Instrumental Arts High School	Alameda	Oakland Unified School District	Classroom-Based
1746	7/1/2015– 6/30/2020	Empowering Possibilities International Charter	Yolo	Yolo County Office of Education	Classroom-Based
1747	7/1/2015– 6/30/2020	Encore High School of the Arts-Riverside	Riverside	Riverside Unified School District	Classroom-Based
1748	7/1/2015– 6/30/2020	Inspire Charter School-South	San Diego	Dehesa School District	Nonclassroom-Based
1749	7/1/2015– 6/30/2020	Beacon Classical Academy National City	San Diego	National School District	Classroom-Based
1750	7/1/2015– 6/30/2020	Denair Elementary Charter Academy	Stanislaus	Denair Unified School District	Classroom-Based

Number	Term	Charter Name	County	Authorizing Entity	Classroom-Based/ Nonclassroom-Based
1751	7/1/2015– 6/30/2020	Community Collaborative Charter School	Los Angeles	Acton-Agua Dulce Unified School District	Nonclassroom-Based
1752	7/1/2015– 6/30/2020	Vista Heritage Charter Middle School	Orange	Orange County Department of Education	Classroom-Based
1753	7/1/2015– 6/30/2020	Via Esperanza Charter School	Sonoma	Santa Rosa City Schools	Classroom-Based
1754	8/17/2015– 6/19/2020	Evergreen Institute of Excellence	Tehama	Evergreen Union School District	Nonclassroom-Based
1755	7/1/2015– 6/30/2020	California Prep Sutter K–7	Sutter	Meridian Elementary School District	Nonclassroom-Based
1756	7/1/2015– 6/30/2020	California Prep Sutter 8–12	Sutter	Meridian Elementary School District	Nonclassroom-Based
1757	7/1/2015– 6/30/2020	Shasta County Independent Study Charter School	Shasta	Shasta County Office of Education	Nonclassroom-Based
1758	7/1/2015– 6/30/2020	California Pacific Charter Schools-San Diego	San Diego	Warner Unified School District	Nonclassroom-Based
1759	7/1/2015– 6/30/2020	Baypoint Preparatory Academy	Riverside	The California State Board of Education	Classroom-Based

Number	Term	Charter Name	County	Authorizing Entity	Classroom-Based/ Nonclassroom- Based
1760	7/1/2015– 6/30/2020	Paramount Collegiate Academy	Sacramento	The California State Board of Education	Classroom-Based



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

<b>SUBJECT</b>	
Approval of the Charter School Numbers Assigned to Newly Established Charter Schools.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> 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**

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Since the charter school law was enacted in 1992, the SBE has assigned numbers to 1,742 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 2015–16 is 1,950. 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**

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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)**

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There is no fiscal impact to the state resulting from the assignment of numbers to recently authorized charter schools.

## **ATTACHMENT(S)**

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Attachment 1: Assignment of Numbers for Charter School Petitions (3 Pages)

**Assignment of Numbers for Charter School Petitions**

Number	Term	Charter Name	County	Authorizing Entity	Classroom-Based/ Nonclassroom-Based
1743	7/1/2015– 6/30/2020	Voices College-Bound Language Academy at Mt. Pleasant	Santa Clara	Santa Clara County Office of Education	Classroom-Based
1744	2/1/2015– 6/30/2019	Valiente College Preparatory Charter School	Los Angeles	Los Angeles County Office of Education	Classroom-Based
1745	7/1/2015– 6/30/2020	Conservatory of Vocal/Instrumental Arts High School	Alameda	Oakland Unified School District	Classroom-Based
1746	7/1/2015– 6/30/2020	Empowering Possibilities International Charter	Yolo	Yolo County Office of Education	Classroom-Based
1747	7/1/2015– 6/30/2020	Encore High School of the Arts-Riverside	Riverside	Riverside Unified School District	Classroom-Based
1748	7/1/2015– 6/30/2020	Inspire Charter School-South	San Diego	Dehesa School District	Nonclassroom-Based
1749	7/1/2015– 6/30/2020	Beacon Classical Academy National City	San Diego	National School District	Classroom-Based
1750	7/1/2015– 6/30/2020	Denair Elementary Charter Academy	Stanislaus	Denair Unified School District	Classroom-Based

Number	Term	Charter Name	County	Authorizing Entity	Classroom-Based/ Nonclassroom-Based
1751	7/1/2015– 6/30/2020	Community Collaborative Charter School	Los Angeles	Acton-Agua Dulce Unified School District	Nonclassroom-Based
1752	7/1/2015– 6/30/2020	Vista Heritage Charter Middle School	Orange	Orange County Department of Education	Classroom-Based
1753	7/1/2015– 6/30/2020	Via Esperanza Charter School	Sonoma	Santa Rosa City Schools	Classroom-Based
1754	8/17/2015– 6/19/2020	Evergreen Institute of Excellence	Cottonwood	Evergreen Union School District	Nonclassroom-Based
1755	7/1/2015– 6/30/2020	California Prep Sutter K–7	Sutter	Meridian Elementary School District	Nonclassroom-Based
1756	7/1/2015– 6/30/2020	California Prep Sutter 8–12	Sutter	Meridian Elementary School District	Nonclassroom-Based
1757	7/1/2015– 6/30/2020	Shasta County Independent Study Charter School	Shasta	Shasta County Office of Education	Nonclassroom-Based
1758	7/1/2015– 6/30/2020	California Pacific Charter Schools-San Diego	San Diego	Warner Unified School District	Nonclassroom-Based
1759	7/1/2015– 6/30/2020	Baypoint Preparatory Academy	Riverside	The California State Board of Education	Classroom-Based

Number	Term	Charter Name	County	Authorizing Entity	Classroom-Based/ Nonclassroom- Based
1760	7/1/2015– 6/30/2020	Paramount Collegiate Academy	Sacramento	The California State Board of Education	Classroom-Based



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

<b>SUBJECT</b> 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.	<input checked="" type="checkbox"/> <b>Action</b>  <input checked="" type="checkbox"/> <b>Information</b>  <input type="checkbox"/> <b>Public Hearing</b>
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#### SUMMARY OF THE ISSUE(S)

1. SBE Draft Preliminary Report of Actions/Minutes for the May 6-7, 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 May 6-7, 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 May 6-7, 2015 meeting (25 Pages) may be viewed at the following link: <http://www.cde.ca.gov/be/mt/ms/>.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

<b>SUBJECT</b>	
Appoint Michelle Zumot and Glen Price Chief Deputy Superintendents of Public Instruction in accordance with Article IX, Section 2.1, of the Constitution of the State of California.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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State Superintendent Torlakson has nominated two Chief Deputy Superintendents and request that the SBE approve this nomination of Michelle Zumot and Glen Price to be effective immediately.

#### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) appoint the new Chief Deputy Superintendents of Public Instruction in accordance with Article IX, Section 2.1, of the Constitution of the State of California.

#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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In January 2015 and in December 2010, the SBE approved the appointment of Richard Zeiger to the role of Chief Deputy Superintendent of Public Instruction.

#### **FISCAL ANALYSIS (AS APPROPRIATE)**

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The funding for this position is annually allocated in the CDE budget.

#### **ATTACHMENT(S)**

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Attachment 1: Biographies (1 page)

## Biographies

### Michelle Zumot

Michelle Zumot currently serves as the Assistant Chief Deputy Superintendent of Public Instruction and has served in a variety of administrative positions at the California Department of Education for the past 12 years. Responsibilities in these positions include support of the priorities and obligations of the California State Superintendent of Public Instruction and the California Department of Education. She represents the State Superintendent on various boards and commissions, including the California Commission on Teacher Credentialing and the California State Teachers Retirement System Board. Previously, she served as a Legislative Assistant for the California State Senate from 1997-2002. She earned a Bachelor of Science degree in Justice Studies from Arizona State University.

### Glen Price

Glen Price brings over 30 years of expertise in highly successful strategic planning, policy development, and high performance programming experience for a wide range of local, state, national, and international organizations. Glen has been the principal team leader for efforts that have raised over \$1 billion dollars for the capital, program, and strategic planning needs of public and private agencies. Glen has worked extensively with numerous non-profit organizations, local education agencies, government entities, and collaborative initiatives including the American Red Cross, CARE, County of Sonoma, First 5 California, S.D. Bechtel Jr. Foundation, David and Lucile Packard Foundation, and others. In 2009, the Alameda County Family Justice Center presented Glen with its first "Champion Extraordinaire" award. Glen's extensive work in public education includes serving two terms as an elected board member of the West Contra Costa Unified School District. His most recent work supporting major statewide education initiatives includes the: Blueprint for Great Schools; Greatness by Design; California Comprehensive Early Learning Plan; CDE After School Division Strategic Plan; CDE Early Education and Support Division Strategic Plan; California Labor Management Initiative, and others.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

SUBJECT	
2015 California State Plan to Ensure Equitable Access to Excellent Educators	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### SUMMARY OF THE ISSUE(S)

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The U.S. Department of Education (ED) has required that each state educational agency (SEA) submit a new State 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, 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.” On November 10, 2014, ED released a document titled: *State Plans to Ensure Equitable Access to Excellent Educators Frequently Asked Questions* (available at <http://www2.ed.gov/programs/titleiparta/resources.html>), which provides information to assist each SEA in developing a State Plan to Ensure Equitable Access to Excellent Educators. The new plan is due to the ED on August 3, 2015. This item provides California’s draft 2015 EEP.

#### RECOMMENDATION

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) listen to the presentation and provide feedback on the attached California State Plan to Ensure Equitable Access to Excellent Educators. The CDE also recommends that the SBE give authority to the State Superintendent of Public Instruction (SSPI) in consultation with the SBE President to make technical changes to the report, as necessary, before it is submitted to the ED. The CDE recommends the SBE conditionally adopt the plan based on continued collaboration between SBE and SSPI.

## **BRIEF HISTORY OF KEY ISSUES**

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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 (HQT) 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 HQT to 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 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, and implementation began 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, thereby ensuring they are successful in the development and implementation of a comprehensive plan that addresses the requirements set forth in the State Plan. The funding for the CMIS program was authorized by the Legislature in 2007 and has been included in the California State Budget since 2009. In September 2014, the Title II monitors from ED praised the CMIS program as exemplary.

The development and implementation of the updated EEP represents an opportunity to work with California's diverse stakeholders to evaluate the work to date and improve efforts to make sure that every California student has equitable access to excellent educators. Attachment 1 contains the proposed California 2015 EEP to meet the new ED requirements.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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**September 2010:** The SBE approved the revised TEP.

**July 2010:** The CDE provided 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 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 prior to legislature funding authorization.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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The State currently appropriates approximately \$950,000 of Title II funds each year to implement the CMIS program. The EEP proposes to maintain and improve the CMIS program so this cost will be ongoing.

The EEP proposes to expand the educator equity work underway. Specifically it proposes that the CDE:

- Create data profiles annually that provide information for stakeholders regarding the rates at which poor and minority children are taught by inexperienced, unqualified, and intern teachers compared to the rates at which other children are taught by these teachers,
- Convene an annual Educator Equity Plan meeting so that stakeholders have the opportunity to review these data, examine equity gaps, and identify opportunities to improve upon strategies, and
- Develop an annual report on the progress of the EEP for presentation to the SBE.

The successful implementation of these additional activities will require additional staff time and resources, currently estimated at approximately \$50,000.

**ATTACHMENT(S)**

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Attachment 1: Draft 2015 California State Plan to Ensure Equitable Access to Excellent Educators (63 pages)

# **California State Plan to Ensure Equitable Access to Excellent Educators**

Draft Version June 26, 2015

California Department of Education  
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The California State Board of Education (SBE) and the California Department of Education (CDE) respectfully submit to the U.S. Department of Education (ED) a plan of current and future work related to gaps in equitable access to excellent educators for all students. This plan is a response to Education Secretary Duncan's July 7, 2014 letter to state educational agencies (SEAs), and augmented with guidance published on November 10, 2014. California's work to date complies with (1) the requirement in Section 1111(b)(8)(C) of the Elementary and Secondary Education Act (ESEA) that each state's Title I, Part A plan include information on the specific steps that the SEA will take to ensure that students from low-income families, foster youth, students of color, and students with special needs are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers, and the measures that the agency will use to evaluate and publicly report the progress of the agency with respect to such steps; and (2) the requirement in ESEA Section 1111(e)(2) that a state's plan be revised by the SEA if appropriate.

This document details a theory of action and progress toward achieving equitable access to excellent teachers and leaders for all students. It provides information regarding a multitude of initiatives embarked upon by the CDE, under the leadership of State Superintendent of Public Instruction (SSPI) Tom Torlakson, the SBE, and the California Commission on Teacher Credentialing (CTC), a collaborative partner in the State's efforts to improve teacher quality, teaching quality, and instructional leadership.

## Section 1: Introduction

California has long been committed to working with diverse stakeholders to provide a high quality education to all students regardless of socioeconomic status or background. Educational equity has been a thoughtfully and deliberately discussed priority for many years. The state is already implementing a number of ambitious and proactive research-based strategies and initiatives designed to achieve the objectives described in the ESEA, but more needs to be done. We plan to leverage and expand upon 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.

The CDE is proud to share the progress to date. With a fresh perspective and impetus on continuous improvement within our education system, we also appreciate the opportunity to look at what must still be accomplished to ensure that students from low-income and historically underserved families are not disproportionately attending schools taught and led by inexperienced or unqualified teachers and principals, respectfully.

It is important to note that this plan is the first step in addressing the equity gaps identified by the current data and the stakeholders. The CDE will convene stakeholders annually to review the data, examine equity gaps, and identify opportunities to improve upon the strategies. Using this information, the CDE will prepare a report on the progress of the California State Plan to Ensure Equitable Access to Excellent Educators and present it to the SBE on an annual basis. This plan will be implemented within California's unique context and in tandem with the implementation of several other important reform efforts currently in place.

**The importance of local control in California.** Given the size and diversity of the state, California's education system is founded on the belief that many education decisions should appropriately be made by local educational agencies (LEAs) and their communities of stakeholders. Each of California's LEAs has the authority and responsibility for developing and maintaining its own locally bargained contractual agreements with its employees. The ability for agencies to attract, retain, and train teachers is fundamentally dependent on local contexts, and, therefore, is a matter best addressed by the stakeholders most familiar with and understanding of those contexts.

California's new education funding system, the Local Control Funding Formula (LCFF), allows for this local engagement and autonomy by providing additional funds for agencies serving high needs' students and by requiring public engagement in making plans to improve the academic outcomes for those students. In the 2015–16 California State Budget, an increase of \$6 billion has been provided to continue the state's transition to the LCFF. This formula commits most new funding to districts serving English language learners, students from low income families, and youth in foster care. The increase will close the remaining funding gap by more than 51 percent. This initiative requires LEAs to develop their own plans for improving student outcomes in

consultation with the whole school community, including parents, students, teachers, administrators, and anyone else who has a stake in the success of the LEAs. Further, those local plans are reviewed and refined in collaboration with regional agencies ensuring that local agencies receive timely and informed technical assistance.

While California has been involved in multiple statewide initiatives to support educator equity, the LCFF provides an opportunity to capitalize on those efforts, bringing to bear local expertise and additional funds that are essential for identifying and addressing equity gaps. The LCFF is described more thoroughly in Strategy 4A of this plan.

**Coherence across reform efforts:** The LCFF is just one of several important reforms currently being implemented in California designed to improve student outcomes. With the adoption of new academic content standards beginning in 2010, the State has taken advantage of the opportunity to reexamine existing practices and policies to ensure they support and lead to excellence in teaching and leading in California public schools.

- *Greatness by Design:* Since 2012, much of California's work to improve educator excellence has been grounded in *Greatness by Design: Supporting Outstanding Teaching to Sustain a Golden State (GbD)*, a report from the California Educator Excellence Task Force (EETF). The EETF was comprised of more than 50 education stakeholders—including parents, K–12 educators, postsecondary educators, researchers, and community leaders—and was charged with drafting recommended actions that could be woven together into a coherent system that would produce exceptional teachers and principals.

More information regarding the EETF and *GbD* is 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, with many of the activities described in this document.

- **California's Statewide Special Education Task Force Recommendations:** In 2013, prompted by SBE President Kirst and CTC Chair Darling-Hammond, California convened a group of 34 representative stakeholders to study why students with disabilities are not succeeding at the same levels as their general education peers. The statewide Special Education Task Force was convened to ensure success for all of the state's children and is directly tied to the state's work to ensure equitable access to highly qualified teachers. Task Force members were charged with identifying needed changes in policy and practice.

The Task Force recommendations call for a unified education system in which all children, including students with disabilities, are considered general education students first and foremost. The Task Force membership included parents, teachers, school and district administrators, university professors, members of the policy community, and other stakeholder groups. A list of Task Force

members and their affiliations is available on the San Mateo County Office of Education Statewide Special Education Task Force Web page at <http://www.smcoe.org/assets/files/about-smcoe/superintendents-office/statewide-special-education-task-force/Final%20TF%20Membership%2004.07.14.pdf>.

- California's English Language Arts/English Language Development Framework: 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 English language arts (ELA) and English language development (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 21<sup>st</sup> century.

The *Framework* provides guidance to teachers implementing the CA Common Core State Standards (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. 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>.

California is committed to creating coherence across existing and new reform efforts so that they build on and leverage one another rather than create confusion, contradictions, or a sense of layering one initiative over another.

**California's Teacher Shortage.** In 2013–14, California experienced teacher shortages in the following fields:

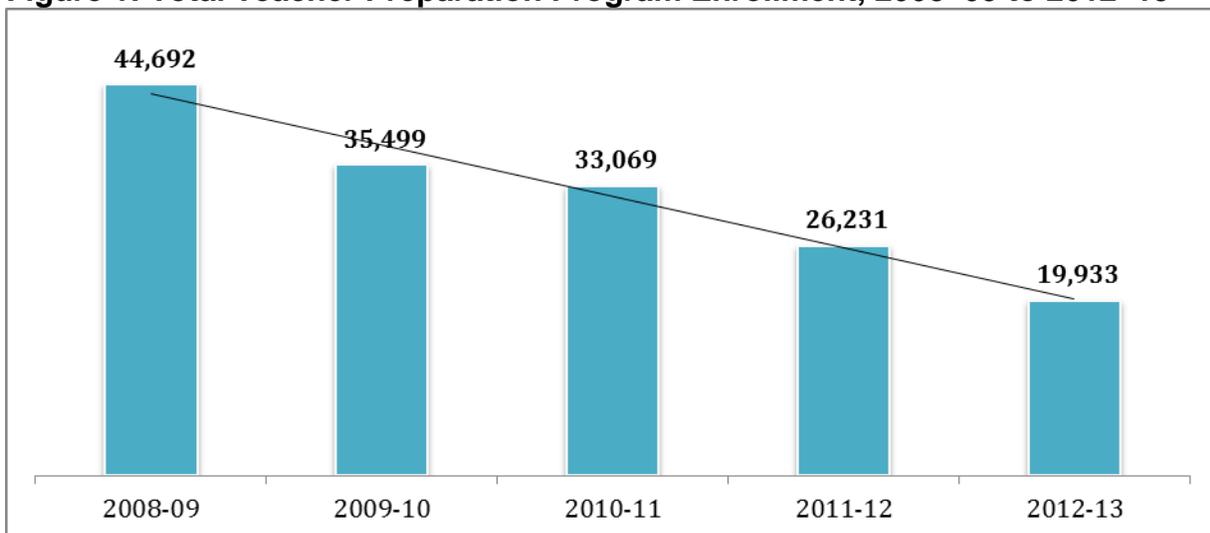
- Special Education
- Mathematics/Computer Education
- English/Drama/Humanities
- Science
- History/Social Science
- PE/Health/Dance

In California, shortage areas are especially worrisome with the enrollment of teacher preparation programs dropping precipitously over the past few years coupled with an expected increase in the number of retirements.

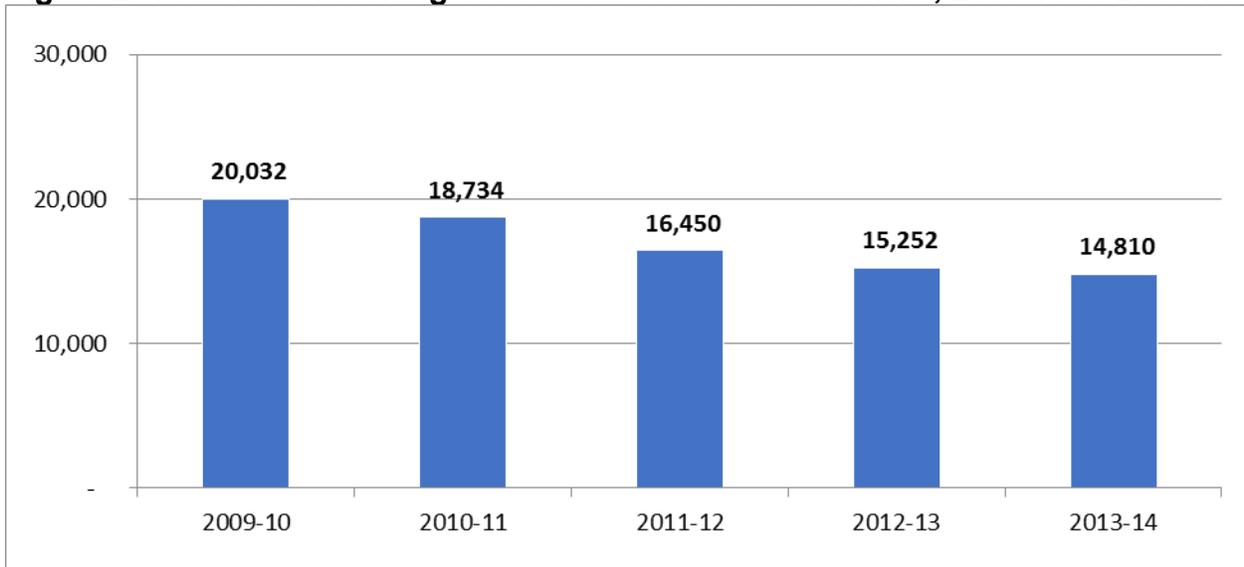
The CTC provides an annual legislative report for policymakers and others interested in teacher supply that includes the type and number of documents issued to teach in California public schools or schools under public contract. The report for fiscal year 2013–14 can be retrieved at <http://www.ctc.ca.gov/commission/agendas/2015-04/2015-04-4D.pdf>.

As indicated in Figures 1 and 2 below from the report, enrollment in teacher preparation programs and the number of new teaching credentials issued have declined sharply over the last few years. The CTC reports enrollment in teacher preparation programs has fallen from almost 78,000 a decade ago to 19,933 in 2013—a decrease of 74 percent. In addition, one-third of the state’s teaching workforce is nearing retirement age.

**Figure 1: Total Teacher Preparation Program Enrollment, 2008–09 to 2012–13**



**Figure 2: Total New Teaching Credentials Issued in California, 2009-10 to 2013-14**



California must take action to recruit and retain a diverse pool of high-ability educators for all students, especially for high-need fields and high-need locations. Institutions of higher education (IHE) schools of education need assistance in attracting high quality candidates to be trained and serve in our high-need schools.

## Section 2: Equity Gaps

### California’s Students

California’s K–12 system is comprised of more than 6.2 million students who attend more than 10,000 schools in 1,028 school districts and 1,125 direct-funded charter schools. The number of California public school students is greater than the entire population of more than 30 other states combined.

California students are among the most ethnically diverse in the nation.

**Table 1: California Student Demographics: 2013–14**

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 CDE Fingertip Facts on Education in California *CalEdFacts* Web page at <http://www.cde.ca.gov/ds/sd/cb/ceffingertipfacts.asp>.

Based on 2013–14 data, nearly 75 percent of California’s student population is designated as minority with the largest population of minority students reported as being Hispanic or Latino<sup>1</sup>. As a majority-minority state, California currently does not have an official definition of “minority” but given the large percentage of our student population designated minority, it is imperative that we work with stakeholders to develop a definition that more accurately describes historically underserved students. For the purposes of this iteration of the plan and to align with the teacher and student data that has been collected, **minority students** are defined as all students who are American Indian/Alaska Native, Asian, Black, Filipino, Native Hawaiian/Pacific Islander, Hispanic, or Two or More Races. The CDE will continue to collect data as needed for the EEP

<sup>1</sup> Source: *CalEdFacts* 2013-14. Available on the CDE Fingertip Facts on Education in California *CalEdFacts* Web page at <http://www.cde.ca.gov/ds/sd/cb/ceffingertipfacts.asp>.

and will also explore the recommendations from the SBE and stakeholders regarding additional data collection needs.

**Poor students** are defined for the purposes of this plan as those who are eligible to receive Free or Reduced-Price Meals. In 2013–14, 3,707,508, or 59.4 percent, of California students were designated “poor,” and are referred to as socioeconomically disadvantaged (SED) throughout the plan.

### California’s Teachers

Nearly 300,000 teachers are employed in California public schools. The vast majority, or 98 percent, of these teachers are fully credentialed.

**Table 2: Teachers Serving in California Public Schools with Full Authorization versus Intern Credentials, Permits, and Waivers Issued: 2013–14**

	Number of Teachers	% of Total
Fully Credentialed Teachers	282,495	98.0%
University Intern Credentials	2,186	0.8%
District Intern Credentials	426	0.1%
Provisional Intern Permit (PIP)	260	0.1%
Short-Term Staff Permit (STSP)	906	0.3%
Variable Term Waivers	198	0.1%
Limited Assignment Teaching Permit	1,768	0.6%
<b>Total</b>	<b>288,239</b>	<b>100.0%</b>

Source: CTC, *Teacher Supply in California: A Report to the Legislature: Annual Report: 2013-2014* available at <http://www.ctc.ca.gov/reports/TS-2013-2014-AnnualRpt.pdf>

An **inexperienced teacher** is defined for the purposes of this plan as a teacher who has two or fewer years of teaching experience. In 2013–14, 27,529 inexperienced teachers were teaching in California schools, 9.6 percent of all teachers.<sup>2</sup>

An **unqualified teacher** is defined for the purposes of this plan as a teacher who is assigned based on the issuance of a Provisional Intern Permit (PIP), Short-term Staff Permit (STSP), or Variable or Short-term Waiver. In 2013–14, there were 1,364 unqualified teachers teaching in California schools. This represents 0.5 percent of the teacher workforce.

<sup>2</sup> Source: DataQuest Staff Service and Inexperience Report for 2013–14

- Provisional Intern Permits are available when the employing agency knows that there will be a teacher vacancy, yet is unable to recruit a suitable candidate. A bachelor's degree, passage of the California Basic Educational Skills Test (CBEST), and specific course work or experience is required. The permit is issued for one year and may be renewed once if the individual takes all the subject matter exams listed on the document and does not pass. Only two provisional internship documents of any kind may be issued to an individual.
- Short-term Staff Permits may be requested by an employing agency when there is an acute staffing need. A bachelor's degree, passage of the CBEST, and specific course work or experience is required. The permit is issued for one year, cannot be renewed, and is available to a candidate only once in a lifetime.
- Variable and Short-term Waivers may be requested by an employer on behalf of an individual when the employer is unable to find credentialed teachers or individuals who qualify for an emergency permit.
  - Variable Term Waivers provide the employing agency up to one year or for a period set by the CTC to: 1) allow individuals additional time to complete a credential requirement; 2) facilitate assignment in school programs addressing issues of educational reform; 3) allow geographically isolated regions with severely limited ability to develop personnel time to hire personnel; or 4) obtain waivers for situations when all other efforts to find appropriately credentialed teachers have been exhausted.
  - Short-term Waivers may be approved at the local level to provide the employing agency with one semester or less to address unanticipated, immediate, short-term organizational needs by assigning only individuals who hold basic teaching credentials to teach outside their credentialed authorizations with the consent of the teacher. They may be issued once to any individual teacher and only once for a given class and cannot be used for a non-teaching assignment. A copy of the short-term waiver should be forwarded to the county office of education.

An **intern teacher** is defined for the purposes of this plan as a teacher who is assigned a District or University Intern Credential. In 2013–14, there were 2,612 intern teachers teaching in California schools. Intern teachers represent 0.9 percent of the teacher workforce.

In California, there are two types of initially issued Intern Credentials: District and University. District Intern programs require the intern to satisfy specific requirements and complete a program that is developed and implemented by a school district or county office of education in accordance with a Professional Development Plan. The intern is assisted and guided through the approved training period. University Internship Programs are a cooperative effort between a school district and an institution of higher education. The university intern must satisfy specific requirements. The internship

program must be approved by the CTC prior to enrolling students and may not be available in all school districts.

An **out-of-field teacher** is defined for the purposes of this plan as a teacher who is assigned a Limited Assignment Teaching Permit. In 2013–14, there were 1,768 out-of-field teachers teaching in California schools; this number represents 0.6 percent of the teacher workforce.

A Limited Assignment Teaching Permit may be issued at the request of an employing school district, county office of education, charter school, or state agency to fill a staffing vacancy or need. They are issued for a one-year period and can be reissued in any one subject or special education specialization area twice if the holder completes the renewal requirements and the employing agency requests the permit. Employing agencies are required to have a current Declaration of Need on file with the CTC before the permit can be issued. Individuals must hold a valid California general or special education teaching credential based on a bachelor's degree and professional preparation program, including student teaching, have an assigned experienced educator in the subject or specialization area of the limited assignment if the applicant has not obtained permanent status, and consent to serve on the Limited Assignment Permit.

### **Data Tables<sup>3</sup>**

The CDE has drawn upon data collected via the CALPADS, CTC, and *CalEdFacts* to create data profiles (shown below) that provide information regarding the rates at which poor and minority children are taught by inexperienced, unqualified, out-of-field, and intern teachers compared to the rates at which other children are taught by these teachers.

At the request of stakeholders, to provide a more precise depiction of statewide gaps, the CDE prepared equity gap data with California's 10,258 schools organized by student demographics into deciles. The tables below compare the 1,036 schools in decile 1 to the 1,036 schools in decile 10.

Key to acronyms:

- LMD=lowest minority decile
- HMD=highest minority decile
- LPD=lowest poverty decile
- HPD=highest poverty decile

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<sup>3</sup> **Note:** The count of total teachers noted in these tables is greater than the total noted in the California's Teachers section because, with this data, teachers teaching at multiple schools have been counted more than once.

As shown in Table 3, 10.2 percent of teachers in California's schools with the highest percentage of minority students have been teaching for 2 or fewer years, while 8.6 percent of teachers in schools with the lowest percentage of minority students have been teaching for 2 or fewer years. This represents an equity gap of 1.6 percent.

**Table 3: Inexperienced Teachers by Minority Decile**

Minority Decile Rank	Total Enrollment	Minority Enrollment	% Minority Students	Total Teachers	Number of Inexperienced Teachers	% Inexperienced Teachers
LMD	354,327	87,518	24.7%	18,191	1,562	8.6%
HMD	581,638	579,484	99.6%	27,423	2,792	10.2%
<b>Statewide Total</b>	<b>6,236,672</b>	<b>4,677,559</b>	<b>75.0%</b>	<b>293,835</b>	<b>28,136</b>	<b>9.6%</b>

As shown in Table 4, 10.6 percent of teachers in schools with the highest percentage of SED students have been teaching for 2 or fewer years, while 8.2 percent of teachers in schools with the lowest percentage of SED students have been teaching for 2 or fewer years. This represents an equity gap of 2.4 percent.

**Table 4: Inexperienced Teachers by SED Decile**

SED Decile Rank	Total Enrollment	SED Enrollment	% SED Students	Total Teachers	Number of Inexperienced Teachers	% Inexperienced Teachers
LPD	600,507	51,031	8.5%	27,782	2,279	8.2%
HPD	466,358	452,449	97.0%	22,448	2,379	10.6%
<b>Statewide Total</b>	<b>6,236,672</b>	<b>3,809,816</b>	<b>61.1%</b>	<b>293,835</b>	<b>28,136</b>	<b>9.6%</b>

As shown in Table 5, 1.5 percent of teachers in schools with the highest percentage of minority students hold a PIP, STSP, or Waiver; while 0.7 percent of teachers in schools with the lowest percentage of minority students hold a PIP, STSP, or Waiver. This represents an equity gap of 0.8 percent.

**Table 5: Unqualified Teachers by Minority Decile**

Minority Decile Rank	Total Enrollment	Minority Enrollment	% Minority Students	Total Teachers	Number of Unqualified Teachers	% Unqualified Teachers
LMD	354,327	87,518	24.7%	18,191	129	0.7%
HMD	581,638	579,484	99.6%	27,423	400	1.5%
<b>Statewide Total</b>	<b>6,236,672</b>	<b>4,677,559</b>	<b>75.0%</b>	<b>293,835</b>	<b>3,218</b>	<b>1.1%</b>

As shown in Table 6, 1.4 percent of teachers in California’s schools with the highest percentage of SED students hold a PIP, STSP, or Waiver; while .9 percent of teachers in schools with the lowest percentage of SED students hold a PIP, STSP, or Waiver. This represents an equity gap of 0.5 percent.

**Table 6: Unqualified Teachers by SED Decile**

SED Decile Rank	Total Enrollment	SED Enrollment	% SED Students	Total Teachers	Number of Unqualified Teachers	% Unqualified Teachers
LPD	600,507	51,031	8.5%	27,782	240	0.9%
HPD	466,358	452,449	97.0%	22,448	325	1.4%
<b>Statewide Total</b>	6,236,672	3,809,816	61.1%	293,835	3,218	1.1%

As shown in Table 7, 1.4 percent of teachers in schools with the highest percentage of minority students are intern teachers while .3 percent of teachers in schools with the lowest percentage of minority are intern teachers. This represents an equity gap of 1.1 percent.

**Table 7: Intern Teachers by Minority Decile**

Minority Decile Rank	Total Enrollment	Minority Enrollment	% Minority Students	Total Teachers	Number of Interns	% Interns
LMD	354,327	87,518	24.7%	18,191	60	0.3%
HMD	581,638	579,484	99.6%	27,423	388	1.4%
<b>Statewide Total</b>	6,236,672	4,677,559	75.0%	293,835	2,188	0.7%

As shown in Table 8, 1.1 percent of teachers in schools with the highest percentage of SED students are intern teachers while 0.4 percent of teachers in schools with the lowest percentage of SED students are intern teachers. This represents an equity gap of 0.7 percent.

**Table 8: Intern Teachers by SED Decile**

SED Decile Rank	Total Enrollment	SED Enrollment	% SED Students	Total Teachers	Number of Interns	% Interns
LPD	600,507	51,031	8.5%	27,782	103	0.4%
HPD	466,358	452,449	97.0%	22,448	249	1.1%

<b>Statewide Total</b>	6,236,672	3,809,816	<b>61.1%</b>	293,835	2,188	<b>0.7%</b>
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As shown in Table 9, 0.4 percent of teachers in schools with the highest percentage of minority students hold a Limited Assignment Permit, while 0.5 percent of teachers in schools with the lowest percentage of minority students hold a Limited Assignment Permit. This represents an equity gap of 0.1 percent, with more out-of-field teachers serving in low minority decile schools.

**Table 9: Out-of-field Teachers by Minority Decile**

Minority Decile Rank	Total Enrollment	Minority Enrollment	% Minority Students	Total Teachers	Number of OOF Teachers	% OOF Teachers
<b>LMD</b>	354,327	87,518	<b>24.7%</b>	18,191	90	<b>0.5%</b>
<b>HMD</b>	581,638	579,484	<b>99.6%</b>	27,423	114	<b>0.4%</b>
<b>Statewide Total</b>	6,236,672	4,677,559	<b>75.0%</b>	293,835	1,732	<b>0.6%</b>

As shown in Table 10, 0.3 percent of teachers in schools with the highest percentage of SED students hold a Limited Assignment Permit while 0.5 percent of teachers in schools with the lowest percentage of SED students hold a Limited Assignment Permit. This represents an equity gap of 0.2 percent, with more out-of-field teachers serving in low poverty decile schools.

**Table 10: Out-of-field Teachers by SED Decile**

SED Decile Rank	Total Enrollment	SED Enrollment	% SED Students	Total Teachers	Number of OOF Teachers	% OOF Teachers
<b>LPD</b>	600,507	51,031	<b>8.5%</b>	27,782	129	<b>0.5%</b>
<b>HPD</b>	466,358	452,449	<b>97.0%</b>	22,448	71	<b>0.3%</b>
<b>Statewide Total</b>	6,236,672	3,809,816	<b>61.1%</b>	293,835	1,732	<b>0.6%</b>

California shared equity gap data with participants at the stakeholder meetings held on June 9 and 10, 2015 and Equity Profile data from ED was shared at the May 13, 2015 meeting. There was much discussion at both of these meetings regarding the relatively small size of the equity gaps. Eventually, California chose to perform a root cause analysis in the area where the equity gap is most evident—the gap between the percentage of inexperienced teachers in schools with relatively high numbers of SED and minority students and the percentage of inexperienced teachers in schools serving relatively low numbers of SED and minority students. The discussion with stakeholders is expanded upon in the next section of this document.

### Section 3: Stakeholder Engagement

Stakeholder engagement in public education has long been a priority in California, recognizing the democratic values of our nation and the positive effects of an empowered citizenry. The SSPI, the CDE, and the SBE have continued this tradition and have brought together numerous stakeholder groups and task forces to consider and address issues facing California schools.

- In 2012, the SSPI, in collaboration with the CTC, convened the EETF to recommend ways to strengthen California's teacher corps. Task force members included teachers, parents, superintendents, school employees, leading academics, and business community members. The task force's recommendations are reported in *GbD*, which—due to its broad base of stakeholder engagement, input, and consensus—has influenced policy decisions at multiple state and local agencies and institutions, implementing a statewide vision for recruitment, distribution, preparation, induction, professional learning, and evaluation that supports high quality educators and teaching.
- 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. Further, at the local level, each LEA must obtain parent and public input in developing, revising, and updating Local Control Accountability Plans (LCAPs). With the LCAP, LEAs are required to 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. The LCFF reinforces California's commitment to wide and continuous stakeholder engagement.

CDE, SBE, and CTC staff had the opportunity to engage with stakeholders regarding equitable access to excellent educators on three separate occasions prior to the submission of this plan:

1. On May 13, 2015, the Education Trust-West, Partners for Each and Every Child, and the Stanford Center for Opportunity Policy in Education convened a meeting at the University of California (UC), Berkeley. Meeting participants included representatives from civil rights groups and higher education, as well as representatives from the CDE, SBE, and CTC. The meeting location permitted many of the Bay Area-based organizations to attend. The agenda was designed to provide State officials with valuable information and recommendations regarding next steps in developing the Educator Equity Plan.
2. On June 9, 2015, with facilitative support from the Center for Great Teachers and Leaders (GTL Center), the CDE convened a meeting in Sacramento to discuss equity gaps, root causes, and strategies to promote equitable access to excellent

teachers. Meeting participants included representatives from educator professional associations, civil rights groups, the CDE, the SBE, and the CTC. Members of California's education coalition organizations that represent large numbers of constituents were invited to attend and had the opportunity to select their own representatives to participate. The meeting was held in the afternoon to accommodate travel to and from Sacramento.

3. On June 10, 2015, Families in Schools, with support from the CDE and the GTL Center, convened a meeting in Sacramento to discuss equity gaps, root causes, and strategies to promote equitable access to excellent educators. Though similar in design to the June 9 meeting, participants were representatives from California's parent community. This meeting was conducted in collaboration with Families in Schools to provide an additional opportunity for California parent voice to be clearly heard and integrated into the document. Although the meeting was originally scheduled to be conducted in Fresno, CA, the location was changed to Sacramento to decrease travel time for participants from Southern California.

Agendas and participant lists from these three meetings are included in Appendix A of this document. Parents, teachers, administrators, community members, policymakers and representatives from school districts, civil rights groups, and institutions of higher education participated in these meetings. Specifically, the meetings included representatives from the following organizations:

- California Teachers Association
- California Federation of Teachers
- Association for California School Administrators
- California County Superintendents Education Services Association
- CORE Districts
- California School Boards Association
- California Association for Bilingual Education
- California Parent Teacher Association
- Families in Schools
- Bay Area Parent Leadership Action Network
- Children Now

- Education Trust West
- Partners for Each and Every Child
- PICO California
- Californians for Justice
- Mexican American Legal Defense Fund
- California Alliance of African American Educators
- California School-Based Health Alliance
- Californians for Justice
- PICO California
- Coleman Advocates
- Lawyers Committee for Civil Rights
- Public Advocates
- Institute for Education Policy
- Stanford University
- University of California, Berkeley

To keep the discussions constructive and on point, we used structured protocols and experienced facilitators. These protocols allowed us to review equity gap data, discuss root causes behind these equity gaps, and identify strategies to address the root causes. The outcomes of the root cause and strategy discussions are discussed in the sections that follow.

In addition to these initial stakeholder meetings, CDE intends to engage in ongoing stakeholder engagement around ensuring equitable access. Specifically, to ensure that the plan is implemented well and to leverage the expertise of California's diverse stakeholders in improving equitable access to excellent educators as new opportunities and challenges emerge, the CDE will convene an annual Educator Equity meeting. At this annual meeting, we will review new data regarding equitable access to educators and make adjustments to the strategies contained in this plan as appropriate.

## **Section 4: Strategies for Eliminating Equity Gaps**

### **Identification of Root Causes**

In considering the root causes contributing to our equity gaps, the CDE engaged in a root cause analysis that involved consultation with diverse stakeholders. The CDE recognizes the importance of drawing on data to inform this analysis, and various data points are presented below. The CDE hopes to include in future iterations of this plan even more data, particularly California-specific data, on the reasons teachers do not enter or stay in our SED and high-minority schools at the same rates as in other schools.

Our goal was to identify root causes for each of our identified equity gaps so that we could then consider our strategies such that they would directly target these root causes. A theory of action for each root cause and the related strategies was developed, as presented later in this section.

Our root cause analysis process involved the following stages:

1. First, we had a preliminary discussion about root causes within the CDE.
2. Second, we continued this dialogue with California higher education and civil rights leaders during our May 13, 2015, stakeholder engagement meeting.
3. Third, the GTL Center led a structured root cause analysis discussion for the two identified equity gaps with state-level leaders from various stakeholder associations and community organizations on June 9, 2015, and with parent representatives on June 10, 2015.
4. Fourth, the CDE considered the input from stakeholders and refined our preliminary list of root causes based on this input.

### **May 13 Stakeholder Meeting**

Although they were provided with the Equity Profile data from ED, California-certified data were not available to May 13, 2015, meeting participants. Conversations during the May 13, 2015 meeting encompassed a range of possible root causes for California's equity gaps, including, but not limited to:

- Insufficient support for teacher induction
- Inequitable teacher salaries
- The lack of a statewide teacher evaluation system

- Need for improved teacher preparation
- The need for more robust collection and analysis of educator data
- The need for increased family and community engagement at both the state and local levels
- Poor working conditions in high-need schools
- The need for better school leadership and better administrator preparation
- Lack of access to professional learning opportunities
- The need to support better school climate in high-need schools
- The need for incentives to draw teachers to high-need schools

### **June 9 Stakeholder Meeting**

To better connect the equity gap data to root causes and strategies, the CDE elected to use a more structured approach to identifying root causes in the two subsequent meetings. June 9, 2015, and June 10, 2015, meeting participants received CDE-certified data (provided in the Section 2 of this document) regarding the rates at which inexperienced, unqualified and out-of-field teachers serve in high and low minority schools and in high and low SED schools. The root cause analysis discussions during these two meetings centered upon two primary challenges, or equity gaps:

- 1) Equity Gap #1: Inexperienced teachers serve SED students at higher rates than students with higher socioeconomic status.
- 2) Equity Gap #2: Inexperienced teachers serve students in minority communities at higher rates than students in predominantly white communities.

A structured process was used whereby the discussion facilitators continually asked stakeholders why the equity gap and the root causes existed. This process came from the Carnegie Foundation for the Advancement of Teaching's work on improvement sciences. By iteratively asking why these root causes existed, it was possible to obtain a list of sub-root causes and, ultimately, a more complete set of the underlying reasons for the State's equity gaps.

## Root Causes for Equity Gap #1

The first key equity gap identified was: Inexperienced teachers serve SED students at higher rates than students with higher socioeconomic status.

Stakeholders saw the root causes for this equity gap as primarily falling within two categories:

- 1) **Teacher Recruitment:** Stakeholders reported that affluent communities were seen by stakeholders as having more applicants per position, paying higher salaries, and in some cases purposefully selecting only teachers with at least five years of experience.
- 2) **Teacher Retention:** Stakeholders reported that a number of root causes lead new and experienced teachers to leave SED schools, creating a churn of inexperienced teachers.

A third category, teacher placement, was also brought up by stakeholders but to a far lesser degree.

The potential root causes that stakeholders identified within each of these categories are noted below.

Stakeholder-identified root causes related to teacher recruitment:

- Belief systems of leaders at all levels (principals, district leaders, etc.) that do not see the importance of experienced teachers for SED students
- A lack of resources
- Fewer homegrown teachers in SED schools
- The low status of the teaching profession makes recruiting enough experienced teachers for all a challenge

Stakeholder-identified root causes related to teacher retention:

- Teachers enter SED schools ill-prepared to work with the student populations (and to connect with the parents)
- Lack of induction supports (or insufficient or inconsistent induction supports) for new teachers in SED schools

- Tougher assignments for new teachers in SED schools, including the toughest assignments
- Lack of professional development supports for teachers in SED schools
- Lack of mental health and other supports (nurses, parent resource systems, health clinics) in SED schools lead to teachers taking on duties outside of their role, and ultimately to them leaving SED schools
- Lack of stability (of peers, of leaders, and of students) which makes it a more challenging environment with fewer peer or school leader supports
- Lower pay in SED schools (whereas in fact pay should be *higher* in SED schools to counteract some of the challenges described above and below)
- Higher class sizes in SED schools
- Less attractive facilities and fewer resources in SED schools
- More intense, chaotic school environments in SED schools (students' basic needs around housing, food, health and medical issues, etc. often are not being met)
- A public narrative that equates failing schools (many of which are SED) with failing teachers, drives teachers away from such schools
- Less autonomy, more "teacher-proofing" (which doesn't respect teachers as professionals), and less creative control in SED schools drives teachers away from such schools
- The low status of the teaching profession makes retaining enough experienced teachers for all a challenge

## **Root Causes for Equity Gap #2**

The second key equity gap identified was: Inexperienced teachers serve students in minority communities at higher rates than students in predominantly white communities.

Stakeholders saw the root causes for this equity gap as similarly falling within the two categories of teacher recruitment and teacher retention, with some discussion about

teacher placement as well. In fact, stakeholders were convinced that the overlap in root causes between these two equity gaps were nearly identical. The list of root causes below reflects only minor differences from what is presented above. Stakeholders suggested that the strategies for addressing these root causes may be nuanced for SED students versus students from minority schools, but that the root causes were fundamentally the same. Only additional potential root causes related to recruitment and retention in high-minority schools are listed below.

Additional stakeholder-identified root causes related to teacher recruitment in high-minority schools:

- Schools with large proportions of students from minority communities may place too much focus on hiring teachers that are demographically similar to the student population, even though they lack experience
- Language and cultural barriers prevent teachers from working in minority schools
- There are too few minority teachers in the pipeline

Additional stakeholder-identified root causes related to teacher retention in high-minority schools:

- Preparation programs do not address working with minority populations and the many different types of diversity that may exist in these schools
- Schools do not provide the cultures and supports around languages for working with minority student populations
- Lack of professional development supports for teachers in schools with large proportions of students from minority communities

Stakeholders then grouped these into four categories and discussed potential strategies that might address these root causes for each category. These four categories included:

1. Working/learning conditions
2. The status of the teaching profession
3. Policies
4. Teacher preparation and professional capacity building

The proposed strategies are summarized in Table 11 below.

**Table 11. Strategies Suggested by June 9, 2015, Stakeholders**

Root Cause Category	Possible Strategies Suggested by Stakeholders
Working/learning conditions	<ul style="list-style-type: none"> <li>• Identify ways to align social services to schools' needs and to help various agencies work together</li> <li>• Consider funding levels, as well as whether resources are being spent where they will matter</li> <li>• Explore the usefulness of school climate surveys for local school districts</li> <li>• Provide guidance on LCAP specifically related to working and learning conditions</li> <li>• Share best practices via CTC guidance to help preparation programs better emphasize cultural competence</li> <li>• Require a certain number of hours of learning about local context and culture during administrator induction and encourage more guidance from CTC to support administrator induction</li> <li>• Promote administrator training on supporting teachers at each stage of recertification</li> <li>• Create opportunities and incentives to encourage National Board Certified Teachers (NBCTs) to work in high-need schools</li> </ul>
The status of the teaching profession	<ul style="list-style-type: none"> <li>• Create a coherent media message that is positive in reference to teachers and describes school settings that are appealing and how teachers transform people's lives and communities and are nation-builders and supporters of our democracy</li> <li>• Try to make teaching in high-need schools a badge of honor</li> <li>• Encourage intellectual engagement and collaborative conversations about elevating the professionalism of teaching</li> <li>• Promote teacher leadership and distributive leadership to increase teachers' status and create</li> </ul>

Root Cause Category	Possible Strategies Suggested by Stakeholders
	<p>true partnerships and shared ownership, and then showcase this shared decision-making</p> <ul style="list-style-type: none"> <li>• Encourage districts to highlight and celebrate teachers who have committed to working in hard-to-staff schools</li> <li>• Encourage districts to rewrite recruitment fliers in ways that describe teachers' interactions with each other as mentors, supporters, etc.</li> <li>• Promote teacher-led professional development and teacher input on how best to use resources to meet students' needs</li> <li>• Create brochures and public service spots showing different ethnicities of teachers</li> </ul>
Policies	<ul style="list-style-type: none"> <li>• Address equitable access through the LCAP</li> <li>• Address teacher placement policies</li> <li>• Address student discipline policies</li> <li>• Invest in student services</li> <li>• State should invest in educator professional learning</li> </ul>
Teacher preparation and professional capacity building	<ul style="list-style-type: none"> <li>• Identify high-quality preparation programs</li> <li>• Incorporate an equity focus into California's teaching standards and tie cultural proficiency into educator evaluations</li> <li>• Commit more funds to teacher preparation programs</li> <li>• Revamp accreditation system</li> <li>• Increase access to data</li> <li>• Encourage regional exploration of equitable access</li> <li>• Encourage districts to explore teacher experience levels by school site</li> </ul>

Root Cause Category	Possible Strategies Suggested by Stakeholders
	<ul style="list-style-type: none"> <li>• Mandate professional development for all credentialed educators</li> <li>• Encourage professional development programs to target local conditions and needs</li> <li>• Develop professional development around the California Professional Standards for Education Leaders (CPSELS)</li> <li>• Encourage culturally relevant professional development and professional development on cultural competence</li> <li>• Connect the above to the LCAP rubrics</li> <li>• Allocate funds for the above</li> </ul>

### **June 10, 2015, Stakeholder Meeting**

Discussion during the June 10, 2015, meeting centered upon the same two equity gaps and was structured via the same root cause analysis process utilized during the June 9, 2015, meeting. Stakeholders again identified recruitment and retention as challenges facing SED and high-minority schools. Comments from stakeholders included:

- Teachers enter with ideals but are not prepared for reality
- Teachers are not prepared to serve in communities of color
- Teachers do not have the skills to engage the parent community
- Teachers do not live in, or connect with, the school community
- Parents are more involved in white communities and place pressure on administrators to hire veteran teachers
- Difficult to recruit to rural areas
- No incentives for teachers to stay

- Teacher evaluation is inconsistent
- Higher stress level for teachers in high-need schools
- More discipline issues in high-need schools
- Needs of students are greater in high-need schools
- Teachers are asked to assume other roles
- Student loan repayment programs incent new teachers to teach in high-need communities
- Veteran teachers have first choice of placement
- Teachers are not equipped to engage parents
- Experienced administrators are better able to attract experienced teachers to their schools

Stakeholders grouped root causes into three categories and discussed potential strategies that might address these root causes for each category. These three categories included:

1. Working conditions
2. Policies
3. Professional Development

The proposed strategies are summarized in Table 12 below.

**Table 12. Strategies Suggested by June 10, 2015, Stakeholders**

Root Cause Category	Possible Strategies Suggested by Stakeholders
Working conditions	<ul style="list-style-type: none"> <li>• Provide incentives to experienced teachers</li> <li>• Communication between parents and teachers</li> <li>• Access to self-care</li> <li>• Staff working around parent schedules</li> </ul>

Root Cause Category	Possible Strategies Suggested by Stakeholders
	<ul style="list-style-type: none"> <li>• Equal resources for all schools</li> <li>• Access to resources/prescribed per district</li> <li>• Beyond the classroom, what is the school culture?</li> <li>• Help prevent teacher burn out</li> <li>• Make community assessment part of the interview process to ensure good match for both teachers and students</li> <li>• Improve conditions at school to keep experienced teachers at high risk schools</li> <li>• Better salaries</li> <li>• Supportive administrators</li> </ul>
Policies	<ul style="list-style-type: none"> <li>• Salaries should be equal</li> <li>• School to school mentoring programs</li> <li>• Evaluations of teachers and administrators should be at the state level</li> <li>• State grants: reserve grants that teachers can apply for to improve their schools/classes</li> <li>• Better partnerships between CDE, districts and social agencies to support family needs</li> <li>• Communication and collaboration</li> <li>• More community-based agencies to help parents to understand what is going on</li> <li>• “Good” school help “bad” school, principal incentives</li> <li>• Credentialing needs to be reexamined</li> </ul>

Root Cause Category	Possible Strategies Suggested by Stakeholders
	<ul style="list-style-type: none"> <li>• Tenure should not be a primary motivator</li> <li>• State should reserve funds to pay/incentivize/subsidizes relocation of teachers/principals to work in challenging schools by becoming (living in) part of the community</li> <li>• Review policies on a yearly basis to ensure best practices are met in schools</li> <li>• Create program similar to Teach for America</li> </ul>
Professional Development	<ul style="list-style-type: none"> <li>• Parent Engagement– designed to encourage outreach to parents, collaborate, promote positive outcomes</li> <li>• Access to courses in self-care</li> <li>• Create more substantive measure to handle feedback</li> <li>• Give teacher grade of effectiveness (A, B, C, D, etc.)</li> <li>• Use student engagement, parent engagement, and student achievement and progress to evaluate teachers</li> <li>• Engage teachers in decision making of what professional development they receive</li> <li>• Create more substantive measures to keep all teachers accountable and provide professional development based on results</li> <li>• Workshops in classroom management</li> <li>• Budget for quality workshops and common core curriculum courses</li> <li>• Evidence based practices</li> </ul>

Root Cause Category	Possible Strategies Suggested by Stakeholders
	<ul style="list-style-type: none"> <li>• Develop and train teachers to become engaged in parent/teacher groups to promote school health</li> <li>• Cultural Competency with school demographic population</li> <li>• More information for parents to help teachers</li> </ul>

### Strategies for Eliminating Equity Gaps

Following these stakeholder conversations, CDE staff revisited and refined the analysis of the root causes and identified priority strategies. It is important to note that these strategies are embedded in a California context of strong local control. Stakeholders repeatedly expressed the belief that the role of the State is to provide guidance, exemplars, and support but that many decisions regarding educators and teaching are most appropriately made at the local level.

The following six root causes that were revisited and refined are:

- Root Cause 1: Uneven teacher preparation and induction
- Root Cause 2: Uneven administrator preparation and induction
- Root Cause 3: Inadequate support for educator professional learning
- Root Cause 4: Challenging working conditions in high-need schools
- Root Cause 5: Need to enhance parent and community engagement in high-need schools
- Root Cause 6: Diverse local root causes.

### Root Cause 1: Uneven Teacher Preparation and Induction

California has created some excellent preparation programs for both teachers and principals that serve as models for others in the nation. These are drawn from the ranks of both innovative pre-service and internship programs. However, the range of program quality is wide, and some educators are permitted to enter the profession with little training and without having met meaningful standards for knowledge of content and pedagogy. Given the challenges facing today's educators as they seek to teach ever more challenging content to an increasingly diverse set of students, there are areas of preparation that must be deepened, and the variability in quality among preparation

programs must be narrowed. Programs for preparing educators to serve English learners, early childhood-age students and students with disabilities need particular attention. (*GbD* p. 15)

Studies have long shown that high-quality teacher induction programs lead to teachers who stay in the profession at higher rates, accelerated professional growth among new teachers and improved student learning. In a review of 15 empirical studies regarding the impact of induction programs, Ingersoll and Strong (2011) describe having a mentor teacher, common planning time with teachers in the same subject and regularly scheduled collaboration with other teachers as some of the most important features of successful induction. (*GbD* p. 40)

In each of the three California meetings, stakeholders stated that teachers need to be better prepared to succeed in high-minority and SED schools and expressed concern regarding the supports new teachers receive when they enter the profession.

**Theory of Action:** If California teachers receive strong preparation and support from pre-service through their first two years in the profession, then they will be better able to succeed in high needs schools, lessening teacher turnover and inequitable access to excellent educators.

To that end, California is implementing the following strategies to increase the rigor of the State's preparation and induction process to better prepare and induct teachers into the profession:

### **Strategy 1A: Implement Teaching Performance Assessments (TPA)**

Since 2008, to ensure prospective teachers are as prepared as possible, California requires them to pass a teaching performance assessment (TPA) prior to earning a teaching credential. Now that TPAs have been required for a number of years, the CTC is requiring the TPAs to be reviewed and updated to ensure that the assessment remains an appropriate bar that prospective teachers must meet prior to earning the Preliminary Teaching Credential.

The TPA incorporates four performance tasks that increase in complexity but not necessarily in difficulty. These tasks are intended to be completed as the teacher progresses through their teacher preparation program. Each teacher preparation program decides how and where each task is embedded in the program coursework and/or related program activities.

Taken as a whole, the four performance tasks will ask teachers to demonstrate that they know how to:

- Find out information about a given class and about specific focus students within the class such as an English learner or a student with identified special needs

- Plan appropriate subject-specific instruction for all students in alignment with state-adopted K–12 student academic content standards and/or frameworks
- Implement the instruction according to the lesson plans the teacher has developed, and reflect upon the outcomes of that instruction, including evidence of student learning
- Design and implement assessment activities appropriate to the lesson and to the learners, and use the assessment results to inform the next round of lesson planning
- Reflect upon the teachers own professional growth as a member of the teaching profession

The CTC adopted revised Assessment Design Standards (ADS) that require all CTC-approved TPAs to be centrally scored to assure reliability and validity of the scoring process. In addition, the ADS clearly require all TPA models to assess that teachers are prepared to teach California’s most current academic content standards. Each prospective teacher will also need to demonstrate that he or she can effectively teach students who are English learners and students with disabilities as part of the TPA. The 2015–16 state budget provides funds to update the California’s state TPA model and it is expected that all the revised TPAs will be in place beginning with the 2017–18 school year.

### **Strategy 1B: Strengthen and Streamline Accreditation**

The stakeholders also identified a lack of uniformity in teacher preparation programs leading to uneven preparation of teachers. In June 2014, the CTC directed that work should take place to strengthen and streamline the CTC’s accountability and accreditation system (<http://www.ctc.ca.gov/commission/agendas/2014-06/2014-06-2E.pdf>). How teachers are initially prepared will be reviewed and updated as needed, based on data collected from the performance assessments individuals must pass prior to earning a Preliminary Teaching Credential and surveys completed by program completers, master teachers, and employers. The work will also look at how teachers are inducted in the first two years of teaching and include a data warehouse and data dashboard system for California. This will also help the CTC identify which preparation programs are producing teachers prepared for the classroom.

An overview of the work to date is provided in the June 2015 CTC agenda item: <http://www.ctc.ca.gov/commission/agendas/2015-06/2015-06-5B.pdf>.

## **Strategy 1C: Increase Support for Teacher Induction**

Teachers' induction across the state is also an area that appears to be uneven depending on the LEA providing the induction program. This impacts the number of prepared teachers in classrooms. The CTC, as part of its work to review and revise its Accreditation system, charged a Task Group to propose revised Induction standards and requirements. The group has developed revised program standards and other recommendations for new teacher induction in California (<http://www.ctc.ca.gov/commission/agendas/2015-06/2015-06-5F.pdf>).

The focus for new teacher induction is proposed to be job-embedded mentoring for first and second year teachers. The task group has recommended that induction needs to be provided in the first and second year of teaching to support the new teacher to be effective with all students. The task group also recommends that an individual holding a Preliminary Teaching Credential needs to have an assignment as a teacher to support participation in induction.

The focus for the induction programs will be to support the new teacher in his or her current assignment, support the new teacher in joining the learning community at the school and district, and to use cycles of inquiry to practice reflection on practice.

The 2015 California State Budget also provides \$490 million in one-time funds to LEAs to support educator effectiveness and may be expended for up to three fiscal years through 2017–18. These funds, allocated on a per educator basis, can be used for the following:

- Beginning teacher and administrator support and mentoring
- Professional development, coaching, and support services for teachers who have been identified as needing improvement or additional support
- Professional development for teachers and administrators that is aligned to the state academic content standards
- Promote educator quality and effectiveness, including, but not limited to, training on mentoring and coaching certificated staff and training certificated staff to support effective teaching and learning

## **Strategy 1D: Include Cultural Awareness and Responsive Teaching Principles and Practices within Teacher Preparation Programs and Local Induction**

In all of the stakeholder meetings, it was clearly stated that placing new teachers in situations where they may have little understanding of the culture of the students was a problem that needs addressing. The Preliminary Standards Task Group that is working

within the Accreditation Advisory Panel has discussed the need for new teachers to be well prepared to teach all students. The proposed Beginning Teacher Performance Expectations (BTPEs) place enhanced focus on inclusive practices, restorative justice, and cultural competency during the Preliminary preparation program and will require each prospective teacher to pass a performance assessment that includes the enhanced focus on these topics.

The proposed Program Standards focus on the prospective teacher having the opportunity to learn, practice, and be assessed on the Beginning Teacher Performance Expectations. In addition, the program standards raise the requirements for clinical practice, or student teaching, in the preliminary preparation program. The quality, duration and depth of the clinical experience is key to the preparation of new teachers.

The CTC discussed the proposed revised performance expectations and program standards (<http://www.ctc.ca.gov/commission/agendas/2015-06/2015-06-5D.pdf>) at its June 2015 meeting. It is expected that the revised expectations and program standards will be adopted before the end of 2015. It will take the preparation programs up to two years to be redesigned to meet the revised program standards.

## **Root Cause 2: Uneven Administrator Preparation and Induction**

There are 61 institutional sponsors of Preliminary Administrative Services programs in California. Some of the programs are very effective and others are less effective. The CTC adopted revised program standards in December 2013 and the programs are required to transition to the revised program standards as of July 1, 2015. CTC staff has provided technical assistance, including regional meetings, to support the programs to meet the CTC's revised requirements.

Once an administrator has earned a Preliminary Administrative Services Credential and has a position as a school administrator, the individual will be required to complete an Administrative Services Induction program. The standards for Administrative Services Induction programs were adopted by the CTC in February 2014. There are 46 CTC-approved Administrative Services Induction programs. Technical assistance is being provided to the programs to ensure that the programs meet the CTC's revised requirements.

Stakeholders cited a need for strong leadership at both the school and district levels. Those entrusted with hiring new teachers at the district level must be adequately prepared and supported to make good decisions, and strong leaders at the site level are better able to support and retain strong teachers.

**Theories of Action:** If California administrators receive strong preparation and support from pre-service through their first two years in the profession, then they will be better able to succeed in high-need schools, lessening administrator turnover and inequitable

access to excellent educators. If administrators are better prepared and supported, then they will be better able to support teachers at their sites.

To that end, California is implementing the following strategies to better prepare and induct administrators into the profession:

### **Strategy 2A: Refresh the California Professional Standards for Education Leaders (CPSEL) and Descriptions of Practice (DOP)**

The work of teachers in schools and their ability to be successful in helping all students meet their potential depends highly on the quality of the site administrator or principal. The CTC adopted the revised CPSEL at its meeting of February 2014 (<http://www.ctc.ca.gov/commission/agendas/2014-02/2014-02-6B.pdf>). The CPSEL identify what an administrator must know and be able to do in order to move into sustainable, effective practice. They are a set of broad policy standards that are the foundation for administrator preparation, induction, development, professional learning, and evaluation in California. Taken together, the CPSEL describe critical areas of leadership for administrators and offer a structure for developing and supporting education leaders throughout their careers. Following the adoption, CTC staff has been working with the CDE and the research, development, and services agency WestEd to update the current “Descriptions of Practice” exemplifying candidate performance at difference levels along a continuum of professional practice relating to each of the CPSEL. The status of this work is described below.

The 2014 CPSEL have three levels—the standard, the elements, and the indicators. The standards, although recently updated, address the same six broad categories that the previous version addressed. The elements have been substantially updated and reflect a more current view of an education administrator’s responsibilities. The indicators, a new component, further delineate leader action. The indicators serve primarily as examples of how an education leader might demonstrate the element or standard within his or her practice; they are not intended to be a comprehensive or required list of administrator behaviors.

Most, if not all, of California’s approved Administrative Services credentialing programs use WestEd’s publication *Moving Standards into Everyday Work: Descriptions of Practice* (initially published in 2003) as a tool to document the level of candidate competence in each of the CPSEL. With the revision of the CPSEL, this tool needed revision as well. In a joint effort, the CTC, the CDE, and WestEd are facilitating the revision of this document during the 2014–15 year.

A panel with representation from a broad spectrum of stakeholders was assembled to examine the new CPSEL, review the existing rubric, and identify places where changes were needed. Once edits were identified, the group crafted new structures and new language to reflect the 2014 CPSEL revisions. The editing work of this document is in its final stages.

## **Strategy 2B: Develop Modules to Support Administrator Induction**

The implementation of a coaching-based job-embedded induction model for administrative programs represents a significant departure from the prior traditional IHE coursework and fieldwork model. To support institutions in transitioning to this new paradigm, the CTC, the CDE, and WestEd are overseeing the development of several implementation and training modules on topics that include the content of the new standards, current research on best practices, the revised CPSEL, and the accompanying new DOP tool. These modules will be available to programs and the programs will make decisions on which of the modules to use locally. A panel of experts with representation from a broad spectrum of stakeholder groups has been meeting throughout the 2014–15 year to complete this work.

The modules are being organized into three groupings: *Briefings*, *Best Practice Examples*, and *Future Views*. *Briefings* will address the new content found in the program and performance standards and highlight key concepts to address. *Best Practice Examples* will cover key points of the induction program (e.g., the first meeting between coach and candidate), offering approaches that existing programs with strong coaching components have found to be beneficial. *Future Views* is similar to *Best Practice Examples* but focuses on new components of the program, projecting what research tells us will be profitable approaches.

The modules will be available through the CTC's Web site, with a July 1, 2015, target date for posting. Because the panel is working to provide information to a variety of interested parties (e.g., program sponsors, coaches, employers), the members are planning to design a Web page that offers multiple pathways to using the modules and materials. Current thinking includes approaches by viewer's role, by key program documents, and by various program components.

## **Strategy 2C: Develop an Administrator Performance Assessment**

To ensure administrators have the abilities needed to lead a school, the Governor's proposed budget for 2015–16 proposes \$4 million from the General Fund to the CTC to develop and revise educator preparation assessments. Of that amount, \$1 million will be allocated to the development of an Administrator Performance Assessment (APA) for program route candidates. It is anticipated that this assessment would be a single statewide APA model taken by all program route candidates. Reliable and consistent scoring would be managed by a contracted entity whose work would be overseen by the CTC. The quality and appropriateness of the assessment for California Preliminary Administrative Services credential candidates would be assured by requiring the assessment developer to meet the CTC's adopted Assessment Design Standards for Administrator Performance Assessment. The content and focus of the assessment would be to assess each candidate's performance relative to the CTC's adopted Content and Performance Expectations for Preliminary Administrative Services Credential candidates. This work will be informed by the CA Education Leadership

Professional Learning Initiative (CELPLI) grant awarded to the University of San Diego by the CDE.

The CDE has awarded \$997,894 in Federal Title II Part A Improving Teacher Quality State Grants Program, funds for professional learning activities related to the future development of an APA for candidates completing the program route to the Preliminary Administrative Services Credential. A Request for Applications process was conducted to select a grantee for this work. The federal requirements for these funds specified that eligible grantees had to be a partnership comprised of a minimum of three specific types of entities: a high need LEA, a school of Arts and Sciences, and a school of Education (these latter two could be, but were not required to be, from the same institution).

The grantee for this work was a partnership of San Diego Unified School District and the University of San Diego. The scope of work for this grant includes professional learning activities focusing on prospective school administrators and the development of a self-assessment tool based on the CTC's adopted administrator content and performance expectations to help prospective school administrators determine their level of knowledge, skills, ability, and interest in school administration as a next step in their career. It is intended that the foundational work done on the self-assessment tool can form the basis for the future development of an actual APA for candidates who have completed or are on the verge of completing a Preliminary Administrative Services Credential program and who should already possess the requisite knowledge, skills, and abilities to begin competent beginning practice as a school administrator.

### **Root Cause 3: Inadequate Support for Educator Professional Learning**

Funding for professional learning has been severely reduced in California, in part as a result of recent budget cuts, and in part because of categorical flexibility provisions that have allowed districts to use those dollars to fill other budget gaps. More than half of districts report that they have eliminated, or significantly reduced, professional development offered to teachers and principals, and one-third of districts have reduced paid professional development days (*GbD*, p. 50). It is important to note that the CDE, like the Educator Excellence Task Force, has drawn the same distinction between professional development (PD) and professional learning. *GbD* states, "Old-style PD that follows a 'one size fits all' approach, conducted in the 'drive-by, spray-and-pray' workshops educators have often grown to dread, does not generally improve teaching practices or student achievement" (*GbD*, p. 50).

During the recent recession from 2007 through 2011, California districts and schools experienced over \$20 billion in cumulative cuts. Districts responded by increasing class size, laying off teaching and administrative staff, scaling back support and professional

development for teachers, and reducing instructional days.<sup>4</sup> California K–12 public education is only now recovering from the State’s financial challenges.

Information regarding professional learning opportunities for educators is not collected at the state level. Therefore, for the purpose of this plan, the relevant metrics are based on national research conducted by the Boston Consulting Group in 2014 for the Bill & Melinda Gates Foundation. The report, *Teachers Know Best: Teachers’ Views on Professional Development*, indicates that the professional learning delivered by schools and districts “is highly fragmented and characterized by key disconnects between what decision-makers intend and the professional learning teachers actually experience.”<sup>5</sup> Specifically, the research found:

- Few teachers (29 percent) are highly satisfied with current professional development offerings.
- Few teachers (34 percent) think professional development has improved.
- Large majorities of teachers do not believe that professional development is helping them prepare for the changing nature of their jobs, including using technology and digital learning tools, analyzing student data to differentiate instruction, and implementing academic content standards.
- Professional development formats strongly supported by district leadership and principals, such as professional learning communities and coaching, are currently not meeting teachers’ needs.
- Principals largely share teachers’ concerns about the efficacy of professional learning.

*GbD* states:

Research suggests that district and school professional learning systems should be standards-focused, engage practitioners in sustained inquiry related to problems of practice and foster collaboration and sharing of promising practices. These systems should differentiate for educators’ professional stages and build coherent learning cultures from induction to expert practice. (*GbD*, p. 53)

An emerging body of research illustrates that the contexts in which teachers work shape teachers’ effectiveness and decisions to move to another school site or leave the profession. Teachers who work in supportive professional learning cultures stay in the

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<sup>4</sup> Bland, J., Sherer, D., Guha, R., Woodworth, K., Shields, P., Tiffany-Morales, J., & Campbell, A. (2011). *The status of the teaching profession 2011*. Sacramento, CA: The Center for the Future of Teaching and Learning at WestEd.

<sup>5</sup> Boston Consulting Group. *Teachers Know Best: Teachers’ Views on Professional Development*. 2014. <http://collegeready.gatesfoundation.org/sites/default/files/Gates-PDMarketResearch-Dec5.pdf>

classroom longer, and improve more rapidly, than their peers in less-supportive environments.<sup>6</sup>

The California Subject Matter Project (CSMP), established in 1988, is an essential component within the California professional learning infrastructure. With more than 90 regional sites statewide, it is a network of nine discipline-based communities of practice that promote high-quality teaching and leadership. The CSMP sites operate on fundamental beliefs that include rigorous professional learning, designed collaboratively by K–12 and university educators, to enhance learning for all students. More importantly, the CSMPs advance a “teachers teaching teachers” principle that is central to its sustainability, as it is what fuels the passion for each institution of higher education faculty and their teacher leader colleagues to keep the CSMP operational and effective.

Due to overall budget cuts, funding for the CSMP decreased significantly in the past ten years. Despite these cuts, the CSMP has maintained an impressive reputation among K–12 educators for the variety and quality of professional learning opportunities they offer. These opportunities include workshops, leadership institutes, and in-service programs designed to:

- Revise and develop new programs aligned with California’s academic content standards based on school/district needs;
- Rebuild teacher leadership development through intensive year-round professional learning institutes in a variety of formats to accommodate teacher availability. Teachers may participate in the CSMPs through release time, time compensated by stipend, or unpaid time. The CSMP support can include providing school day coaching opportunities and support. These opportunities may occur onsite or off-site;
- Identify and foster the development of a greater number of mentor teachers from shortage areas to support new teachers in induction;
- Revise and develop new programs for site administrators that refresh or reinforce the necessary leadership and pedagogical skills to assess, coach, and mentor their staff and create and sustain the essential conditions for encouraging professional growth and improving instructional practice;
- Expand the delivery models and uses of technology to provide high-quality professional learning opportunities for teachers and administrators to help them better understand the California’s academic content standards; and

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<sup>6</sup> Johnson, S., Kraft, M., Papy, J. *How context matters in high-need schools: The effects of teachers’ working conditions on their professional satisfaction and their students’ achievement.* 2011. [http://scholar.harvard.edu/files/mkraft/files/johnson\\_kraft\\_papay\\_teacher\\_working\\_conditions\\_final.pdf](http://scholar.harvard.edu/files/mkraft/files/johnson_kraft_papay_teacher_working_conditions_final.pdf)

- Assist teachers in understanding how literacy is addressed not only in English language arts, but in all subject areas.

LEAs need a professional learning system built on the premise that it is for the professional growth of all teachers and leaders. While educator evaluation alone is an ineffective approach to significantly improving the quality of all teachers and leaders, it is an important component of a high-quality professional learning system.

California *Education Code* sections 44660–44665, often referred to as the Stull Act, provide California’s primary guidance regarding educator evaluation. The provisions are relatively broad and there have been several legislative efforts to change or enhance the law regarding how educators are evaluated in California. According to a 2010 report released by the National Board Resource Center at Stanford University, “While evaluation processes across the state vary widely, many of them look very much the same as they did in 1971...” Comments from Accomplished California Teachers, a Web-based state teacher leadership network, indicate that current approaches to teacher evaluation result in a system that teachers do not trust, that rarely offers clear direction for improving practice, and often charges school leaders to implement without preparation or resources.

Stakeholders at each of the three meetings expressed the need for teachers and administrators, particularly those in SED and high-minority schools, to participate in a high quality system of professional learning designed to support their success, improve educator retention, and improve educational outcomes for students.

**Theory of Action:** If California educators are supported by a high quality, integrated professional learning system that supports continuous professional growth throughout their careers, as described in *GbD*, then they will be better able to succeed in high-need schools, lessening turnover and inequitable access to excellent educators.

To that end, California is implementing the following strategies to better support the implementation of a high quality, statewide professional learning system.

### **Strategy 3A: Disseminate and Promote the *Superintendent’s Quality Professional Learning Standards (QPLS)***

When *GbD* was written, California did not have state standards for professional learning. The Educator Excellence Task Force identified the need for a common language and set of expectations to help those that prepare educators and those who teach and lead to improve system coherence.

LEAs, educator preparation programs, professional development providers, and policymakers and policy implementers, with professional learning standards establishing the attributes of best practices, now have a framework for discussion within the state, regional, and local context. Adopted by the SBE on May 7, 2015, the Quality

Professional Learning Standards (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 his or her work. Rather, the QPLS are intended to help educators, LEAs, 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—and 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.

Since the SSPI's approval in 2013, professional learning providers have started incorporating the QPLS into their collaborative discussions and planning with teacher leaders when developing priorities for professional learning. The seven QPLS represent essential components of a comprehensive, research-based, quality professional learning system that is appropriate for California. By adapting or adopting the QPLS, educators, policymakers, education officials, and other stakeholders will have a shared expectation of what professional learning is and how it should be supported.

The CDE is in the early stages of planning for the dissemination of the QPLS. Within the next few months a letter will be sent throughout the system from CDE leadership

regarding the adoption of the QPLS closely followed by a news release. The California Comprehensive Center at WestEd, instrumental in the development of the QPLS, will work with the CDE to produce supporting materials and a webinar describing how educators can use the standards. A rubric to measure the effectiveness of professional learning at all education levels to inform system improvement activities is also being developed.

### **Strategy 3B: Disseminate and Promote Integrated Professional Learning System Work**

The CDE, with the *GbD* report as the chief resource, is focusing on the development and vetting of “promising practices and processes” that will serve as models to inform LEAs as they adopt or adapt professional learning system components that will build system alignment and coherence. This work is based, in part, on the Instructional Capacity Building (ICB) Framework, based on the research by Ann Jaquith (2009; 2012), which identifies the conditions and resources necessary to support effective teaching as:

- **Instructional knowledge** (knowledge of content, pedagogy, and students)
- **Instructional tools or materials** (curriculum, teaching materials, and assessments)
- **Instructional relationships** characterized by trust and mutual respect
- **Organizational structures** that promote the use of various instructional resources, such as common learning time for teachers and formal instructional leadership roles.

In an ACSD article entitled “Instructional Capacity: How To Build It Right,” Jaquith states, “School leaders need to know where these four types of instructional resources reside within their schools and how they interact. They also need to know how to create opportunities for teachers to use these resources to improve teaching and learning.”<sup>7</sup>

The CDE is currently overseeing promising grant projects. The Teacher-Based Reform Grant Pilot Projects (T-BARs) are 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. Funded until September 30, 2015, the grants are supporting district and school prototypes that focus on their own problems of practice related to educator evaluation, the peer assistance and review program (PAR), induction, leadership, improving instructional practice, and a substantive number of other professional learning

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<sup>7</sup> Jaquith, A. 2013. *Instructional Capacity: How To Build It Right*. Available from ACSD: Educational Leadership. October 2013/Volume 71/Number 2. *Leveraging Teacher Leadership*.

system components identified in the *GbD* report that place professional growth at the center.

This work is funded by the Improving Teacher Quality State Grants Program, a federal program, established under Title II, Part A of the No Child Left Behind (NCLB) Act of 2001. The purpose of these projects is to build a working knowledge of the processes and practices through which instructional capacity is developed while demonstrating that it is possible to support a teacher-developed, teacher-led professional learning model with the potential to improve teacher quality within California.

Resourcing Professional Learning Systems (RPLS) T-BAR project, led by the UC Davis Resourcing Excellence in Education (REEd) Center, is funded through September 30, 2016. In addition to the ICB work, it has been focusing on developing a generative process to help LEAs build their own instructional capacity to resource professional growth. The RPLS project is facilitating a process with over thirty LEA teams comprised of labor and management, including county offices of education, to plan, develop, and test prototypes for their continuous improvement. A key principle for this work is to develop and/or repurpose existing resources for the professional growth of all teachers and administrators, not just the few that have been singled-out for intervention. The creation and testing of prototypes by the LEA teams include the necessary components of a comprehensive evaluation system.

For district teams to choose the appropriate strategies and action plans based on their local context, by often reestablishing instructional relationships (i.e., trust and mutual respect), the RPLS project is supporting labor-management collaboration by providing expertise, space, and opportunities to collaborate. Regardless of where the district teams begin, the desired end result is the development of an integrated professional learning system and the site-based conditions needed to support, sustain, and continuously improve that system. Using the original T-BAR Model and the ICB Framework, the RPLS project will provide tools, materials, and processes for:

- Intensive coaching/mentoring support that results in district and site use of the locally contextualized evaluation tool as part of an emerging comprehensive teacher evaluation system, including the use of observation protocols, feedback cycles, calibration and training sessions, and peer professional learning sessions.
- Administrator professional learning opportunities focused on a LEA's ability to access and use calibration, observation protocols, and collegial conversations as resources to support implementation of an integrated professional learning system aligned to the QPLS.
- An Articulated Interventions and Mentoring (AIM) model and pilot testing of the model using a structured cycle of inquiry process as articulated in the Network Improvement Community materials. This will include analytic protocols and

approaches to measure and inform instructional change and shifts in instructional capacity over time.

- A suite of online tools and materials to resource implementation of integrated professional learning materials including: documentation and suggested curriculum for all academies, video demonstrations of ambitious teaching and learning, observation protocols, calibration materials, and effective feedback protocols that are aligned to the California Standards for the Teaching Profession and the California Professional Standards for Education Leaders
- Models and promising practices that showcase how districts collaborate and learn when provided with structured support around a set of common objectives.
- Dissemination of new knowledge and resources generated as a result of the activities outlined above.

The CDE will make available on its Web pages and promote the successful prototypes generated by the Integrated Professional Learning System work via news releases and other communications to LEAs, institutions of higher education, and other education stakeholders. The promising practices exhibited by the successful prototypes will include:

- Evaluation system components and processes that may be used by school districts to implement the best practices teacher evaluation system.
- Processes for implementing observations of instructional and other professional practices.
- Processes for defining calibration for purposes of training evaluators.
- Processes for developing the observation tool that may be used for observations of instructional and other professional practices.
- Processes for determining and defining the performance levels for the evaluation of teacher performance.

#### **Root Cause 4: Challenging Working Conditions in High-Need Schools**

Schools serving large numbers of poor and minority students present challenging workplace conditions for teachers, including social factors, lack of authentic and sufficient community engagement, and inequitable salaries. Research has shown that high teacher turnover in high-need schools has much to do with working conditions related to social factors, such as school leadership, collegial relationships, and elements

of school culture.<sup>8</sup> Related to this, parents of students in high poverty communities are less likely to be involved in the school, to hold teachers accountable, and to be able to provide financial or other support.<sup>9</sup>

During all three stakeholder meetings, challenging working conditions were cited as a root cause of the California's equity gap. Stakeholders postulated that students attending high-minority and SED schools bring with them greater social, emotional, and academic needs, placing more stress on educators in these schools and resulting in more attrition. To address this challenge, stakeholders suggested that high-need schools receive additional funds to employ counselors, nurses, and additional support staff.

**Theory of Action:** If California's high-need schools receive additional fiscal resources and are required to address conditions of learning through expenditure and accountability plans developed in collaboration with the entire school community, they will be better able to improve working conditions to attract and retain high quality educators, lessening educator turnover and inequitable access to excellent educators.

To that end, California is implementing the following strategy to provide more resources to high-need schools:

#### **Strategy 4A: Implement the Local Control Funding Formula**

California's 2013–14 Budget Act enacted landmark legislation that greatly simplifies the school finance system and provides additional resources to schools serving students with greater educational needs. The changes introduced by the Local Control Funding Formula (LCFF) represent a major shift in how the state funds 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. 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>.

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

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<sup>8</sup> Simon and Moore Johnson, "Teacher Turnover in High-Poverty Schools: What we Know and Can Do," 2015

<sup>9</sup> EdSource report "The Power of Parents: Research underscores the impact of parent involvement in schools," February 2014

three-year local control accountability plan (LCAP) which describes how they intend to meet annual goals for all pupils, with specific activities to address state and local priorities identified in LCFF statute. The law requires LEAs to increase or improve services for high-need students in proportion to the additional funding apportioned on the basis of the target student enrollment in the district.

The LCAP must describe goals and specific actions and services to achieve those goals for all pupils for each of the state priorities and any locally identified priorities. LEAs must annually review the progress toward the expected annual outcomes based on, at a minimum, the required metrics identified in the LCFF statute. LEAs are required to consult with teachers, principals, administrators, local-bargaining units, and other school personnel, in addition to parents and students, in developing the LCAP. The state priorities include student achievement; implementation of state academic content standards; measurement of English learner pupils making progress toward English proficiency; student engagement as measured by graduation rates, dropout rates, absenteeism and attendance; school climate as measured by suspension and expulsion rates. In additions, the state priorities include parent involvement as measured by the extent to which parents participate in key school decisions and ensuring facilities are maintained in good repair. Within these priorities, LEAs have the opportunity to develop, at the local level, specific, measurable goals that address the challenging workplace conditions characteristic of high minority/poverty schools. By prioritizing these issues statewide, and maintaining local control and accountability, LEAs and school communities with high numbers of the identified targeted students have the autonomy and additional funding to invest in better facilities, more professional learning opportunities for staff, better engagement with parents and families, and stronger support for teachers.

### **Root Cause 5: Need to Enhance Parent and Community Engagement in High-Need Schools**

Research has shown that parent and community engagement has a measurable impact on student outcomes, but traditionally, schools serving large numbers of poor and minority students have been particularly challenged in engaging parents and communities.<sup>10</sup> Families from all backgrounds desire to be involved, want their children to do well in school, and hope their children will achieve a better life than their parents.<sup>11</sup> However, parents of students in high poverty communities are less likely to be involved in the school, to hold teachers accountable, and to be able to provide financial or other support.<sup>12</sup> Research has revealed a range of barriers to parent involvement in their

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<sup>10</sup> EdSource report "The Power of Parents: Research underscores the impact of parent involvement in schools," February 2014

<sup>11</sup> Gandara. *Bridging Language and Culture* (2011); Redding, Murphy, Sheley, *Handbook on Family and Community Engagement*, and Weiss, Bouffard, Bridglall, Gordon, *Reframing Family Involvement in Education: Supporting families to Support Educational Equity* (2009)

<sup>12</sup> EdSource report "The Power of Parents: Research underscores the impact of parent involvement in schools," February 2014

child's education: "lack of time among working parents; negative prior experiences with schools; an inability of parents to help children with their homework; limited funding to support parent engagement activities; teachers and administrators connecting to parents primarily when their children misbehave; and a lack of staff training in different strategies to engage parents."<sup>14</sup>

During each of its three stakeholder meetings, the CDE heard from stakeholders that schools, particularly those serving large numbers of SED and minority students, needed to more effectively engage their parent communities. Stakeholders expressed the concern that educators did not receive sufficient support and training to communicate with parents effectively.

**Theories of Action:** If California's high-need schools genuinely and respectfully encourage and receive additional support and input from parent and community stakeholders, and build the capacity of both parents and educators to work as partners, they will be better able to improve working conditions to attract and retain high quality educators, lessening turnover and inequitable access to excellent educators. If schools have additional guidance and resources to support effective parent engagement, then they will improve their ability to engage parents in schools.

To these ends, California is implementing the following strategies to better engage parents and community members in high-need schools:

### **Strategy 5A: Implement the Local Control Funding Formula**

As described in Strategy 4A, the LCFF requires LEAs to regularly engage parents and community members 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.

### **Strategy 5B: Promote Resources Designed to Assist Schools to Effectively Engage Parents**

The CDE home Web page at <http://www.cde.ca.gov/> has been redesigned in order to provide direct access to a parent portal, at <http://www.cde.ca.gov/re/di/po/parents.asp>, which links site visitors directly to resources that are most relevant to and most sought after by parents and families.

The *Family Engagement Framework: A Tool for California School Districts (Framework)* has been revised, in collaboration with WestEd, to provide comprehensive guidance to educators, districts, schools, families, and communities as they plan, implement, and evaluate strategies across multiple educational programs for effective family engagement to support student achievement. Specifically, the *Framework* is organized around five principles that address essential actions at the district level: build capacity; demonstrate leadership; resources: fiscal and other; monitor progress; and access and

equity. The guidance in the *Framework* provides federal and state requirements for family engagement and rubrics to describe basic, progressive, and innovative implementation of those requirements. Guidance that supports the engagement of families in high minority/poverty communities includes capacity building for educators and families in effective partnerships, integrating resources and services from the community, establishing multiple and diverse opportunities for involvement, and policies that support and respect the variety of parenting traditions and practices within the community's cultural and religious diversity.

Hard copies of the *Framework* were mailed to all LEAs, and the SSPI announced its availability in a news release. The CDE's Title I Policy and Program Guidance Office provides training for LEAs in the use of the Framework for planning, implementing, and evaluating family engagement programs and activities. Since the implementation of LCFF, there has been a much higher demand for the *Framework*. The 2014 *Framework*, available in English and Spanish, can be viewed on the CDE Web site at <http://www.cde.ca.gov/ls/pf/pf/documents/famengageframeenglish.pdf>.

The CDE Parent/Family Web page at <http://www.cde.ca.gov/ls/pf/pf/> includes an abundance of resources about academic content standards, advisory committees and councils, multilingual documents, parents' rights, policies, and federal requirements. Communication to parents, families, and educators regarding statewide family engagement resources, activities, legislation, and more, is provided through the California Family Engagement (CAFE) listserv, which is open to all members of the public. The wide use of the *Family Engagement Framework* and the resources available on these Web pages is evident by participant feedback in trainings, Web site traffic, and email requests for the *Framework* and training.

The CDE continues to meet with parent stakeholder groups and collect feedback on efforts to improve parent involvement and engagement. This work, in addition to LEAs working to meet the requirements of the LCFF, will continue to foster school to home partnerships.

## **Root Cause 6: Diverse Local Root Causes**

It can be challenging to identify root causes to educational inequity that affect every LEA. For instance, in the Educator Equity Profile provided by ED, educator absenteeism in high poverty/high minority schools was less than two percentage points higher than low poverty/low minority schools, and this margin is narrower when compared to the statewide average. If we look at the highest poverty/minority districts, we can see that absenteeism is a major issue for some, but not all of these districts. This is not to say that absenteeism should not be addressed at the state level, but that in order to support local agencies in addressing these issues, the State must support a system where expertise of the local context can be leveraged.

Stakeholders at each of the three meetings made clear that the State role in providing equitable access to excellent educators needed to go beyond providing guidance and sharing best practices. Even in the context of strong local control, the CDE must monitor and support LEAs to ensure that students have equitable access to excellent educators within their local contexts.

**Theory of Action:** If the State provides technical assistance and intervenes when LEAs do not provide equitable access to educators, then LEAs will more equitably distribute these educators.

### **Strategy 6A: Implement the Compliance Monitoring, Intervention and Sanctions Program**

It should be noted that all California LEAs receiving funds under the ESEA are required to develop and implement an LEA Plan, the purpose of which is to develop an integrated, coordinated set of actions that LEAs will take to ensure that they meet certain programmatic requirements.

Included in the LEA plan is an assurance document regarding a number of educational issues including Item 24 which indicates that LEAs will comply with the following:

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 consistent with Sections 1111(b)(8)(C) and 1112(C)(1)(L).

In addition, California's current EEP which is known as the Teacher Equity Plan requires LEAs to develop and implement a detailed and coherent plan to ensure that poor and minority students are not taught at higher rates than other students by inexperienced, unqualified, or out-of-field teachers. To facilitate implementation of the State Plan, the Legislature authorized the 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 highly qualified teachers (HQTs) and to provide technical assistance to LEAs to ensure they are successful in the development and implementation of a comprehensive plan consistent with federal law.

LEAs must report annually, via the CALPADS, the number of ESEA core courses per site, including the number of those courses that are taught by HQTs. This reporting process provides the basis for validating the professional qualifications and certifications of teachers and their assignments, as well as the distribution of teachers. Based on this data, LEAs that are identified as being non-compliant are monitored and provided technical assistance via the CMIS program.

In the initial year of CMIS placement (Level A), LEAs with less than 100 percent HQT in core academic subjects are provided with technical assistance and encouraged to develop a Non-Compliant Teacher Action Plan outlining steps they will take to ensure that they are meeting HQT requirements.

To meet the requirements of ESEA Section 2141(a) and (b), California LEAs that have not met annual measurable objectives reporting less than 100 percent HQT in ESEA core academic subjects for two consecutive years are assigned to Level B of the CMIS program. Each LEA in Level B is required to create an Equitable Distribution Plan (EDP). The creation of the EDP is a collaborative and intensive process during which LEAs are required to complete all of the following activities:

- Convene a local equitable distribution team comprised of:
  - Human Resources Director
  - Curriculum and Instruction Director
  - State and Federal Programs Director
  - California Basic Educational Data System (CBEDS)/California Longitudinal Pupil Achievement Data System (CALPADS) Coordinator
  - Cabinet-level decision makers
  - Site-level representatives
  - Collective bargaining unit members
  - Beginning teacher support staff
- Conduct, as a team, analyses of school data
- Create a Non-Compliant Teacher Action Plan
- Create an LEA professional development needs assessment which must include:
  - Teacher data such as certification types and areas, professional development history, academic degrees, language fluency, and professional development requests
  - Data relating to student achievement, curriculum and instruction, professional development, and school governance and organization

- Student data, including disaggregated achievement data analysis, classroom work, attendance data, discipline records, and student transfer data, dropout data, language and ethnicity data, and gender data
- Student data including student access to books, supplies, extended learning opportunities and other support systems
- School-level data including total instructional full-time employees, class size, instructional dollars per pupil, special grants and funding, support staff, technology available in the school, and staff professional development type and frequency
- Create an LEA professional development plan
- Conduct an analysis of the placement of PIPs, STSPs, and Interns
- Conduct an analysis of teacher experience rates and levels of support for new teachers
- Submit Board-approved policy or contract language ensuring that PIPs and STSPs are not assigned to schools with 40 percent or higher poverty, or that are in program improvement
- Submit Board-approved policy or contract language ensuring that interns are not placed in high-poverty or program improvement schools in greater numbers than in schools with low-poverty or higher academic achievement
- Provide documentation of a district-wide new teacher support system
- Conduct an analysis of retention rates and recruitment policies
- Submit a teacher retention plan and teacher recruitment plan
- Conduct an analysis of the experience rates of site administrators
- Conduct an analysis of opportunities for administrator training
- Submit documentation of principal support systems

The local EDP must include immediate solutions for ensuring that poor, minority, and underperforming students have access to experienced and effective administrators. 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.

To fulfill the requirements of ESEA Section 2141(c), 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 consisting 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 must be submitted to the CDE.

The CDE submits a report on the CMIS program to the appropriate budget and policy committees of the California Legislature, the Legislative Analyst's Office, and the Department of Finance annually. The report identifies the number of school districts that received CMIS support in the current fiscal year and the major components of the plans that those districts developed to respond to the federal HQT requirements. For each participating district, the report provides longitudinal data on the number and percent of teachers who are and are not highly qualified.

Through the collaborative development of the Equitable Distribution Plan, Non-Compliant Teacher Action Plan, Budget Agreement, and MOU, many districts successfully move out of Level C. In 2012–13, 152 districts were in Level C of the CMIS program. By 2014–15, only 100 districts were in Level C.

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 CDE has considered making revisions to the CMIS program to shift the emphasis from HQTs for all students toward more strategic, targeted support for LEAs who have equitable distribution issues that may require different types of support or interventions. However, it would be an inappropriate use of resources to make significant adjustments to the program before the reauthorization of ESEA. In 2015–16, the CDE will explore the possibility of refining the EDP documents included in Level B of the CMIS program to include specific provisions regarding inexperienced, unqualified, and out-of-field teachers consistent with ESEA Title I requirements.

## **Section 5: Ongoing Monitoring and Public Report of Progress**

California is committed to ensuring the long-term success of its Educator Equity Plan by providing the necessary mechanisms for ongoing technical assistance, monitoring, and feedback. The State has clearly defined its commitments to ensuring educational equity, and improving teaching quality and instructional leadership. With expanded implementation of the LCFF, the CMIS program, and the recommendations made in *GbD*, as described in the plan, the CDE anticipates LEAs will continue to make progress in their efforts to recruit and retain experienced, qualified teachers and administrators to high-need schools, lessening the issue of inequitable access to excellent educators.

To measure the success of these efforts, the CDE will develop an annual data profile that provides information regarding the rates at which poor children are taught by inexperienced, unqualified, out-of-field, and intern 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, out-of-field, or intern teachers compared to the rates at which other children are taught by these teachers.

The CDE will convene stakeholders annually to review this data, examine equity gaps, and identify opportunities to improve upon strategies. Using this information, the CDE will prepare a report on the progress of the California State Plan to Ensure Equitable Access to Excellent Educators and present it to the SBE on an annual basis.

Table 13 provides a timeline outlining the implementation of the strategies proposed in this plan.

California shares ED's goal of ensuring that every student has equitable access to excellent educators. We appreciate having had the opportunity to re-examine and evaluate our work to date and look forward to continued collaborative conversations as we proceed with the implementation of this plan.

**Table 13: Educator Equity Plan Implementation Timeline**

<b>Strategy</b>	<b>Responsible Parties</b>	<b>2014–15</b>	<b>2015–16</b>	<b>2016–17</b>
Implement updated Teaching Performance Assessments (TPAs)	CTC	Adopt revised Assessment Design Standards and secure funding	Begin updating the State TPA model	Prepare to implement revised TPAs in 2017-18
Strengthen and Streamline Accreditation System	CTC/Accreditation Advisory Panel members	Convene workgroups of experts to examine and streamline accreditation processes	Integrate work group recommendations into policies	Implement streamlined policies
Increase Support for Teacher Induction	CTC/Induction task group	Convene workgroup to propose revised induction standards and requirements	Integrate work group recommendations into policies	Full implementation of new policies re: new teacher induction
Include Cultural Awareness and Responsive Teaching Principles and Practices within Teacher Preparation Programs and Local Induction	CTC/ Preliminary Standards Task Group	Convene workgroup to propose revised performance expectations and program standards, including enhanced focus on inclusive practices, restorative justice and cultural competency	Adopt revised program standards by end of 2015. Begin supporting transition of preparation programs to new standards	Transition to new program standards

<b>Strategy</b>	<b>Responsible Parties</b>	<b>2014–15</b>	<b>2015–16</b>	<b>2016–17</b>
Update the California Professional Standards for Education Leaders (CPSEL) Descriptions of Practice (DOP)	CTC/WestEd/CDE/expert panel	Convene expert panel to craft new structures and language for the DOP to reflect the refreshed CPSEL	Publication and dissemination of the refreshed CPSEL DOP	
Develop and disseminate modules to support administrator induction	CTC/WestEd/CDE/expert panel	Convene expert panel to design modules	Administrator induction modules available on CTC Web site, statewide training of trainers	Support statewide transition
Develop an Administrator Performance Assessment (APA)	CDE /CTC	Conduct RFA process for CA Education Leadership Professional Learning Initiative (CELPLI) grant	Monitor implementation of CELPLI grant	CTC contracts with assessment developer to develop APA using products of CELPLI grant
Promote and disseminate The Superintendent's Quality Professional Learning Standards (QPLS)	CDE/WestEd	SBE adoption of the QPLS	Develop dissemination strategy and begin promotion	Assess effectiveness of strategy and adapt and expand as necessary
Promote and disseminate Integrated Professional Learning System work products	CDE	Monitor implementation of grants	Promote T-BAR prototypes and products on Web pages	Promote online tools and materials including observation protocols, calibration

Strategy	Responsible Parties	2014–15	2015–16	2016–17
				materials, and effective feedback materials
Provide additional resources to schools serving SED and minority students	California	Continued implementation of the LCFF	Continued implementation of the LCFF	Continued implementation of the LCFF
Promote and disseminate parent resources	CDE	Continue to build collection of resources to support parent engagement	Explore creation of dissemination strategy	Assess effectiveness of strategy and adapt and expand as necessary
Implement and potentially expand the Compliance Monitoring, Intervention, and Sanctions (CMIS) program	CDE/LEAs	Implement the CMIS program to support LEAs to equitably distribute HQTs, consistent with ESEA Title II Part A requirements.  Ongoing (since 2007)	Explore the possibility of refining the EDP documents included in Level B of the CMIS program to include specific provisions regarding inexperienced, unqualified, and out-of-field teachers consistent with ESEA Title I requirements	Implement refined CMIS program if appropriate

<b>Strategy</b>	<b>Responsible Parties</b>	<b>2014–15</b>	<b>2015–16</b>	<b>2016–17</b>
Monitor State-level data regarding equitable distribution of inexperienced, unqualified, and out-of-field teachers	CDE/CTC	Prepare data profile spring 2015	Prepare data profile spring 2016	Prepare data profile spring 2017
Convene Annual Educator Equity Plan Stakeholder Meeting	CDE/SBE/CTC/LEAs/ parents/teachers/ administrators/ pupil services personnel/ community groups	Convene stakeholder meetings to inform development of EEP	Convene stakeholders to share new data, explore equity gaps, and inform update of EEP strategies as appropriate	Convene stakeholders to share new data, explore equity gaps, and inform update of EEP strategies as appropriate
Prepare and present to the SBE an annual report of implementation progress regarding the California State Plan to Ensure Equitable Access to Excellent Educators	CDE	2015 California State Plan to Ensure Equitable Access to Excellent Educators presented to SBE at its July 2015 meeting	2016 California State Plan to Ensure Equitable Access to Excellent Educators presented to SBE at its July 2016 meeting	2017 California State Plan to Ensure Equitable Access to Excellent Educators presented to SBE at its July 2017 meeting

## Appendix A: Stakeholder Meeting Agendas and Participant Lists

### California Educator Equity Roundtable: Excellence for All

Clark Kerr Conference Center  
University of California, Berkeley  
2601 Warring Street, Garden Room, Berkeley, CA  
May 13, 2015, 9:30 AM–3:00 PM

#### Meeting Goals

- To facilitate thoughtful and honest dialogue about what addressing educator equity in California will require, and what's already underway to address it.
- To provide feedback and support on California's Educator Equity plan; and share data and analyses to inform how to look at educator equity gaps and their root causes.
- To explore and share district strategies for educator equity underway around the state.
- To discuss on-going stakeholder engagement around educator equity.

#### 9:30 am–10:00 am Registration and Light Breakfast

#### 10:00 am–10:30 am Welcome

- **The goals and process for this meeting**  
*Christopher Edley, Jr., Partners for Each and Every Child*
- **The importance and urgency of addressing educator equity at this moment in California and the opportunity provided by the Educator Equity Plans**  
*Ryan Smith, Education Trust–West*
- **The policy context surrounding efforts to address Educator Equity; both short (current Teaching Bills and Surplus) and longer term.**  
*Linda Darling-Hammond, Stanford Center of Policy in Education (SCOPE)*
- **Update on the development of California's Education Equity plan**  
*Barbara, Murchison, California Department of Education*

#### 10:30 am–11:30 am Discussion 1: Identifying the Educator Equity Gaps and Key Opportunities for Strengthening the Plan for Educator Equity

- **Inequities and growing educator shortages in California**  
*Linda Darling-Hammond and Team*
- **Examining current data sources and monitoring programs**  
*Teri Clark, California Commission on Teacher Credentialing*  
*Carrie Roberts, California Department of Education*
- **Discussion/Brainstorm in Whole Group**
  - Does the data presented lead to a common understanding of root causes?
  - What other analyses would be useful?

#### 11:30 am–12:15 pm Discussion 2: Top Strategies for Addressing Educator Equity

- **Providing Food for Thought**  
*Linda Darling-Hammond and Team*

- What are the Key Strategies for addressing the well-known causes of educator inequity?
  - Discussion/Brainstorm in Whole Group
    - What should our priorities for Recruitment, Preparation, Induction, Development, and Evaluation of teaching/teachers?
    - What needs strengthening?
- 12:15 pm–12:30 pm** Buffet Lunch
- 12:30 pm–1:30 pm** Discussion 3: District Strategies and Data Systems that Promote Transparency and Continuous Improvement of Educator Equity
- Providing Food for Thought
    - Ginger Adams, CORE Districts*
    - Jeannette LaFors, Education Trust–West*
    - What innovative ways are districts tracking and addressing issues of educator equity and effectiveness?
  - Discussion/Task
    - What is the role of the state in supporting districts to develop and use these systems?
- 1:30 pm–2:30 pm** Discussion 4: Strengthening Stakeholder Engagement
- Providing Food for Thought
    - Ryan Smith, Education Trust–West*
    - What’s the purpose and importance of stakeholder engagement?
  - Discussion/Task
    - What should stakeholder engagement on educator equity look like?
    - Are there ways to begin pushing for educator equity and analysis of the gaps in the context of LCFF?
- 2:30 pm–3:00 pm** Next Steps
- Christopher Edley, Jr., Partners for Each and Every Child*
- Recap outcomes from four discussions
  - Identify next steps

<b>California Educator Equity Roundtable: Excellence for All</b>		
<b>May 13, 2015, 9:30 AM–3:00 PM</b>		
<b>Attendance List</b>		
<b>Last Name</b>	<b>First Name</b>	<b>Organization</b>
Adams	Ginger	CORE Districts
Affeldt	John	Public Advocates Inc.
Bezosa	Jennifer	Lawyers Committee for Civil Rights
Bishop	Joseph	Institute for Education Policy
Canaveral	Christina	Coleman Advocates
Clark	Teri	California Commission on Teacher Credentialing
Darling-Hammond	Linda	Stanford Center of Policy in Education (SCOPE) Stanford University
Edley, Jr.	Christopher	Partners for Each and Every Child
Franklin	Melia	Bay Area Parent Leadership Action Network (PLAN)
Fuller	Bruce	UC Berkeley, Graduate School of Education
Furger	Roberta	PICO California
Green	Sophie	Partners for Each and Every Child
Gustafson-Corea	Jan	California Association for Bilingual Education
Hahnel	Carrie	Education Trust–West
Isheda	Taryn	Californians for Justice
Kim	Hayin	Independent Consultant
Kini	Tara	Educator
Koon	Danfeng	Partners for Each and Every Child
LaFors	Jeannette	Education Trust–West
Mauer	Molly	Partners for Each and Every Child
Mui	Elaine	Partners for Each and Every Child
Murchison	Barbara	California Department of Education
Ochoa	Tina	Families in Schools
Pfister	Carolyn	California State Board of Education
Plank	David	Policy Analysis for California Education, Stanford University
Pleitez-Howell	Karla	Advancement Project
Roberts	Carrie	California Department of Education
Ross	Peter	Institute for Education Policy
Saenz	Tom	Mexican American Legal Defense and Educational Fund (MALDEF)
Sandy	Mary	California Commission on Teacher Credentialing
Saunders	Janine	California School-Based Health Alliance
Smith	Ryan	Education Trust–West
Snyder	Jon	Stanford Center of Policy in Education (SCOPE) Stanford University
Strong	Brad	Children Now
Tinubu Ali	Titilayo	Institute for Education Policy
Warnken	Heather	Partners for Each and Every Child
Watkins	Debra	California Alliance of African American Educators (CAAEE)

# California Educator Equity Plan Stakeholder Meeting

West Ed, 1000 G Street, Sacramento, CA 95814  
June 9, 2015, 1:00 PM – 5:00 PM

## Agenda

- Welcome and Introductions
- Findings from Research on Equitable Access
- Historical Background on Equitable Access
- Overview of Excellent Educators for All Initiative
- Data Review: Equitable Access in California
- Root Cause Analysis Session
- Break
- Strategy Session
- Next Steps

<b>California Educator Equity Plan Stakeholder Meeting  June 9, 2015, 1:00 PM–5:00 PM  Attendance List</b>		
<b>Last Name</b>	<b>First Name</b>	<b>Organization</b>
Anderson	Nicole	Association of California School Administrators
Bachez	Sara	Association of California School Administrators
Bishop	Joseph	Education Startup
Brown	Shannan	San Juan Teachers Association
Buenrostro	Manuel	California School Boards Association
Burt	Ken	California Federation of Teachers
Coppage	Keith	California Department of Education
Cruz	Oscar	Families in Schools
Easterling	Lori	California Teachers Association
Ennis	Judy	American Institutes of Research
Enriquez	Marcela	California Department of Education
Fajardo	Elena	California Department of Education
Graybill	Beth	Commission on Teacher Credentialing
Jaffe	Celia	California State parent Teacher Association
Lacy	Paul	California Department of Education
Marcellus	Christina	California County Superintendents Educational Services Association
Murchison	Barbara	California Department of Education
Ochoa	Tina	Families in Schools
Pfister	Carolyn	State Board of Education
Preston	Laura	Association of California School Administrators
Purdue	Roxann	Commission on Teacher Credentialing
Robb	Jane	California Teachers Association
Roberts	Carrie	California Department of Education
Sanchez	Norma	California Teachers Association
Sherratt	Ellen	American Institutes of Research
Sinclair	Judy	California Department of Education
Speck	Jay	California County Superintendents Educational Services Association
Strong	Brad	Children Now
Sun	Ting	State Board of Education
Tamayo	Rico	California Federation of Teachers

# California Educator Equity Plan Stakeholder Meeting

California Department of Education, 1430 N Street, Sacramento, CA 95814  
June 10, 2015, 1:00 PM – 5:00 PM

## Agenda

- Welcome and Introductions
- Findings from Research on Equitable Access
- Historical Background on Equitable Access
- Overview of Excellent Educators for All Initiative
- Data Review: Equitable Access in California
- Root Cause Analysis Session
- Break
- Strategy Session
- Next Steps

<b>California Educator Equity Plan Stakeholder Meeting</b>		
<b>June 10, 2015, 1:00 PM–5:00 PM</b>		
<b>Attendance List</b>		
<b>Last Name</b>	<b>First Name</b>	<b>Organization</b>
Aleman	Brenda	Council of Mexican Federations
Alvarez	Rafael	Community Service Employment Training
Avita	Angel	Community Service Employment Training
Chambers	Niki	Congregations Organized for Prophetic Engagement
Contreras	Lizbeth	Council of Mexican Federations
Cortez-Alcala	Lupita	California Department of Education
D'Souza	Lestan	Families in Schools
Ennis	Judy	American Institutes of Research
Gallardo	Sofia	Community Service Employment Training
Gomez	Raquel	Community Service Employment Training
Guadron	Stephanie	Families in Schools
Murchison	Barbara	California Department of Education
Navarro	Martha	Community Service Employment Training
Ochoa	Araceli	Proteus
Ochoa	Tina	Families in Schools
Roberts	Carrie	California Department of Education
Rodgers	Gwen	Congregations Organized for Prophetic Engagement
Sinclair	Judy	California Department of Education



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

<b>SUBJECT</b>	
California's Application to the United States Department of Education for Funds Available Through the Federal Charter Schools Program: Consideration of Proposed Content, Final Approval, and Submission.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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The federal Charter Schools Program (CSP) is a competitive grant program that enables State Educational Agencies (SEAs) to provide financial assistance, through sub-grants to eligible applicants, for the planning, program design, and initial implementation of charter schools and to support the dissemination of information about successful practices in charter schools.

In fiscal year 2014–15, California received its final allocation for its 2010–2015 CSP grant award. The Federal Register for the 2015–2018 CSP grant competition was released on June 15, 2015, with applications due by July 16, 2015. In order for California to apply for continuous CSP funding for new charter schools, the State Board of Education (SBE) must approve the submission of the application.

#### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the SBE approve and direct the CDE to apply for up to \$135 million (up to \$45 million each year) in federal funds under the federal CSP for a total grant award period of three years. Furthermore, the SBE shall direct the CDE, in consultation with the Executive Director of the SBE and/or the SBE liaisons, to perform all necessary activities required to finalize the CSP application.

The amount requested is estimated, and will permit funding for new charter schools that meet the eligibility and competitive requirements for CSP funding.

#### **BRIEF HISTORY OF KEY ISSUES**

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The United States Department of Education (ED), Office of Innovation and Improvement, awards federal CSP grant funds to increase national understanding of the charter school model by expanding the number of high-quality charter schools available

to students across the nation, and by evaluating the effects of charter schools, including their effects on students, student academic achievement, staff, and parents.

The CSP grant's purpose is to achieve three main goals: 1) to ensure that CSP funds are directed toward the creation of high-quality charter schools; 2) to strengthen public accountability and oversight for authorized public chartering agencies; and 3) to support and improve academic outcomes for educationally disadvantaged students.

The Secretary of Education has outlined the following specific selection criteria by which CSP grant applications will be evaluated:

- Quality of the state-level strategy for using charter schools to improve educational outcomes for students throughout the state.
- Policy context for charter schools under the proposed project.
- Past performance of charter schools.
- Quality of plan to support educationally disadvantaged students.
- Vision for charter school growth and accountability.
- Dissemination of information and best practices.
- Oversight of authorized public chartering agencies.
- Quality of the management plan and the project's theory of action.
- Quality of the design of the SEA's charter school sub-grant program.

California proposes to use 2015–2018 CSP grant funds to further develop the number of operating high-quality charter schools. As a means to achieve this, California is proposing the following objectives:

1. Increase the number of high-quality charter schools serving educationally disadvantaged students in areas of California with limited resources.
2. Disseminate best practices for charter schools and authorizers.
3. Improve educational outcomes for educationally disadvantaged students.
4. Strengthen accountability and oversight of authorizers and sub-grantees.

### **Proposed CSP Application for 2015–2018**

California has received federal CSP grant funds since 1995. In the prior grant cycle, California was awarded approximately \$290 million in federal grant funds for

2010–2015. ED plans to allocate up to \$116 million for the 2015–2018 competition, with awards ranging from \$3.5 million to \$45 million per year.

In accordance with the allowable use of funds, the CDE proposes to provide the following program elements through the CSP local assistance and administrative funds:

**Planning and Implementation Sub-grants** (Local Assistance Funds)

Each charter school's application for funding will be required to comply with state and federal law and eligibility requirements of the sub-grant. The sub-grant program is a competitive grant program and applications received will be evaluated against a published rubric.

Pursuant to federal law, planning and implementation sub-grants are limited to a total of three years. The CDE proposes to use a modified grant formula similar to what was developed for the 2010–2015 CSP. The proposed funding amount will include a base level award for classroom-based and nonclassroom-based charter schools. Supplemental funding to the base level award may be made for applicants that meet specific criteria for priority points. The funding levels and supplemental funding are contingent on California's grant award and availability of funds.

**Dissemination Sub-grants** (Local Assistance Funds)

A state may award up to 10 percent of its total CSP grant award for dissemination activities. Pursuant to federal law, dissemination grants are limited to two years and are available to successful charter schools to disseminate the best practices that led to their success. The CDE proposes to award sub-grants to eligible applications on a competitive basis for projects that respond to disseminating best practices.

**Program Oversight** (Administrative Funds)

The state may use up to five percent of the CSP for administrative activities. This funding provides the resources for administrative staff to manage the CSP, including grant competition peer reviews; training and technical assistance to grant recipients, other charter schools, and chartering authorities; conducting desk and site visit monitoring; and program evaluation and reporting.

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The SBE previously approved the submission of applications for CSP grant funds in 1995, 1998, 2001, 2004, 2007, and 2010.

**FISCAL ANALYSIS (AS APPROPRIATE)**

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If funded, this application will result in up to \$42.75 million in local assistance funds per year for initial charter school planning, implementation, dissemination, and oversight and monitoring activities.

Up to five percent of the grant award may be used by the CDE for costs to administer the grant. Without these funds, the Charter Schools Division would be unable to

implement the grant and provide resources and technical assistance to the California charter school community.

**ATTACHMENT(S)**

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None.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

SUBJECT	
Synergy Charter School: Consider a Material Revision of the Charter Petition to Revise the Governance Structure and the Educational Program.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input checked="" type="checkbox"/> Public Hearing

#### SUMMARY OF THE ISSUE(S)

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Synergy Charter School (SCS), a State Board of Education (SBE)-authorized charter school, requests a material revision of its charter to revise its governance structure and educational program to begin in the 2015–16 school year. SCS was authorized on November 10, 2011, to serve pupils in grade six through grade twelve.

#### RECOMMENDATION

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The California Department of Education (CDE) recommends that the SBE hold a public meeting regarding the SCS petition, and thereafter to conditionally approve, with four conditions and seven technical amendments, the request for a material revision to the SCS petition to revise the governance structure and educational program. Inherent to this recommendation, the CDE proposes the following conditions: (1) a signed agreement between SCS and Encore Education Corporation (EEC) is provided to the CDE that outlines the administrative and programmatic services to be implemented; (2) SCS must provide an outreach or recruitment plan by August 1, 2015, which details how SCS will meet or exceed 255 pupils (as indicated in the SCS material revision build out plan); (3) SCS will provide the CDE with an updated multi-year budget projection, updated narratives and assumptions along with their fiscal year (FY) Unaudited Report on or before September 15, 2015. If the multi-year projections are inconsistent with SCS's projected estimates for significant improvements in its financial condition, then a budget plan with timelines that addresses how the inconsistencies will be resolved must also be provided; and (4) a specific plan is provided to the CDE that adequately addresses how SCS plans to repay their revenue anticipation note (RAN) of approximately \$1.7 million, which matures September 15, 2015.

Additionally, SCS was required to submit a description of annual goals for each subgroup of pupils to be achieved in the eight state priorities identified pursuant to California *Education Code (EC)* Section 52052 to be incorporated into the SCS petition

and provided to CDE by June 15, 2015. SCS submitted this document to the CDE on June 4, 2015, and the CDE finds it to be sufficient (Attachment 2).

If any of these conditions are not met by the timelines established, the CDE will consider this a material violation of any of the conditions, standards, or procedures set forth in the charter pursuant to *EC* Section 47607(c)(1)(A) and may propose further action be taken by the SBE.

### **Advisory Commission on Charter Schools**

The ACCS considered the SCS material revision at its June 10, 2015, meeting. The ACCS voted unanimously to accept the CDE recommendation that the SBE approve the material revision to revise the governance structure and the educational program.

### **BRIEF HISTORY OF KEY ISSUES**

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SCS is an SBE-authorized charter school, located in Pittsburg. On November 10, 2011, the SBE approved the SCS petition for a five-year term to serve grade six through grade twelve. The current SCS petition was approved by the SBE with the condition that SCS adhere to a Memorandum of Understanding between SCS and the SBE that requires a material revision of the petition if the school makes significant changes in the governance structure and the educational program.

In considering the request for a material revision, CDE reviewed the following:

- The SCS petition, Attachment 3 of Agenda Item 05 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item05a3.pdf>.
- Educational and demographic data of schools where pupils would otherwise be required to attend, Attachment 2 of Agenda Item 05 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item05a2.xls>.
- The SCS multi-year budget and financial projections, Attachment 4 of Agenda Item 05 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item05a4.pdf>.
- Financial Condition of State Board of Education-Authorized Charter Schools Memorandum Dated April 1, 2014, Attachment 5 of Agenda Item 05 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item05a5.pdf>.
- Financial Condition of State Board of Education-Authorized Charter Schools Memorandum Dated April 1, 2015, Attachment 6 of Agenda Item 05 on the

ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item05a6.pdf>.

Pursuant to *EC* sections 47607(a)(1),(2), 47605(b), and *California Code of Regulations*, Title 5 (5 *CCR*) Section 11967.5.1, a material revision to a petition must provide a reasonably comprehensive description of multiple required elements (Attachment 1 of Agenda Item 05 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item05a1.doc>).

The CDE finds that the SCS petition does provide a reasonably comprehensive description for some of the required elements, as indicated by a “Yes”. Others require a technical amendment and are identified by a “\*Yes”. These amendments strengthen or clarify elements for monitoring and accountability purposes. Two of the additional required elements is marked by a “No” (Attachment 1 of Agenda Item 05 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item05a1.doc>).

The CDE recommends that the SBE approve the request for a material revision of the SCS charter, with the recommended technical amendments and conditions, for the following reasons:

- The SCS administration and Governing Board evaluated the fiscal sustainability of SCS and determined that SCS needed assistance in order to improve fiscal sustainability and strengthen internal fiscal controls. Additionally, SCS proposes to modify their educational program to include an art focus model. Therefore, SCS proposes to enter into a partnership with EEC as a means of ensuring educational goals are being met and fiscal solvency is established. EEC is an independent nonprofit corporation in California. EEC provides an art focus education program and currently operates two charter schools serving middle and high school pupils: Encore High School for the Performing and Visual Arts authorized by San Bernardino County Office of Education in Hesperia and Encore High School for the Arts, which will open in the Riverside area in fall 2015.
- SCS has submitted all required documentation to the CDE including, but not limited to, attendance reports, compliance documents, budgets, and audit reports.
- SCS has continued to work with the CDE regarding all issued letters of concern.
- SCS provides pupils with a sound educational program providing a creative, challenging, and nurturing environment that offers students the opportunity to combine rigorous academics with project based learning and arts integration.

## Budget

- SCS reported deficit spending of \$104,672 with a negative fund balance of \$695,688 during FY 2014–15 and projected negative ending fund balances with no reserves for FY 2015–16 through FY 2016–17. SCS is considered to be in poor financial condition for FY 2014–15 as noted in the Financial Condition of State Board of Education-Authorized Charter Schools Memorandum dated April 1, 2015, (pp. 11–12 of Attachment 6 of Agenda Item 05 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item05a6.pdf>).

CDE has sent four letters of fiscal concern with requests for Corrective Action Plans (CAP) since 2013 as follows:

Letter of Concern issued April 11, 2013:

- No reserves
- Negative fund balance
- Budget out of balance

CDE requested that SCS provide a CAP to include a narrative to ensure enrollment growth and facility expansion to address the fiscal concerns. The CAP addressed the enrollment growth with slight increases, including a projected positive ending fund balance with adequate reserves, but did not include a detailed plan of a facility expansion.

Letter of Concern issued March 13, 2014:

- Budget out of balance
- High debt ratio

CDE requested that SCS provide a CAP to include a revised balanced budget with details to explain how the negative fund balance would be eliminated. Additionally, CDE requested board minutes reflecting the approval of the amended budget and board discussion regarding the proposed plan to address and eliminate the budget deficit. The budget submitted with the CAP was out of balance with overestimated Average Daily Attendance (ADA).

Letter of Concern issued September 19, 2014:

- Budget out of balance
- Overestimated ADA
- Failure to provide board minutes discussing Letter of Concern

CDE requested that SCS provide a CAP to include revised enrollment and ADA projections and a revised balanced budget with adequate reserves. Additionally, CDE requested board minutes reflecting the approval of the amended budget and board discussion regarding the proposed CAP to address and eliminate the budget concerns. The budget submitted with the CAP was out of balance, showed a decline in enrollment, and an overestimated ADA projection. SCS still failed to provide board minutes reflecting the approval of the amended budget and board discussion regarding the proposed plan to address and eliminate the budget deficit.

Letter of Concern issued February 6, 2015:

- SCS charged unallowable costs for FY 2012–13 and FY 2013–14 of \$248,195.67 to SCS's Public Charter Schools Grant Program (PCSGP).
- SCS must provide specific information of how SCS plans to recruit and retain new pupils for existing grade levels and include specific details of the plan of adding grade eleven for FYs 2015–16 and 2016–17.
- SCS must provide a legally binding written commitment or confirmation of such commitment in regards to the partnership with Acre Development to procure a new and expanded site for SCS.
- SCS must provide a detailed back-up plan if a partnership with Acre Development is not established.
- SCS must provide SCS board minutes reflecting approval of the CAP and First Interim Report regarding the proposed plan to address and eliminate the budget deficit after the September 19, 2014, letter was sent.

CDE requested that SCS provide a CAP by February 12, 2015. The SCS CAP proposed to repay the PCSGP in full in 24 equal monthly payments from July 1, 2015, through June 20, 2017, which is the end of SCS's initial charter term. CDE worked with SCS to remove the unallowable costs. Allowable grant expenditures have since been reported by SCS and approved by the CDE, which will result in additional PCSGP funds to be paid to SCS. However, the SCS CAP did not provide specific information of recruiting or retaining students, a legally binding written commitment or confirmation with the proposed partnership with Acre Development, an alternative plan if the partnership is not established, or board minutes reflecting approval of the CAP. SCS added that enrollment and ADA have declined further since the first interim report. Even with the reduction of expenditures, SCS will have a budget deficit for FY 2014–15.

Additionally, CDE reviewed audited financial data from the FY 2013–14 audit report that reflected deficit spending of \$396,857 with a negative ending fund balance of \$591,015

and no reserve designated for economic uncertainty. SCS also reported the total amount of \$1,600,000 in FY 2013–14 of their RAN, which will be due by September 15, 2015. SCS has no plans for additional cash flow borrowing for FY 2014–15 but is proposing an extended repayment term with Comerica Securities over the remaining two years of the current charter. In the interim, SCS is paying interest in the amount of \$138,667 for the RAN. The SCS debt ratio reported for the FY 2013–14 at 1.25 is high. The reliance on borrowing has affected the cash flow of SCS; a high debt ratio could jeopardize SCS’s ability to obtain financing, which may result in higher financing costs.

SCS was required to comply with *EC* Section 47605(b)(ii), which requires a petition to state the annual goals for all pupil subgroups identified pursuant to *EC* Section 52052, to be achieved in the eight state priorities, as described in *EC* Section 52060. The SCS petition addresses annual goals and actions to achieve the eight state priorities (pp. 76–88 of Attachment 3 of Agenda Item 05 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item05a3.pdf>). However, the petition does not include a description of annual goals for each subgroup of pupils identified pursuant to *EC* Section 52052. The SCS board approved a Local Control and Accountability Plan (LCAP); SCS submitted the approved LCAP to the CDE on July 1, 2014.

SCS was required to submit a description of annual goals for each subgroup of pupils to be achieved in the eight state priorities identified pursuant to *EC* Section 52052 to be incorporated into the SCS petition and provided to CDE by June 15, 2015. SCS submitted this document to the CDE on June 4, 2015, and the CDE finds it to be sufficient (Attachment 2).

A detailed analysis of the review of the entire petition is provided in Attachment 1 of Agenda Item 05 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item05a1.doc>.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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Currently, 25 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
- Seven districtwide charters operating a total of seventeen sites
- Seventeen 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)**

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Attachment 1: State Board of Education Standard Conditions on Opening and Operation (3 Pages)

Attachment 2: Goals and Actions to Achieve the Eight State Priorities (20 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.

**GOALS AND ACTIONS TO ACHIEVE THE STATE PRIORITIES**

**SYNERGY EDUCATION PROJECT GOALS AND ACTIONS TO ACHIEVE THE STATE PRIORITIES**

Pursuant to Education Code Section 47605(b)(5)(A)(ii), following is a table describing Synergy’s annual goals to be achieved in the state priorities schoolwide and for all pupil subgroups, as described in Education Code Section 52060(d), and specific annual actions to achieve those goals.

**Local Control Accountability Plan (“LCAP”)**

Pursuant to Education Code Section 47606.5, Synergy will produce a Local Control Accountability Plan (“LCAP”), which shall update the goals and annual actions identified below, using the LCAP template adopted by the State Board of Education. Synergy shall submit the LCAP to the District and the County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33.

The LCAP and any revisions necessary to implement the LCAP shall not be considered a material revision to the charter, and shall be maintained by Synergy at the school site.

Because each state priority has multiple parts, in order to align with the goals and annual actions to these multiple parts of each state priority, Synergy has separated out the state priorities into “subpriorities.”

**STATE PRIORITY #1— BASIC SERVICES**

*The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. § 60119), and school facilities are maintained in good repair (E.C. §17002(d))*

**SUBPRIORITY A – TEACHERS**

<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Encore Education Corporation will hire and retain highly qualified, credentialed teachers within the subject area of instruction for all core instruction.
<b>ACTIONS TO ACHIEVE GOAL</b>	Encore Education Corporation will utilize edjoin.org and job fairs to recruit appropriate candidates. Teachers hired for core curriculum must possess a minimum of an intern eligible credential in the appropriate course of study. Teachers will have to follow state guidelines to clear credential. 100% of core teachers will possess the appropriate credential.

**SUBPRIORITY B – INSTRUCTIONAL MATERIALS**

<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Synergy will engage a variety of methods to deliver adopted academic content and performance standards as adopted by the state board for all pupils including English Learners, ethnic subgroups, socioeconomic disadvantaged pupils, pupils with disabilities, and foster youth. Instructional materials will include CCSS adopted textbooks and other resources including but not limited to technology resources, ancillary reading materials, and resources available on the internet.
<b>ACTIONS TO ACHIEVE GOAL</b>	Teacher lesson/pacing plans will reflect CCSS. Encore’s executive team will work with Synergy staff and faculty to customize lesson plans and materials to be purchased with designated funding to align with CCSS. Materials needed for interventions and supplemental engagement will be available in appropriate levels and languages to best assist all subgroups.

**SUBPRIORITY C – FACILITIES**

<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Encore Education Corporation will lease appropriate facilities to house the entire operation of Synergy Education Project within the jurisdiction of PUSD.
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Goals and Actions to Achieve the Eight State Priorities

<b>ACTIONS TO ACHIEVE GOAL</b>	Encore Education Corporation will work with the city of Pittsburg to find appropriate location(s) that can house a minimum of 10 classrooms that are approved by the city planning department for a long term campus location. Synergy will work to secure certificate of occupancy for building(s) for classes to commence on scheduled start date.
<b>STATE PRIORITY #2— IMPLEMENTATION OF COMMON CORE STATE STANDARDS</b> <i>Implementation of Common Core State Standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency</i>	
<b>SUBPRIORITY A – CCSS IMPLEMENTATION</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Synergy will successfully implement CCSS throughout all course studies.
<b>ACTIONS TO ACHIEVE GOAL</b>	Encore Education Corporation has an Executive Director that works directly with a CCSS implementation team that continues professional development and meets with Synergy teachers regularly to train, direct, and share expectations with fellow faculty.
<b>SUBPRIORITY B – EL STUDENTS &amp; ACADEMIC CONTENT KNOWLEDGE</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Synergy will engage a variety of methods to deliver adopted academic content and performance standards as adopted by the state board for all pupils, including English Learners, ethnic subgroups, socioeconomic disadvantaged pupils, and foster youth.
<b>ACTIONS TO ACHIEVE GOAL</b>	Teachers lesson/pacing plans will reflect CCSS. Any modifications made for special populations and / or subgroups are noted on the electronic gradebook, including English Learners. Special populations and / or subgroups will be offered different services including after school tutoring, EL Coordinator, in school tutoring, study skills coaching, and response to intervention coaching.
<b>SUBPRIORITY C – EL STUDENTS &amp; ENGLISH LANGUAGE PROFICIENCY</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Synergy will work to help EL Students move through the reclassification process toward English proficient.
<b>ACTIONS TO ACHIEVE GOAL</b>	Synergy’s faculty will document the implementation of CCSS for all students, including EL. Progress will be measured by the percentage rate of EL’s that become English Proficient and how many are reclassified. Also used as a method of measure are CST data (or equivalent), Benchmarks, and using other indicators of student and state performance measures when available.
<b>STATE PRIORITY #3— PARENTAL INVOLVEMENT</b> <i>Parental involvement, including efforts to seek parent input for making decisions for schools, and how the school will promote parent participation</i>	
<b>SUBPRIORITY A – ACHIEVING/MAINTAINING PARENTAL INVOLVEMENT</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Parents will actively engage in input in decision making and participate in programs.
<b>ACTIONS TO ACHIEVE GOAL</b>	Synergy will use a variety of resources to acquire the help from parents on campus. At home surveys, a staff member designated for parent coordination, a parent liaison placed on the oversight school boards, and a parent involvement request each year will help keep parents engaged.
<b>SUBPRIORITY B – PROMOTING PARENT PARTICIPATION</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Synergy will use a variety of methods to communicate with parents to promote and ask for parent participation.
<b>ACTIONS TO ACHIEVE</b>	Synergy will use a variety of methods to communicate with parents regularly

Goals and Actions to Achieve the Eight State Priorities

<b>GOAL</b>	including but not limited to email blasts, all call systems, direct contact, request for input, call surveys, letters mailed home, surveys sent home, and requests to participate in parent meetings. Parents undergo an orientation session prior to enrollment.
<b>STATE PRIORITY #4— STUDENT ACHIEVEMENT</b>	
<i>Pupil achievement, as measured by all of the following, as applicable:</i>	
<ul style="list-style-type: none"> <li>A. California Assessment of Student Performance and Progress (CAASPP) statewide assessment</li> <li>B. The Academic Performance Index (API)</li> <li>C. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education</li> <li>D. Percentage of ELs who make progress toward English language proficiency as measured by the California English Language Development Test (CELDT) and/or English Language Proficiency Assessment for California (ELPAC)</li> <li>E. EL reclassification rate</li> <li>F. Percentage of pupils who have passed an AP exam with a score of 3 or higher</li> <li>G. Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 et seq.) or any subsequent assessment of college preparedness</li> </ul>	
<b>SUBPRIORITY A – CAASPP: ELA/LITERACY AND MATHEMATICS</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Students will perform at or above grade level in the areas of ELA and Mathematics
<b>ACTIONS TO ACHIEVE GOAL</b>	Synergy will implement uniform benchmark tests created through TestWiz (NWEA) or similar program to be able to gauge progress as a result of the classroom seat time.
<b>SUBPRIORITY B – API</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Synergy will surpass the state average for high school API (or equivalent) within five years of change of management.
<b>ACTIONS TO ACHIEVE GOAL</b>	Synergy will use a variety of methods to teach CCSS and to check progress through the use of uniform benchmark tests.
<b>SUBPRIORITY C – UC/CSU COURSE REQUIREMENTS (OR CTE)</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	The majority of graduating seniors of Synergy will complete coursework that is equivalent to at least the admissions standards for UC and CSU consideration
<b>ACTIONS TO ACHIEVE GOAL</b>	Synergy will adopt UC and CSU admissions requirements as the graduation requirements for Synergy seniors.
<b>SUBPRIORITY D – EL PROFICIENCY RATES</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	English Learners will advance one level each year toward English proficiency as measured annually by the California English Language Development Test (CELDT) or a sanctioned replacement assessment.
<b>ACTIONS TO ACHIEVE GOAL</b>	Upon enrollment, the original Home Language Survey in the students' cumulative folder from previous enrollment in a California school will be reviewed, as well as any prior CELDT scores, in order to best determine the current level of the student. If no prior Home Language Survey exists, one will be completed upon enrollment at Encore.
<b>SUBPRIORITY E – EL RECLASSIFICATION RATES</b>	
<b>GOAL TO ACHIEVE</b>	English Learners will be reclassified within three years.

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<b>SUBPRIORITY</b>	
<b>ACTIONS TO ACHIEVE GOAL</b>	Upon enrollment, the original Home Language Survey in the students' cumulative folder from previous enrollment in a California school will be reviewed, as well as any prior CELDT scores, in order to best determine the current level of the student. If no prior Home Language Survey exists, one will be completed upon enrollment at Encore.
<b>SUBPRIORITY F – AP EXAM PASSAGE RATE: ENCORE WILL NOT OFFER AP COURSES</b>	
<b>SUBPRIORITY G – COLLEGE PREPAREDNESS/EAP</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	For each year of the charter, students will demonstrate college preparedness pursuant to the EAP.
<b>ACTIONS TO ACHIEVE GOAL</b>	Students will be exposed to rigorous college – ready curriculum while attending Synergy.
<b>STATE PRIORITY #5— STUDENT ENGAGEMENT</b>	
<i>Pupil engagement, as measured by all of the following, as applicable:</i>	
<ul style="list-style-type: none"> <li>A. School attendance rates</li> <li>B. Chronic absenteeism rates</li> <li>C. Middle school dropout rates (EC §52052.1(a)(3))</li> <li>D. High school dropout rates</li> <li>E. High school graduation rates</li> </ul>	
<b>SUBPRIORITY A – STUDENT ATTENDANCE RATES</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	An average of 94% of enrolled students will attend Synergy daily.
<b>ACTIONS TO ACHIEVE GOAL</b>	<p>The following actions will be put into place to help Synergy achieve the student attendance rate goal:</p> <ol style="list-style-type: none"> <li>1. Perfect attendance incentives</li> <li>2. Parent education in handbooks and letters home describing the importance of daily attendance</li> <li>3. Full Time attendance clerk dedicating to clearing and recording absences</li> <li>4. Implementing SARB policies and processes</li> <li>5. Requiring attendance to class as part of the overall grade within a course</li> <li>6. Individualized attention will be given to all students including subgroups to insure that students maintain good attendance. This includes students within the following subgroups (ethnic subgroups, socioeconomic disadvantaged pupils, English Learners, Pupils with disabilities, and foster youth)</li> </ol>
<b>SUBPRIORITY B – STUDENT ABSENTEEISM RATES</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	A maximum of 6% of enrolled students will be absent from school in regards to average daily attendance.
<b>ACTIONS TO ACHIEVE GOAL</b>	<ol style="list-style-type: none"> <li>1. Health and Wellness policies will promote helping to keep students from getting sick.</li> <li>2. Perfect attendance incentives</li> <li>3. Parent education in handbooks and letters home describing the</li> </ol>

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	<p>importance of daily attendance</p> <ol style="list-style-type: none"> <li>4. Full Time attendance clerk dedicating to clearing and recording absences</li> <li>5. Implementing SARB policies and processes</li> <li>6. Requiring attendance to class as part of the overall grade within a course</li> <li>7. Instruction targeted at all subgroups within the skills courses taught at Synergy. Subgroups include ethnic, socioeconomic disadvantaged, English learners, pupils with disabilities, and foster youth</li> </ol>
<b>SUBPRIORITY C – MIDDLE SCHOOL DROPOUT RATES</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Middle School student dropout rates will not exceed 2% average dropout rate.
<b>ACTIONS TO ACHIEVE GOAL</b>	<ol style="list-style-type: none"> <li>1. Synergy will refer all middle school students exiting Synergy to their home district.</li> <li>2. Attendance clerk will keep CALPADS up to date to be able to document student enrollment and exits</li> <li>3. Parent communication about the importance of following Synergy's six year graduation plan will take place annually within the parent handbook.</li> <li>4. Exit surveys administered to all students that decide to leave Synergy will help administration and staff improve programs.</li> <li>5. Synergy will offer a variety of programs that will keep students involved in school.</li> <li>6. Rtl coaches and study skills instructors will work directly with subgroups as needed to help make education a priority. Subgroups include ethnic, socioeconomic disadvantaged, English learners, pupils with disabilities, and foster youth.</li> </ol>
<b>SUBPRIORITY D – HIGH SCHOOL DROPOUT RATES</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	High School student dropout rates will not exceed 20% average dropout rate.
<b>ACTIONS TO ACHIEVE GOAL</b>	<ol style="list-style-type: none"> <li>1. Synergy will refer all high school students exiting Synergy to their home district.</li> <li>2. Attendance clerk will keep CALPADS up to date to be able to document student enrollment and exits</li> <li>3. Parent communication about the importance of following Synergy's six year graduation plan will take place annually within the parent handbook.</li> <li>4. Exit surveys administered to all students that decide to leave Synergy will help administration and staff improve programs.</li> <li>5. Encore will offer a variety of programs that will keep students involved in school.</li> <li>6. Counselors will build relationships with "at risk" students within all subgroups including ethnic subgroups, socioeconomic disadvantaged pupils, English learners, pupils with disabilities, and foster youth.</li> </ol>
<b>SUBPRIORITY E – HIGH SCHOOL GRADUATION RATES</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	At least 90% of all Synergy high school students will graduate.

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<p><b>ACTIONS TO ACHIEVE GOAL</b></p>	<p>Synergy will employ a variety of methods to help high school students understand the importance of graduating from high school.</p> <ol style="list-style-type: none"> <li>1. Full time counselors will help guide students through the six year plan.</li> <li>2. Synergy will publish the six year plan in the annual parent/student handbook.</li> <li>3. Synergy will use a variety of intervention programs to guide struggling students including SSTs and RtI coaches.</li> <li>4. Counselors, teachers, and administrators will work together to help direct students within subcategories to help them successfully graduate from high school. This includes ethnic subgroups, socioeconomic disadvantaged pupils, English learners, pupils with disabilities, and foster youth.</li> </ol>
<p><b>STATE PRIORITY #6— SCHOOL CLIMATE</b></p> <p><i>School climate, as measured by all of the following, as applicable:</i></p> <ol style="list-style-type: none"> <li>A. Pupil suspension rates</li> <li>B. Pupil expulsion rates</li> <li>C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness</li> </ol>	
<p align="center"><b>SUBPRIORITY A – PUPIL SUSPENSION RATES</b></p>	
<p><b>GOAL TO ACHIEVE SUBPRIORITY</b></p>	<p>Synergy’s goal is to be at less than a 5% average annual suspension rate of students enrolled at Synergy Education Project.</p>
<p><b>ACTIONS TO ACHIEVE GOAL</b></p>	<p>Synergy will publish and send home with all students and interested students copies of the latest parent/student handbook.</p>
<p align="center"><b>SUBPRIORITY B – PUPIL EXPULSION RATES</b></p>	
<p><b>GOAL TO ACHIEVE SUBPRIORITY</b></p>	<p>Synergy’s goal is be at less than a 5% average annual expulsion rate of students enrolled at Synergy Education Project.</p>
<p><b>ACTIONS TO ACHIEVE GOAL</b></p>	<p>Synergy will publish and send home with all students and interested students copies of the latest parent / student handbook.</p>
<p align="center"><b>SUBPRIORITY C – OTHER SCHOOL SAFETY AND SCHOOL CONNECTEDNESS MEASURES (SURVEYS)</b></p>	
<p><b>GOAL TO ACHIEVE SUBPRIORITY</b></p>	<p>The majority of students and staff at Synergy feel that they are in a supportive environment.</p>
<p><b>ACTIONS TO ACHIEVE GOAL</b></p>	<p>Synergy will employ the use of an annual survey (NSLP model or equivalent) that asks questions regarding the health, safety, and well being of the school climate.</p> <p>Synergy will work to employ methods of education on how students can work together to create a supportive environment.</p>
<p><b>STATE PRIORITY #7— COURSE ACCESS</b></p> <p><i>The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; E.C. §42238.02) and students with exceptional needs.</i></p> <p><i>“Broad course of study” includes the following, as applicable:</i></p> <p><i>Grades 1-6: English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (E.C. §51210)</i></p> <p><i>Grades 7-12: English, social sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (E.C. §51220(a)-(i))</i></p>	
<p><b>GOAL TO ACHIEVE SUBPRIORITY</b></p>	<p>All students have the opportunity to participate in the full scope of programs offered at Synergy</p>

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<b>ACTIONS TO ACHIEVE GOAL</b>	Synergy will use the full inclusion method for all students including, but not limited to, ethnic subgroups, socioeconomic disadvantaged pupils, English learners, pupils with disabilities, foster youth, EL, 504, and SPED.
<b>STATE PRIORITY #8—OTHER STUDENT OUTCOMES</b>	
<i>Pupil outcomes, if available, in the subject areas described above in #7, as applicable.</i>	
<b>SUBPRIORITY A – ENGLISH</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Majority of students will be at or above grade level within the area of English.
<b>ACTIONS TO ACHIEVE GOAL</b>	<ol style="list-style-type: none"> <li>1. Synergy will hire and retain highly qualified, credentialed teachers within the subject area of English.</li> <li>2. Synergy will engage a variety of methods to deliver adopted academic content and performance standards as adopted by the state board for all pupils, including English learners.</li> <li>3. Synergy will work to increase student achievement by filling in gaps in fundamental knowledge.</li> <li>4. Teachers will work individually for all students including, but not limited to, ethnic subgroups, socioeconomic disadvantaged pupils, English learners, pupils with disabilities, foster youth, EL, 504, and SPED.</li> </ol>
<b>SUBPRIORITY B – MATHEMATICS</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Majority of students will be at or above grade level within the area of Mathematics.
<b>ACTIONS TO ACHIEVE GOAL</b>	<ol style="list-style-type: none"> <li>1. Synergy will hire and retain highly qualified, credentialed teachers within the subject area of Mathematics.</li> <li>2. Synergy will engage a variety of methods to deliver adopted academic content and performance standards as adopted by the state board for all pupils, including English learners.</li> <li>3. Synergy will work to increase student achievement by filling in gaps in fundamental knowledge.</li> <li>4. Teachers will work individually for all students including, but not limited to, ethnic subgroups, socioeconomic disadvantaged pupils, English learners, pupils with disabilities, foster youth, EL, 504, and SPED.</li> </ol>
<b>SUBPRIORITY C – SOCIAL SCIENCES</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Majority of students will be at or above grade level within the area of Social Sciences (Humanities).
<b>ACTIONS TO ACHIEVE GOAL</b>	<ol style="list-style-type: none"> <li>1. Synergy will hire and retain highly qualified, credentialed teachers within the subject area of Social Sciences (Humanities).</li> <li>2. Synergy will engage a variety of methods to deliver adopted academic content and performance standards as adopted by the state board for all pupils, including English learners.</li> <li>3. Synergy will work to increase student achievement by filling in gaps in fundamental knowledge.</li> <li>4. Teachers will work individually for all students including, but not limited to, ethnic subgroups, socioeconomic disadvantaged pupils, English learners, pupils with disabilities, foster youth, EL, 504, and SPED.</li> </ol>
<b>SUBPRIORITY D – SCIENCE</b>	
<b>GOAL TO ACHIEVE</b>	Majority of students will be at or above grade level within the area of Science.

<b>SUBPRIORITY</b>	
<b>ACTIONS TO ACHIEVE GOAL</b>	<ol style="list-style-type: none"> <li>1. Synergy will hire and retain highly qualified, credentialed teachers within the subject area of Science.</li> <li>2. Synergy will engage a variety of methods to deliver adopted academic content and performance standards as adopted by the state board for all pupils, including English learners.</li> <li>3. Synergy will work to increase student achievement by filling in gaps in fundamental knowledge.</li> <li>4. Teachers will work individually for all students including, but not limited to, ethnic subgroups, socioeconomic disadvantaged pupils, English learners, pupils with disabilities, foster youth, EL, 504, and SPED.</li> </ol>
<b>SUBPRIORITY E – VISUAL AND PERFORMING ARTS</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Students of Synergy will complete a minimum of one year (10 credits) of fine arts core courses as part of the six year graduation plan.
<b>ACTIONS TO ACHIEVE GOAL</b>	Synergy will invoke the one year of a completed course in a fine arts class (defined as music, drama, or dance) by enrolling all students in at least one course prior to graduation.
<b>SUBPRIORITY F – PHYSICAL EDUCATION</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Students of Synergy will complete a minimum of two years (20 credits) designated within a non-core physical education course to complete the Synergy six year plan.
<b>ACTIONS TO ACHIEVE GOAL</b>	Counselors of Synergy will enroll students within a physical education class for a total of four semesters within the six year plan.
<b>SUBPRIORITY H – FOREIGN LANGUAGES (GRADES 7-12 ONLY)</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	Students of Synergy will complete a minimum of one year (20 credits) designated within a foreign language course in order to complete the Synergy six year plan.
<b>ACTIONS TO ACHIEVE GOAL</b>	Counselors of Synergy will enroll students within a foreign language class for total of two semesters within the six year plan.

## Synergy’s Plan for Subgroups

(ethnic subgroups, socioeconomic disadvantaged pupils, pupils with disabilities, and foster youth)

Synergy School will comply with all federal, state and judicial mandates for all pupils including but not limited to specialized subgroups.

## Identification of Subgroups

Pupils that can be identified within a subgroup will be identified through the use of CALPADS reporting, parent surveys, and teacher identification.

## PLAN FOR FOSTER YOUTH STUDENTS -

Synergy will work directly with the programs developed by the California Department of Education within the Foster Youth programs to insure that Synergy remains in compliance. The school counselor will act as the on campus homeless and foster youth liaison.

**PLAN FOR STUDENTS WHO ARE ACADEMICALLY LOW ACHIEVING –**

Low achieving students may be identified by their CAASP assessment scores, their course performance (D or F), performance on basic skills tests, and teacher observation.

Synergy follows a progressive multi-tier Response to Intervention (Rtl) model in meeting the needs of low achieving students. Students that are identified as struggling by teachers and instructors will be given a variety of methods to help them progress dependent on how much help is designated as a need for each student. Supports may include:

- 1) Small class sizes
- 2) Innovative scheduling to allow for additional individualized tutoring and mentoring;
- 3) Individual and small group attention that focuses on mastering the current learning;
- 4) Mastery learning process that builds in review and reassessment;
- 5) Extended day to provide extra learning time;
- 6) Optional extended courses; or after school tutoring
- 7) Technology assisted learning through web-based programs
- 8) Focus on key students during staff meetings
- 9) Additional focused in class interventions, modifications and accommodations
- 11) Mentoring by the Rtl coach
- 12) Student Success Team (SST) meetings

STUDY SKILLS, GRADE 7 - This class targets all students along with low achieving students to help them learn how to learn.

HEALTH & STUDY SKILLS, GRADE 8 – Eighth grade students can enroll in a course that focuses on basic math skills during the first quarter, typing for one quarter, test taking for one quarter, then health for the rest of the year with a focus in helping low achieving math students fill in math gaps during the first quarter.

STUDY SKILLS, GRADES 9 – 12 – This is an elective class that is open to all students and may be required for students that struggle. This course provides block tutoring, access to additional resources such as the Khan Academy, and scheduled study skills curriculum to reinforce study habits with low performing students. This course also provides extra study hall time to help students complete tasks.

RESPONSE TO INTERVENTION – An Rtl coach that specifically targets students that are failing their academic courses will be assigned to students that struggle. This coach

meets with students regularly to reinforce study habits, check in on student progress, and provide motivation and support to the struggling student. The Rtl coach also coordinates in class interventions, modifications, accommodations, SST meetings, and if required referrals to Special Education.

**PLAN FOR STUDENTS WHO ARE ACADEMICALLY HIGH ACHIEVING –**

High achieving students are identified by their CAASPP assessment scores, their course performance (A), and teacher observation.

Students will be placed in honors classes with other students that are at the same academic level based on placement exams during the beginning of each school year and by ongoing review of the teachers. Students that display accelerated standards will have the opportunity to work in honors classes that teach the same general curriculum, but with more critical and creative thinking involved. “Academically high” should not translate into more work, but more thinking. Students may be encouraged to consider concurrent enrollment in college classes. Completed college classes may be awarded credit towards high school graduation requirements.

Response to the needs of high achieving students may include:

- Advanced Projects
- Innovative scheduling to allow for mentoring that leads to learning extensions;
- Individual and small group attention that focuses on extending the current learning;
- Provide extensive college counseling to ensure that all students are fully informed of costs, aid, and support services provided by the college;
- Provide study skills and learning strategies for college courses;
- Provide personal coaching in choosing a major;
- Encourage career internships.

## **PLAN FOR STUDENTS WITH DISABILITIES –**

### **Overview**

Synergy shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act (“Section 504”), the Americans with Disabilities Act (“ADA”) and the Individuals with Disabilities in Education Improvement Act (“IDEIA”).

Synergy shall comply with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures; and shall utilize appropriate SELPA forms.

Synergy may request related services (e.g. Speech, Occupational Therapy, Adapted P.E., Nursing, and Transportation) from the SELPA, subject to SELPA approval and availability. Synergy may also provide related services by hiring credentialed or licensed providers through private agencies or independent contractors.

Synergy shall be solely responsible for its compliance with Section 504 and the ADA. The facilities to be utilized by Synergy shall be accessible for all students with disabilities.

### **Education Program for Students with Disabilities**

Synergy will use the following procedures to serve students with disabilities. These efforts include:

1. The Rtl process and if required the establishment of a Student Success Team to exhaust all general education alternatives before a referral to Special Education is made;
2. The inclusion of testing procedures and the evaluation thereof which allows for the pre-identification of children with disabilities;
3. Annual in-service for faculty regarding the identification of children with disabilities.

Synergy will hire a highly qualified credentialed teacher in the area of special education. This position will be extended to a full time position when needed. Synergy will also designate appropriate space on campus for the special needs of ELL, Section 504, Rtl and Special Education Students.

Additionally, Synergy will serve its special education students by:

1. Following a full inclusion model as implemented at Encore High School – High Desert
2. A highly qualified credentialed teacher will be designated as an inclusion specialist that works directly with a case load of up to 30 students

3. Special Education Aides will be hired at a rate of 1 per 15 full inclusion special education students to be able to assist regular education teachers within the classroom models
4. Inclusion Specialists will work directly with regular education teachers to implement policies and documentation regarding modifications and accommodations for caseload.
5. Extended day
6. Optional extended time in courses;
7. Technology assisted learning;
8. Accommodations provided in regular education classes;

### **Section 504 of the Rehabilitation Act**

Synergy recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of Synergy. Any student, who has an objectively identified disability which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by Synergy.

A 504 team will be assembled by the Executive Officer of Student Affairs and shall include the parent/guardian, the student (where appropriate) and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the student's existing records; including academic, social and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEIA but found ineligible for special education instruction or related services under the IDEIA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team, which will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials including those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligence quotient.
- Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level, or whatever factor

the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills.

The final determination of whether the student will or will not be identified as a person with a disability is made by the 504 team in writing and notice is given in writing to the parent or guardian of the student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEIA, a referral for assessment under the IDEIA will be made by the 504 team.

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure that the student receives a free and appropriate public education ("FAPE"). In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by Encore's professional staff.

The 504 Plan shall describe the Section 504 disability and any program accommodations, modifications or services that may be necessary.

All 504 team participants, parents, guardians, teachers and any other participants in the student's education, including substitutes and tutors, must have a copy of each student's 504 Plan. The site administrator will ensure that teachers include 504 Plans with lesson plans for short-term substitutes and that he/she review the 504 Plan with a long-term substitute. A copy of the 504 Plan shall be maintained in the student's file. Each student's 504 Plan will be reviewed at least once per year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility.

## **Synergy's Plan for English Learners**

Synergy School will comply with all federal, state and judicial mandates for English Learners. All teachers employed by Synergy School will be CLAD certified and demonstrate competency in creating Project Based Learning opportunities and SDAIE lesson plans that include learning strategies for EL students. Synergy administrators will make every effort to employ a number of bilingual staff so that we may better serve EL students and their families.

Students enrolling in Synergy designated as English Learners will have a qualified staff member administer the CELDT. They will also participate in the schools initial assessment program for additional information on the EL students' academic performance level.

Given the demographics of Pittsburg Unified School District, Synergy expects that approximately 30% of its students will be designated English Learners. The school is

dedicated to providing EL students with an exceptional education while transitioning them to English Language Proficiency as soon as possible. In addition to a rigorous English language development program, Synergy acknowledges the importance of valuing students' native languages and reinforces an appreciation for the cultures, customs and traditions of all its students through the school's commitment to integrating multicultural studies and sensitivity throughout all learning programs.

Synergy students identified with limited English proficiency will achieve proficiency in English as quickly as possible through the school's instructional program and support services. EL students will not be excluded from education program or any extracurricular activities bases on an inability to speak or understand the English language. Parents of Synergy students with limited English proficiency will be provided with notices and information from the school in their native language to encourage their participation in the school.

### **Identifying Synergy's English Learners**

The Home Language Survey, CELDT testing and Synergy's Baseline Assessment Program will help identify the EL student as well as provide critical information regarding their skill levels in the areas of reading comprehension, writing and mathematics.

- The Home Language Survey - will be completed for every Synergy student. A Beginning EL classification determination will be made upon enrollment for students who speak little to no English who are unable to take the CELDT assessment.
- CELDT – Within 30 days of enrollment or at the beginning of each school year, EL students will be administered the California English Language Development Test. The test will be done by a trained evaluator in the determination of where the student fits on the English acquisition scale. EL students who score above the established cut-off will be reclassified from EL status and be considered English proficient. Re-designated students will be monitored regularly through Synergy's extensive assessment program to ensure they are continuing develop their skills and are successful in their learning.
- Baseline Assessment Program – All students will be required to complete baseline assessments. For EL students, teachers will be using these assessments as indicators of the level of English language acquisition and using that information to help target instructional support. Portions of the baseline assessment program may be given in the student's first language.

### **EL Mentor Teacher**

All designated EL students will be assigned an EL Mentor Teacher. EL Mentor Teachers will have demonstrated significant experience in working with EL populations of students and will seek and receive training opportunities specific to English Learners. The EL Mentor Teachers will act as an advocate for each EL student on their roster in knowing the intimate details of their EL designation and basic skills levels. They will provide EL leadership in their grade level groups when it comes to PBL development ensuring each project provides instructional strategies for EL students. They will also be

responsible for assessing EL students and recommending placement in Synergy's core academic program. As mentioned in the prior section, EL teachers will participate in a Professional Learning Community that will address the needs of EL students and families through the development of school policies and procedures.

### **Participation in the Core Learning Program**

All Synergy students will participate in The Core Learning Program. PBL projects development will include instructional strategies for English Learners that support their needs in the regular classroom setting. A natural consequence of PBL is the contextual learning opportunities for EL students. The PBL learning environment gives concrete meaning because of constant exposure to real time concepts in English and in their native language. The use of the computer as opposed to text based learning gives the student more control over how to access the standards based information they must learn. For example, Odyssey Ware, an online coursework program, provides content support in Spanish and other languages making the content information highly accessible to the EL student. Teaching and learning strategies will also include:

- Skills level grouping for participation for some projects for students with CELDT designations of beginning language learners through early intermediate language learners. This allows for Mentor teachers to make accommodations in project assignments and materials resources to ensure access to the content.
- The use of realia in demonstrations and activities.
- Peer teaching and buddy learning strategies will be used for continuous practice in hearing and speaking English.

Curriculum accessible for EL students will include the following:

- Computer based technology that allows for EL students to research content information in their native language as well as English.
- Online supplemental materials that have an audio component that allows for information to be delivered in Spanish and English like Odyssey Ware, Study Island and Revolution Prep (CAHSEE).
- Text and ancillary materials offered in home languages as necessary

### **The Majors Program for English Learners – PBLEL**

Students will be recommended for this program by their Mentor Teacher based on a number of factors including CELDT designations of beginning and intermediate level learners. PBLEL will provide focused instruction and project based learning specifically geared towards English language acquisition. It will be specifically designed and mandatory for beginning and early intermediate level EL students. The class sizes will be small and provide for intensive instruction and learning. The EL Mentor Teachers and the PBLEL Teacher will collaborate in designing PBLEL's projects. This group will be responsible for choosing text and audio based curriculum materials specifically geared towards instructing the EL student in the acquisition of skills in listening, speaking, reading and writing in English at grade level. Synergy's Programs Director or designee will receive information on the curriculum, a detailed plan for projects

implementation and the proposed plan for student assessments and evaluation methods. The Programs Director will approve such plans prior to the adoption of any EL curricular program.

The requirement that EL students be placed in the PBLEL class may be waived by parental consent. At the beginning of each school year, parents/guardians are informed of the placement of their child into PBLEL class and are notified of an opportunity to apply for a parental exception waiver. Parents will be directed to meet with the school director or designee to complete the waiver process.

### **Re-Designation of Synergy's EL Students**

Proficiency in the English language of EL students is monitored by teachers and qualified evaluators annually using the CELDT and other assessment measures. The EL Mentor Teacher will be responsible for tracking these assessments and the student's progress towards proficiency. The EL Mentor Teacher in collaboration determines whether continued participation in PBLEL and other special support services is needed. Once the student has reached the appropriate proficiency it is the Mentor Teacher who makes the recommendation for re-designation as language proficient.

Once a student has reached English language proficiency specialized English –learning classes and services are no longer needed. An EL student may be considered as having acquired a “reasonable level of English proficiency” and may be reclassified as fluent English proficient using the following four criteria:

- An assessment of English Language Proficient on CELDT test
- Reasonable performance on base-line and quarterly benchmark assessments
- Mentor Teacher evaluation and recommendation
- Parent opinion and consultation

Prior to re-designation, the EL Mentor Teacher will coordinate a meeting with parents, teachers and a school counselor to discuss the student's English language proficiency, academic achievement and possible re-designation to Fluent English Proficient. This EL “team” will work together in deciding the designation or re-designation and with a special focus on any areas of academic weakness as they relate to the student's English skills along with plans to provide extra support should the student fall below satisfactory levels of performance. Re-designated students may also be recommended for level 1 of the school's Response to Intervention Program (RtI) for special monitoring and more frequent skills assessments. RtI is explained in detail in the Plan for Struggling Students section.

### **Synergy's Plan for High Achieving Students**

Students enrolling in Synergy may be identified as academically gifted by a number of channels. Synergy will have a referral mechanism in place whereby a student may be designated as academically gifted. Referrals can come from a number of sources including parents, teachers or others directly involved with the education. An

Intervention Support Program meeting will be held. The student's Mentor Teacher, core subject area teachers and the principal will conduct a full review of the student's academic history and current levels of performance. This team will make a recommendation on how to proceed depending on the particulars of individual cases.

Gifted students will work within Synergy's regular education program at their intellectual and academic level as a result of the school's Project Based Learning curricular and instructional delivery. Project Based Learning supports gifted and talented students because it challenges high achieving students to work towards their potential at their intellectual ability which is a natural consequence of its design. Mentor Teachers with gifted students will act as the advocate for students identified as gifted in collaboration with other teachers to ensure that all staff working with gifted students is supporting those students in providing any additional or supplemental opportunities to go above and beyond what is expected for the general population of students. They will be recommended for the RtI process whereby a meeting will be held for the purpose of evaluating the student's progress and making a determination as to what accommodations might be best to further extend learning opportunities. It will be the responsibility of the Mentor Teacher to document such accommodations and follow-up with students and parents. Class teachers, the Mentor Teacher and the student, where appropriate, will work together to create extended learning opportunities within projects. Other examples of accommodations for gifted students might be enrollment in online university courses, AP courses or local community college courses. Whatever extended learning opportunities are chosen, they will be the result of a collaborative effort between the parent, student and Mentor Teacher. If Synergy experiences a significant population of gifted and talented students relative to its small school size, there may be a Professional Learning Community task force established to address the special needs of these students.

### **PLAN FOR STUDENTS WHO ARE ACADEMICALLY LOW ACHIEVING –**

Low achieving students may be identified by their CAASP assessment scores, their course performance (D or F), performance on basic skills tests, and teacher observation.

Synergy follows a progressive multi-tier Response to Intervention (RtI) model in meeting the needs of low achieving students. Students that are identified as struggling by teachers and instructors will be given a variety of methods to help them progress dependent on how much help is designated as a need for each student. Supports may include:

- 1) Small class sizes
- 2) Innovative scheduling to allow for additional individualized tutoring and mentoring;
- 3) Individual and small group attention that focuses on mastering the current learning;
- 4) Mastery learning process that builds in review and reassessment;
- 5) Extended day to provide extra learning time;

- 6) Optional extended courses; or after school tutoring
- 7) Technology assisted learning through web-based programs
- 8) Focus on key students during staff meetings
- 9) Additional focused in class interventions, modifications and accommodations
- 13) Mentoring by an Rtl coach
- 14) Student Success Team (SST) meetings

STUDY SKILLS, GRADE 7 – Synergy has a mandatory class that all seventh grade students can enroll in that focuses on learning how to study and succeed in school. This class targets all students along with low achieving students to help them learn how to learn.

HEALTH & STUDY SKILLS, GRADE 8 – Synergy has a mandatory class that all eighth grade students can enroll in that focuses on basic math skills during the first quarter, typing for one quarter, test taking for one quarter, then health for the rest of the year with a focus in helping low achieving math students fill in math gaps during the first quarter.

STUDY SKILLS, HIGH SCHOOL – This is a mandatory class that is open to all students and may be required for students that struggle. This course provides block tutoring, access to additional resources such as the Khan Academy, and scheduled study skills curriculum to reinforce study habits with low performing students. This course also provides extra study hall time to help students complete tasks.

RESPONSE TO INTERVENTION – Synergy will have an Rtl coach that specifically targets students that are failing their academic courses. This coach meets with students regularly to reinforce study habits, check in on student progress, and provide motivation and support to the struggling student. The Rtl coach also coordinates in class interventions, modifications, accommodations, SST meetings, and if required referrals to Special Education.

### **PLAN FOR STUDENTS WHO ARE ACADEMICALLY HIGH ACHIEVING –**

High achieving students are identified by their CAASPP assessment scores, their course performance (A), and teacher observation.

Students will be placed in honors classes with other students that are at the same academic level based on placement exams during the beginning of each school year and by ongoing review of the teachers. Students that display accelerated standards will have the opportunity to work in honors classes that teach the same general curriculum, but with more critical and creative thinking involved. “Academically high” should not translate into more work, but more thinking. Students may be encouraged to consider concurrent enrollment in college classes. Completed college classes may be awarded credit towards high school graduation requirements.

Response to the needs of high achieving students may include:

- Advanced Projects
- Innovative scheduling to allow for mentoring that leads to learning extensions;
- Individual and small group attention that focuses on extending the current learning;
- Provide extensive college counseling to ensure that all students are fully informed of costs, aid, and support services provided by the college;
- Provide study skills and learning strategies for college courses;
- Provide personal coaching in choosing a major;
- Encourage career internships.

### **Tier I - Intervention Support Program (ISP)**

Students functioning below grade level as determined by baseline and/or other assessments will be recommended for the Intervention Support Program. Anytime a student falls below the targeted score goal on regular school wide assessments like CST or quarterly benchmark assessments, the student may become a participant in the ISP program. Students may also be recommended by any of their teachers, administrators, counselors, parents/guardians at anytime during the school year. Parents will be notified by mail once their student has been recommended for the ISP program. ISP program teams consisting of the teachers and counselors that work directly with the student will have a regular meeting schedule whereby they meet to, formally and informally, discuss and create an intervention program suited for the individual needs of each student. Each individual program will be documented by the student's Mentor Teacher and implemented by all teaching staff working directly with the student. Interventions will typically take place in the general classroom setting. In some situations where student behavior is determined to be hindering progress, the school counselors may also be responsible for implementation of the ISP student's individual intervention program. ISP students will be closely monitored and assessed every 6-9 weeks in accordance with Rtl model. If the student makes the desired improvement, the student may remain in the ISP program with continued interventions and periodic assessments or the student may be exited from the program based on the ISP team's decision. The exited student may reenter the ISP program at any time should the need arise.

### **Tier II - The Student Success Team Program (SST)**

If a student in the ISP program fails to make the desired progress, the team may decide to recommend the student for the SST program. New students demonstrating behavioral challenges and/or academic abilities far below grade level may also be waived from the ISP level and recommended directly for the SST level of the program. Similar to the ISP program, a team of teachers, students, administrators and counselors is established. Also added to the Student Success Team is the student's parent/guardian as well as the Special Education Coordinator. Regular meetings are held whereby a more intensive intervention program is created dependent upon the specific areas of need. The Special Education Coordinator will be responsible for documenting the individual student's intervention program as well as provide regular follow-up to ensure implementation is taking place. This program will typically be built

upon the ISP program should one be in place. The student teachers, parents, counselor and special education staff are responsible for the daily implementation of the intervention program and regular assessments as called for in the SST and follow up reports. Most interventions will take place in the general education classroom. Monitoring and assessments will take place every 4-6 weeks for all SST students. If the student makes the desired progress, they may be exited from the SST program or recommended for the ISP program for continued interventions, monitoring and assessments.

### **Tier III - The Recommendation for Evaluations and Special Education**

If a student fails to make the desired progress through the ISP and/or SST programs they may be recommended for evaluations through our special education program to rule out the possibility of learning or other types of disabilities restricting them from accessing the general education program. Once the SST Team recommends further evaluations, the Special Education Coordinator will be responsible for initiating the assessment referral and ensuring that an assessment plan is provided the parent within 15 days of the referral. The appropriate formal evaluations will be conducted and an IEP meeting will be held in accordance with all laws governing special education. The student's SST program will remain in place with the suggested interventions and regular assessments throughout the duration of the initial evaluations and IEP meeting. If the IEP team decides that special education services are necessary to support the student, an IEP will be established whereby the student's SST interventions may be considered as part of their IEP accommodations. If the student does not qualify for an IEP, they may be recommended for a 504 Plan or the SST will remain in place until the student reaches satisfactory levels of performance and the team agrees to exit or move the student to the ISP program.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

SUBJECT	
Petition for Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of the Olive Grove Charter School, which was denied by the Cuyama Joint Unified School District and the Santa Barbara County Office of Education.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input checked="" type="checkbox"/> Public Hearing

#### SUMMARY OF THE ISSUE(S)

On February 19, 2015, the Cuyama Joint Unified School District (CJUSD) voted to deny the petition of Olive Grove Charter School (OGCS) by a vote of four to zero with one member absent. On April 2, 2015, the Santa Barbara County Office of Education (SBCOE) voted to deny the OGCS petition on appeal by a vote of six to zero.

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 consider the CDE's recommendation to deny the request to establish OGCS under the oversight of the SBE, based on the CDE's findings pursuant to *EC* Section 47605(b)(2) 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. The Meeting Notice for the SBE Advisory Commission on Charter Schools (ACCS) is located at <http://www.cde.ca.gov/be/cc/cs/accsnotice061015.asp>.

#### **Advisory Commission on Charter Schools Recommendation**

The ACCS considered the OGCS appeal at its June 10, 2015, meeting. The ACCS voted to recommend that the SBE approve the OGCS petition to establish OGCS under the oversight of the SBE, without regard to the facility issue, with all of the remaining technical amendments in the CDE report. The motion passed by a vote of six to one.

#### BRIEF HISTORY OF KEY ISSUES

OGCS submitted a petition on appeal to the CDE on April 17, 2015. OGCS proposes to

serve pupils throughout Santa Barbara County and the contiguous counties by providing an educational choice for families of pupils in kindergarten through grade twelve who choose to educate their pupils in a home or blended learning environment with the parents as the primary deliverers of the educational program. The mission statement of OGCS is to plan, monitor, and assist in the education of pupils in a home or blended school learning environment enabling them to speak, read, write, use technology, and calculate effectively to become self-motivated, competent, and lifelong learners.

The OGCS petition states that OGCS will continue most operations of a predecessor dependent charter school, Olive Grove Home Study Charter School (OGHSCS), governed by the Board of Trustees of the Los Olivos School District. OGCS anticipates retaining pupils, four resources centers, and staff from OGHSCS. The petitioner also anticipates preserving the educational program (Attachment 3 of Agenda Item 07 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item07a3.pdf>).

In considering the OGCS petition, CDE reviewed the following:

- The OGCS petition and appendices, Attachments 3 and 5 of Agenda Item 07 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item07a3.pdf> and <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item07a5.pdf>.
- Educational and demographic data of schools where pupils would otherwise be required to attend, Attachment 2 of Agenda Item 07 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item07a2.xls>.
- The OGCS budget and financial projections, Attachment 4 of Agenda Item 07 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item07a4.pdf>.
- Narrative of changes to the petition necessary to reflect the SBE as the authorizing entity, Attachment 6 of Agenda Item 07 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item07a6.pdf>.
- Board agendas, minutes, and findings from the CJUSD and SBCOE regarding the denial of the OGCS petition, along with the petitioner's response to the CJUSD and SBCOE findings, Attachment 7 of Agenda Item 07 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item07a7.pdf>.

On February 19, 2015, the CJUSD denied the OGCS petition based on the following findings (pp. 42–43 of Attachment 1 of Agenda Item 07 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item07a1.doc>).

- The proposed charter does not reasonably comprehensively describe the educational program, facilities and location, or other operational requirements.
- The petitioner is demonstrably unlikely to successfully implement the proposed program.

On April 2, 2015, the SBCOE denied the OGCS petition on appeal based on the following findings (pp. 44–48 of Attachment 1 of Agenda Item 07 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item07a1.doc>).

- Based upon the explicit requirements of the Charter Schools Act, the County Board lacks discretion to grant the charter based upon the failure of the petition to conform to mandatory geographical and site requirements.
- The OGCS presents an unsound educational program for the pupils to be enrolled.
- The petitioner is demonstrably unlikely to successfully implement the program set forth in the petition.
- The petition does not contain reasonably comprehensive descriptions of the required elements required by *EC* Section 47605(b)(5)(A): Educational Philosophy, *EC* Section 47605(b)(5)(B): High School Programs, *EC* Section 47605(b)(5)(C): Pupil Progress, *EC* Section 47605(b)(5)(D): Governance Structure, *EC* Section 47605(b)(5)(E): Employee Qualifications, and *EC* Section 47605(b)(5)(I): Audits.

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 petition must provide a reasonably comprehensive description of multiple required elements (p. 2 of Attachment 1 of Agenda Item 07 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item07a1.doc>).

The CDE analysis concludes that the petitioner presented a realistic financial and operational plan. However, the facilities to be utilized by OGCS are not compliant with legal requirements for location of the OGCS facilities.

## Facilities

The location for OGCS has not been determined. The OGCS petition states that under its previous charter, OGHSCS, functioned with four meeting spaces within Santa Barbara County and one additional facility in San Luis Obispo County. The OGHSCS will continue to operate at the existing Los Olivos site, which serves about 35 pupils, and OGCS will operate the remaining existing sites, which collectively serve about 300

pupils. The petition also states that OGCS may operate throughout Santa Barbara County and contiguous counties in multiple site locations, and anticipates including a site within the city of Santa Barbara, within the city of Lompoc, within the city of Santa Maria, and within the city of Morro Bay. The CDE notes that none of these locations are within the area of CJUSD (Attachment 3 of Agenda Item 07 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item07a3.pdf>).

Subsequent to the review of the OGCS petition by CJUSD and SBCOE, OGCS has submitted the narrative of changes to the OGCS petition, if authorized by the SBE, which seeks a technical amendment to affirm that OGCS will lease facilities within the CJUSD boundaries as office space and to provide instructional supports according to the needs of individual pupils (Attachment 6 of Agenda Item 07 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item07a6.pdf>).

Pursuant to *EC* Section 47605(a)(1), a petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of the proposed school district. When the SBE reviews a petition on appeal, *EC* Section 47605(j)(1) mandates that the petition meet all otherwise applicable petition requirements, including the identification of the proposed site or sites where the charter school will operate. *EC* Section 47605.1(a)(2) provides that a charter school granted a charter by the SBE may locate only within the geographic boundaries of the chartering entity that initially denied the petition for the charter. However, *EC* Section 47605.1(c) provides that a charter school may establish a resource center, meeting space, or other satellite facility located in a county adjacent to that in which the charter school is authorized if the facility is used exclusively for educational support for non-classroom based independent study, and the charter school provides its primary educational services in, and a majority of the pupils it serves are residents of, the county where the school is authorized. Pursuant to *EC* Section 47605.1(d) a single site outside of the district boundaries but within the county is permissible, but only where: (1) the school attempted but was unable to locate a facility within the district, or (2) the site outside the district is temporary. OGCS has not attempted to establish either of these situations in this case. Therefore, the OGCS petition is not compliant with the requirements for location of the OGCS facilities.

The OGCS petition is not compliant with *EC* sections 47605(a)(1), 47605(j)(1), 47605.1(a)(2), and 47605.1(d) for location of the OGCS facilities. OGCS submitted a proposed technical amendment that, if authorized by the SBE, OGCS will lease facilities within the CJUSD boundaries. However, the CDE finds that this amendment is substantive and would constitute a material revision to the petition.

## **Budget**

The CDE fiscal analysis concludes that OGCS's budget and multi-year projections are reasonable, and that OGCS appears to be fiscally viable due to projected positive ending fund balances in Fiscal Years 2015–16 through 2017–18, with more than a five percent fiscal reserve projected in the third year of operation.

## **Educational Program**

The OGCS petition presents a reasonably comprehensive description of the educational program. However, neither the petition nor the narrative of changes to the OGCS petition, if authorized by the SBE, indicate if the independent study program maintains a ratio of independent study pupils to full-time certificated employees as required by *EC* Section 51745.6, or indicate required written policies for independent study apportionment funding as per *EC* Section 51747.

The OGCS petition provides a chart identifying the goals to address the eight state priorities and actions to achieve those goals schoolwide. However, the petition does not include specific annual goals or actions to achieve those goals for each subgroup of pupils identified pursuant to *EC* Section 52052.

The CDE finds that the OGCS petition provides a reasonably comprehensive description for some of the required elements, while others require a technical amendment. Based on the program deficiencies noted above and those noted in the CDE petition review and analysis in Attachment 1 of Agenda Item 07 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item07a1.doc>, the CDE finds that the OGCS charter petitioner is demonstrably unlikely to successfully implement the intended program pursuant to *EC* Section 47605(b)(2) and 5 *CCR* Section 11967.5.1.

A detailed analysis of the review of the entire petition is provided in Attachment 1 of Agenda Item 07 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item07a1.doc>.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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Currently, 25 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
- Seven districtwide charters operating a total of seventeen sites
- Seventeen 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)**

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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)**

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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

### JULY 2015 AGENDA

<b>SUBJECT</b>	
Renewal Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of the New City Public Schools, which was denied by the Long Beach Unified School District and considered for denial by the Los Angeles County Board of Education.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input checked="" type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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On December 9, 2014, Long Beach Unified School District (LBUSD) voted to deny the renewal petition for New City Public Schools (NCPS) by a vote of five to zero. On March 10, 2015, the Los Angeles County Board of Education (LACBE) considered the petition of NCPS. The NCPS appeal vote was three in favor and three against the petition to renew. LACBE did not grant approval or deny the renewal petition for NCPS.

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**

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The California Department of Education (CDE) recommends that the SBE hold a public hearing to deny the petition to renew NCPS under the oversight of the SBE, based on the CDE's findings pursuant to *EC* sections 47607, 47605(b)(1), 47605(b)(2), 47605(b)(4), 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 is inconsistent with sound educational practice. The Meeting Notice for the SBE Advisory Commission on Charter Schools (ACCS) is located at <http://www.cde.ca.gov/be/cc/cs/accsnotice061015.asp>.

#### **Advisory Commission on Charter Schools Recommendation**

The ACCS considered the NCPS appeal at its June 10, 2015, meeting. The ACCS voted to accept the CDE recommendation to deny the petition to establish NCPS under the oversight of the SBE. The motion passed by a vote of seven to zero.

## BRIEF HISTORY OF KEY ISSUES

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NCPS submitted a petition on appeal to the CDE on April 23, 2015.

The NCPS petition proposes to serve pupils in transitional kindergarten through grade eight within the LBSD and its surrounding cities through a Common Core State Standards-aligned educational program focused on constructivism, dual-language, and social justice. The mission statement of NCPS states that NCPS provides a healthy and intimate learning environment in which community building is valued over competition; curriculum is enriched by the natural environment and technology; logical reasoning, English and Spanish literacy, historical perspective, and creative expression is taught; and families and staff work as partners to support pupils, act in the service of justice, and extend learning opportunities into the home and community (Attachment 3 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a3.pdf>).

In considering the NCPS petition, CDE reviewed the following:

- The NCPS petition and appendices, Attachments 3 and 5 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a3.pdf> and <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a5.pdf>.
- Educational and demographic data of schools where pupils would otherwise be required to attend, Attachment 2 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a2.xls>.
- The NCPS budget and financial projections, Attachment 4 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a4.pdf>.
- Description of changes to the petition necessary to reflect the SBE as the authorizing entity, Attachment 6 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a6.pdf>.
- Board agendas, minutes, and findings from the LBSD, and board agendas, minutes, and recommendations from the Los Angeles County Office of Education (LACOE) Superintendent to the LACBE regarding the denial of the NCPS petition, along with the petitioner's response to the LBSD findings and LACOE Superintendent's recommendations, Attachment 7 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a7.pdf>.

On December 9, 2014, the LBSD denied the NCPS petition based on the following findings (pp. 39–42 of Attachment 1 of Agenda Item 08 on the ACCS June 10, 2015,

Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a1.doc>).

- NCPS presents an unsound educational program for the pupils to be enrolled.
- The petitioner is demonstrably unlikely to successfully implement the program set forth in the NCPS petition.
- The NCPS petition does not contain reasonably comprehensive descriptions of all of the required elements.

On March 10, 2015, the LACBE considered the NCPS petition on appeal and were provided with the following recommendations from the LACOE Superintendent (pp. 43–48 of Attachment 1 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a1.doc>).

- NCPS does not meet one of the five academic performance criteria specified in *EC* Section 47607(b) necessary to be considered for renewal.
- The petition provides an unsound educational program for pupils to be enrolled.
- The petitioner is demonstrably unlikely to successfully implement the proposed educational program.
- The petition does not contain an affirmation of all specified assurances.
- The petition does not contain reasonably comprehensive descriptions of all required elements.
- The petition does not satisfy all the required assurances of *EC* sections 47605(c), 47605(e) through 47605(j), 47605(l), and 47605(m).

The information in this item provides the analysis that CDE has been able to complete to date with the available information. Since this is a renewal petition, the authorizer must provide the following analysis of academic achievement, which is to be considered first, before all other factors.

Before it can be considered for renewal, a charter school that has been in operation for four years shall meet at least one of five criteria outlined in *EC* Section 47607(b). NCPS has met zero of the five criteria as follows:

Requirement 1:       Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years both schoolwide and for all groups of pupils served by the charter school.

**Not Met:** NCPS did attain its API growth target of 9 in the 2011–12 school year (SY) with an API growth of 39 points. NCPS did not

attain its API growth target of 7 in the 2012–13 SY with an API growth of -5 points. API was suspended for the 2013–14 SY.

Requirement 2: Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.

**Not Met:** NCPS did not rank in decile 4 to 10, inclusive, on the API in the prior year or in two of the last three years. NCPS ranked in decile 1 for the 2011–12 and 2012–13 SYs.

Requirement 3: Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.

**Not Met:** NCPS' similar schools ranking is 1 for the 2011–12 and 2012–13 SYs.

Requirement 4: The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the pupils in public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

*EC Section 52052(e)(4)* states that 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.

**Not Met:** The CDE has determined that the academic performance of NCPS is not at least equal to the academic performance of the pupils in public schools that the pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the NCPS is located (Attachment 2 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at

<http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a2.xls>).

Pursuant to *EC* Section 52052(e)(4):

- (A) NCPS' most recent API is 659 for the 2012–13 SY.
- (B) NCPS' average of the three most recent annual API calculations is 647. The NCPS' API is the lowest three-year average in the LBUSD. The second lowest three-year average in LBUSD is the API for Jefferson Leadership Academies, which is 720.
- (C) Guidance provided to charter schools and authorizers on use of alternative measures is to agree upon local measures prior to the renewal process so that charter schools can gather acceptable data for review. As such, when a charter school is renewed, or denied, using local achievement measures, CDE relies on the authorizer's analysis of non-standardized assessment data in comparison to local schools pupils would otherwise attend.

Requirement 5: Qualified for an alternative accountability system pursuant to subdivision (h) of *EC* Section 52052.

**Not Applicable:** NCPS does not qualify for an alternative accountability system.

### Sound Educational Practice

The NCPS petition is not consistent with sound educational practice. The NCPS program is not likely to be of educational benefit to the pupils who attend as evidenced by both the LBUSD and LACOE review and analysis of NCPS pupil achievement data (Attachment 7 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a7.pdf>).

After review and analysis of the pupil achievement data NCPS submitted to LBUSD, pursuant to *EC* Section 47607(a)(3)(A), LBUSD determined that NCPS did not demonstrate substantial academic growth either schoolwide or for all groups served by NCPS and the academic achievement of English learner (EL) is negative rather than positive during the current charter term. The LBUSD factual findings state that the minimal increases in academic achievement by NCPS pupils during the current charter term, taken as a whole and considered as the most important factor in determining whether NCPS should be renewed, simply do not support renewal of the NCPS petition (pp. 30–31 of Attachment 7 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a7.pdf>).

After the review of LBUSD's review and analysis of the NCPS pupil achievement data, LACOE determined that LBUSD, pursuant to *EC* sections 47607(b)(4)(A) and 47607(b)(4)(A)(B), had considered increases in pupil academic achievement for all groups of pupils served by NCPS as the most important factor in determining whether to grant NCPS' renewal request (pp. 165–166 of Attachment 7 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a7.pdf>).

The CDE has reviewed pupil achievement data submitted by NCPS in *The Case for Renewal of the NCPS*; *The Report on Pupil Performance at NCPS*; and the April 23, 2015, letter RE: Appeal by NCPS of Charter Nonrenewal, and concurs with the review, analysis, and summary of both LBUSD and LACOE in that NCPS did not demonstrate substantial academic growth either schoolwide or for all groups served by NCPS (Attachment 5 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a5.pdf>).

Additionally, CDE reviewed the CDE 2013–14 Accountability Progress Reporting, 2014–15 Program Improvement (PI) Report located on the CDE Web page at <http://ayp.cde.ca.gov/reports/Acnt2014/2014APRSchPIReport.aspx?allcids=19647256118269&df=2> and notes that NCPS is in PI Year 5, with the first year of PI implementation in 2009–2010.

## **Budget**

The CDE analysis concludes that the NCPS petition has presented an unrealistic financial and operational plan.

NCPS understates the California Public Employees Retirement System and health benefit costs. In addition, NCPS 1, Limited Liability Company, is responsible for the NCPS facility; operating expenses are not included in the budget and principal and interest repayments are understated. NCPS' fiscal year (FY) 2013–14 Independent Audit Report indicates that NCPS has various loans with a total amount of \$5.8 million. NCPS fails to mention the loans in the petition and fails to include both principal and interest repayments correctly in the budget.

In conclusion, the financial and operational plan submitted by the petitioner does not contain adequately supporting assumptions or narrative for revenues, expenditures, and enrollment. The CDE fiscal analysis concludes that the NCPS is not fiscally viable due to a projected negative ending fund balance of \$316,569, \$779,735 and \$1,172,021 with zero percent reserve for FY 2015–16 through FY 2017–18, respectively.

## **Educational Program**

The NCPS petition presents a reasonably comprehensive description of the educational program. However, the petition does not describe a specific program placement for ELs based on California English Language Development Test levels.

The petition and letter of description of changes to the NCPS petition on appeal necessary to reflect the SBE as the authorizing entity also do not provide evidence to demonstrate that NCPS has applied to be accepted into a Special Education Local Plan Area.

The NCPS petition includes annual goals and specific actions schoolwide and for EL (pp. 34–39 of Attachment 3 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a3.pdf>). Additionally, the petitioner states that these goals and actions were part of the 2014–15 Local Control Accountability Plan (LCAP) submission. CDE notes that the LCAP is not part of a petition. The petition does not include specific annual goals or actions to achieve those goals for each subgroup of pupils identified pursuant to *EC* Section 52052.

The CDE finds that the NCPS petition provides a reasonably comprehensive description of the required elements; however, some required elements require a technical amendment (p. 2 of Attachment 1 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a1.doc>). Based on the program deficiencies noted above and those noted in the CDE petition review and analysis in Attachment 1 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a1.doc>, the CDE finds that the NCPS petitioner is demonstrably unlikely to successfully implement the intended program and the petition is inconsistent with sound educational practice pursuant to *EC* sections 47607, 47605(b)(1), 47605(b)(2), 47605(b)(4), 47605(b)(5), and 5 *CCR* Section 11967.5.1

A detailed analysis of the review of the entire petition is provided in Attachment 1 of Agenda Item 08 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item08a1.doc>.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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Currently, 25 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
- Seven districtwide charters operating a total of seventeen sites
- Seventeen 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)**

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If approved as an SBE-authorized charter school, the CDE would receive approximately one percent of the revenue of NCPS for the CDE's oversight activities. However, no additional resources are allocated to the CDE for oversight.

## **ATTACHMENT(S)**

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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

### JULY 2015 AGENDA

<b>SUBJECT</b>	
Anahuacalmecac International University Preparatory High School: Consider a Material Revision of the Charter to Change from Grade Nine through Grade Twelve to Transitional Kindergarten through Grade Twelve.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input checked="" type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

Anahuacalmecac International University Preparatory High School (AIUPHS), a State Board of Education (SBE)-authorized charter school, requests a material revision of its charter to amend its build out plan for grade levels served to begin in the 2015–16 school year (p. 1 of Attachment 1 of Agenda Item 06 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item06a1.doc>). AIUPHS was authorized on May 7, 2014, to serve 240 pupils in grade nine through grade twelve. AIUPHS requests a material revision to add transitional kindergarten through grade eight, consolidating two schools, AIUPHS and Xinaxcalmecac Academia Semillas del Pueblo (XASP), which is currently authorized by the Los Angeles Unified School District (LAUSD), to serve transitional kindergarten through grade twelve with a projected enrollment of 368 pupils.

#### **RECOMMENDATION**

The California Department of Education (CDE) recommends that the SBE hold a public meeting regarding the petition, and thereafter to conditionally approve, with two conditions and eight technical amendments, the request for a material revision to the AIUPHS petition to change from grade nine through grade twelve to transitional kindergarten through grade twelve. Inherent in this recommendation, the CDE proposes the following conditions: (1) by July 10, 2015, provide a written assurance that AIUPHS pupils will not utilize the second floor of the property located at 4736 Huntington Drive unless and until a mechanical chair to achieve compliance with the Americans with Disabilities Act is installed and AIUPHS provides the CDE with evidence of such compliance, and (2) assurances that Semillas Sociedad Civil will surrender XASP, which is authorized by LAUSD, and will close the XASP no later than August 6, 2015.

Additionally, AIUPHS was required to submit a description of annual goals and actions for each subgroup of pupils to be achieved in the eight state priorities identified pursuant

to California *Education Code (EC)* Section 52052 for transitional kindergarten through grade twelve to be incorporated into the AIUPHS petition and provided to CDE by June 15, 2015. AIUPHS submitted this document to the CDE on June 15, 2015, and the CDE finds it to be sufficient (Attachment 2).

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 Advisory Commission on Charter Schools (ACCS) considered the AIUPHS material revision at its June 10, 2015, meeting. The ACCS voted six to one to accept the CDE recommendation that the SBE approve the material revision to revise the charter to change from grade nine through grade twelve to transitional kindergarten through grade twelve with the following additional conditions:

- First, that no child, staff member, parent, guardian, or visitor to the campus will be denied access to educational services as a result of the location of those services on the second floor.
- Second, the school will continue to ensure that it has all the necessary permits for school occupancy required by the local Los Angeles Department of Building and Safety.
- Third, the school will have until June 30, 2016, to provide a lift or some sort of elevator access at 4736 Huntington Drive.

### **BRIEF HISTORY OF KEY ISSUES**

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AIUPHS has been an SBE-authorized charter school, located in East Los Angeles, since May 7, 2014. On May 7, 2014, the SBE approved the AIUPHS petition for a five-year term opening with grade nine through grade twelve with an enrollment cap of 240 pupils. The current AIUPHS petition was approved by the SBE with the condition that AIUPHS would submit a material revision of the petition should the school change the build out plan as described in the petition.

In considering the AIUPHS petition, CDE reviewed the following:

- The AIUPHS petition and appendices, Attachments 3 and 5 of Agenda Item 06 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item06a3.pdf> and <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item06a5.pdf>.
- Educational and demographic data of schools where pupils would otherwise be required to attend, Attachment 2 of Agenda Item 06 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item06a2.xls>.

- The AIUPHS budget and financial projections, Attachment 4 of Agenda Item 06 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item06a4.pdf>.
- Financial Condition of State Board of Education-Authorized Charter Schools Dated April 1, 2015, Attachment 6 of Agenda Item 06 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item06a6.pdf>.

Pursuant to *EC* sections 47607(a)(1),(2), 47605(b), 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 (Attachment 1 of Agenda Item 06 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item06a1.doc>).

The CDE finds that the AIUPHS petition does provide a reasonably comprehensive description for some of the required elements, as indicated by a “Yes”. Others require a technical amendment and are identified by a “\*Yes”. These amendments strengthen or clarify elements for monitoring and accountability purposes. One of the additional required elements is marked by a “No” (Attachment 1 of Agenda Item 06 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item06a1.doc>).

The CDE recommends that the SBE approve the request for a material revision of the AIUPHS charter, with the recommended technical amendments and condition, for the following reasons:

- AIUPHS provides pupils with a sound educational program combining the rigor of the International Baccalaureate program with the California standards while providing intense cultural education to all pupils at the school.
- The AIUPHS 2015–18 budget projections for revenues, expenditures, and fund balances appear sufficient.
- AIUPHS has submitted all required documentation to the CDE including, but not limited to, attendance reports, compliance documents, budgets, and audit reports.

## **Budget**

AIUPHS reported deficit spending and a negative fund balance of \$186,496 during Fiscal Year (FY) 2014–15. AIUPHS is considered to be in poor financial condition for FY 2014–15 as noted in the Financial Condition of State Board of Education-Authorized Charter Schools Memorandum dated April 1, 2015, (pp. 4 and 10–11 of Attachment 6 of Agenda Item 06 on the ACCS June 10, 2015, Meeting Notice on the SBE ACCS Web page located at <http://www.cde.ca.gov/be/cc/cs/documents/accs-jun15item06a6.pdf>).

The CDE sent a letter of concern to AIUPHS on April 22, 2015, requesting a Corrective Action Plan (CAP) to address the following:

- A narrative explaining how AIUPHS plans to adjust and balance its budget, including details on how the negative fund balance will be eliminated.
- A revised budget with enrollment and Average Daily Attendance (ADA) adjusted to reflect current counts. The CDE would expect to see any sources of funding and appropriate reductions to expenditures, including staffing and rental expense, in order to achieve a balanced budget.
- Board minutes reflecting approval of the amended budget and board discussion regarding the proposed CAP to address and eliminate the budget deficit.

The AIUPHS Board-approved CAP was received by CDE on May 18, 2015, and addressed all fiscal concerns noted by the CDE with regard to grade nine through grade twelve. AIUPHS has taken steps to project a positive ending fund balance of \$87,594 with a 7.3 percent reserve for FY 2014–15. The positive ending fund balance of \$87,594 moves forward as a positive beginning balance for the multi-year financial projections for FY 2015–16, for the AIUPHS grade nine through grade twelve school.

However, to support the AIUPHS material revision for the addition of transitional kindergarten through grade eight, the AIUPHS budget is contingent on the ADA generated by the addition of the XASP transitional kindergarten through grade eight pupils. Accordingly, the CDE proposes that the approval of the material revision be conditioned on the assurance that the Semillas Sociedad Civil will close XASP to allow the XASP transitional kindergarten through grade eight pupils to enroll in the AIUPHS transitional kindergarten through grade twelve school.

The CDE determined that AIUPHS's multi-year financial projections include a positive ending fund balance of \$227,898 with a 5.7 percent reserve for FY 2015–16, positive ending fund balance of \$422,365 with a 9.9 percent reserve for FY 2016–17, and positive ending fund balance of \$773,210 with a 17.1 percent reserve for FY 2017–18. Therefore, the CDE finds that the AIUPHS budget projections for revenues, expenditures, and fund balances appear sufficient.

The AIUPHS Board approved a Local Control and Accountability Plan (LCAP); AIUPHS submitted this approved LCAP to the CDE on December 3, 2014, for grade nine through grade twelve.

AIUPHS was required to submit a description of annual goals and actions for each subgroup of pupils to be achieved in the eight state priorities identified pursuant to *EC* Section 52052 for transitional kindergarten through grade twelve to be incorporated into the AIUPHS petition and provided to CDE by June 15, 2015. AIUPHS submitted this document to the CDE on June 15, 2015, and the CDE finds it to be sufficient (Attachment 2).

The CDE finds that the AIUPHS material revision to the AIUPHS petition meets the standards and criteria in *EC* Section 47605 with the required technical amendments and proposed conditions.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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Currently, 25 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
- Seven districtwide charters operating a total of eighteen sites
- Seventeen 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)**

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If approved as an SBE-authorized charter school, the CDE would receive approximately one percent of the revenue of AIUPHS for the CDE's oversight activities. However, no additional resources are allocated to the CDE for oversight.

## **ATTACHMENT(S)**

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Attachment 1: State Board of Education Standard Conditions on Opening and Operation (3 Pages)

Attachment 2: Goals and Actions to Achieve the Eight State Priorities (13 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.

Anahuacalmecac International University Preparatory  
Eight State Priorities

- 1.) **The degree to which the teachers are appropriately assigned in accordance with Education Code section 44258.9, and fully credentialed in the subject areas and for the pupils they are teaching. Pupils have sufficient access to the standards-aligned instructional materials as determined pursuant to Education Code Section 60119. School facilities are maintained in good repair pursuant to Education Code section (d) of Section 17002.**

a.) **SUBPRIORITY A - TEACHERS**

- i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, Anahuacalmecac International University Preparatory (AIUP) will ensure 100% of teachers meet credential requirements as defined by the CA commission on Teacher Credentialing, and will maintain assignment requirements as demonstrated by initial and annual verification of core teacher credentials as reported by the CA Commission on Teacher Credentialing and CALPADS Report 3.5 NCLB Core Course Section

ii.) **ACTIONS TO ACHIEVE GOAL:**

During the hiring process, AIUP will collect resumes, CBEST results, official transcripts, credentials, and licenses to ensure that teachers are fully qualified for specified assignment. AIUP will also ensure to hire teachers in maternal/world languages, the arts, technology and IB aligned coursework. In order to qualify for interviews, candidates must be verified as NCLB-qualified and have ELD authorization to effectively work with pupils identified as English learners.

b.) **SUBPRIORITY B - INSTRUCTIONAL MATERIALS**

- i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will ensure that 100% of pupils receive and have access to CA Common Core standards-based instruction and materials further aligned to the International Baccalaureate standards and practices as outlined in our charter petition, AIUP, in collaboration with Executive Director and faculty, will review, and when approved by Board of Trustees will purchase instructional material aligned with these standards.

ii.) **ACTIONS TO ACHIEVE GOAL:**

Staff, especially teachers, will be trained in curriculum alignment of Common Core standards, International Baccalaureate curriculum standards, and school-based Indigenous academic priorities. Benchmarks will be conducted.

Teachers will be trained by community experts, cultural guides, school leadership as well as lead teachers; Provide a continuum of maternal and

world language options; Train all teachers to embed the curriculum with cultural, intellectual and linguistic indigenous knowledge;

AIUP will ensure guidance for all pupils to access UC/CSU required courses; align courses and course offerings TK-12 to prepare pupils for college preparatory curriculum from elementary grades on; Design, monitor and improve course offerings reflective of pupil and teacher feedback by

Coordinating between the International Baccalaureate Primary Years Coordinator, Middle Years Coordinator, and Director of Education in course offering alignment, program implementation and teacher planning of inquiry-based instruction specifically addressing the needs of EL, SPED, and Socio-Economically Disadvantaged, Foster Youth pupils

c.) **SUBPRIORITY C - FACILITIES**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will ensure that our facilities are safe and maintained in satisfactory repair as reported in our annual publication of School Accountability Report Card.

ii.) **ACTIONS TO ACHIEVE GOAL:**

AUP will ensure that all relevant architecture, building, and health & safety codes are adhered to at all times.

AIUP custodial staff will conduct daily general cleaning and maintain campus cleanliness.

The Executive Director and designated staff will conduct monthly and quarterly facility inspections to screen for safety hazards.

2.) **Implementation of the academic content and performance standards and English-language development adopted by the state board for all pupils, including English Learners.**

a.) **SUBPRIORITY A - CCSS IMPLEMENTATION**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will continue to participate in CCSS professional development to ensure utilization and delivery of instruction aligned with CCSS curriculum to 100% of pupils as demonstrated by professional development agendas and curriculum guides, lesson plans and or units of study.

ii.) **ACTIONS TO ACHIEVE GOAL:**

Teachers will identify and participate in CCSS and content specific professional development trainings.

AIUP will continue to contract with the International Baccalaureate Organization to further develop and guide inquiry based and CCSS based curriculum.

All teachers will be trained in the use of instructional materials aligned to the academic content and performance standards adopted by the CDE.

All teachers will submit lesson plans and units of study addressing the CA Common Core State Standards.

**b.) SUBPRIORITY B – EL PUPILS & ACADEMIC CONTENT KNOWLEDGE**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will ensure that 100% of English Learner pupils will receive instruction in ELD, including research based strategies, such as SDAIE as measured by CELDT and teacher assessments.

ii.) **ACTIONS TO ACHIEVE GOAL:**  
All lesson plans will have objectives and strategies to support EL's, both for academic content knowledge and English language proficiency.  
English Learner pupils will participate in ELA instruction with appropriate instructional support.  
AIUP will continue to provide an ELD course for EL pupils in grades 6-12th..

**c.) SUBPRIORITY C – EL PUPILS & ENGLISH LANGUAGE PROFICIENCY**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will ensure that 100% of English Learner pupils receive English Language development standards through teacher implementation of ELD content curriculum related standards-based instructional strategies.

ii.) **ACTIONS TO ACHIEVE GOAL:**  
AIUP will continue to provide professional development to ensure teachers have the knowledge, skills, and dispositions to work with EL pupils so that these pupils are instructed effectively.  
Teachers will design instruction for EL pupils around CCSS standards that outline the rigorous content for which pupils are responsible.  
The Director of Education will continue to work with content teachers to develop learning plans for our EL pupils to ensure they are mastering CCSS and gaining English language proficiency.

**3.) Parental involvement, including efforts to seek parent input in decision making at the district and at each school site. Promotion of parental participation in programs for unduplicated pupils and special needs subgroups.**

**a.) SUBPRIORITY A – ACHIEVING/MAINTAINING PARENTAL INVOLVEMENT**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will continue to maintain parent representation, through community assemblies, various school committees and through the Council of

Trustees (governing board) as evidenced by Board meeting agendas and minutes to identify parent members.

ii.) **ACTIONS TO ACHIEVE GOAL:**

As a practice, parents are invited to three community assemblies a year to increase awareness on various topics of interest, analyze pupil data, review finance reports, and set goals for the school. At community assemblies parents engage in dialogue with other parents, teachers, board members, and administrators during workshops on curriculum and pupil learning.

Parent opinion recorded during workshops and the results of surveys conducted at the community assemblies are used to make improvements in curriculum and make adjustments to goals and plans, including the Local Control Accountability Plan and accreditation self-review processes

Parent participation in 6-7 pupil-led conferences every year has served to keep parents informed of pupil progress and assisted parents and pupils to develop goals to improve achievement.

Parents have further participated in an on-going improvement process by becoming involved in school committees.

Participation in a committee involves consistent study of pupil data, identifying pupil needs based on data, and planning improvements and resources. The committees include English Learners, Special Education (MCD), Facilities, Discipline and School Safety, and the school self-review (WASC) committee. Committee recommendations are typically implemented promptly since a director and the parent organizer both participate in each committee and report findings and recommendations to the Council of Trustees and the Executive Director.

The Council of Trustees serves as the primary governance body of the Charter School. AIUP has included in the charters petition that the Board of Directions will include a parent.

b.) **SUBPRIORITY B – PROMOTING PARENT PARTICIPATION**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will continue to maintain parent participation on our School Site Council which is responsible for making collaborative recommendations to the Council of Trustees in relation to the Charter School's governance as evidenced by SSC meeting agendas and minutes.

ii.) **ACTIONS TO ACHIEVE GOAL:**

The Executive Director will continue to provide specific direction to the School Site Council as required.

The Executive Director will continue to chair the School Site Council and report directly to the Chair of the Council of Trustees.

The School Site Council shall be composed of the principal; representatives of teachers selected by teachers at the school; other school personnel selected by peers at the school; parents of pupils attending the school selected by such parents; and, in the secondary schools, pupils selected by pupils attending the school.

The California *Education Code* requires the school site councils to:

- Measure effectiveness of improvement strategies at the school.
- Seek input from school advisory committees.
- Reaffirm or revise school goals.
- Revise improvement strategies and expenditures.
- Recommend the approved single plan for pupil achievement (SPSA) to the governing board.
- Monitor implementation of the SPSA.<sup>1</sup>

The Executive Director in collaboration with the parent liaison will in the event of a vacancy, advertise and recruit parents to join the SSC. SSC meetings will continue to accommodate for Spanish speaking parents and be held in Spanish and in English when appropriate.

c.) **SUBPRIORITY C - VOLUNTEERING**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will continue to ask parents to volunteer and participate in school events to ensure a school-home partnership as evidenced by parent volunteer logs.

ii.) **ACTIONS TO ACHIEVE GOAL**

The Administrative Team in collaboration with our parent liaison will continue to communicate with parents regarding volunteer opportunities. Parent volunteer opportunities will be posted easy accessible, highly visible places.

d.) **SUBPRIORITY D - SEEK PARENTAL FEEDBACK**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will solicit parent feedback via various media, parent meetings, and annual satisfaction survey for identification of school strengths and areas of need.

ii.) **ACTIONS TO ACHIEVE GOAL:**

Parent feedback will be encouraged through an open-door policy and the availability of a concern or complaint form.

AIUP will continue to hold monthly roundtable events, such as *Coffee with the Principals*, parent-teacher conferences, and quarterly focus groups, to generate stakeholder input and receive stakeholder feedback.

Parent satisfaction surveys will be distributed and analyzed once a year.

**4.) Pupil achievement, as measured by performance on standardized tests, score on Academic Performance index, share of pupils that are college and career ready, share of English Learners that become English proficient, English Learner reclassification rate, share of pupils that pass Advanced Placement exams with 3 or higher, share of pupils determined prepared for college by the Early Assessment Program.**

**a.) SUBPRIORITY A - CAASPP: ELA/LITERACY AND MATHEMATICS**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** AIUP aims to support 100% of our pupils demonstrating academic growth and aim for 100% grade level proficiency or better. In order to achieve this, AIUP proposes to begin with an objective wherein 80% of pupils will achieve growth targets, as measured by the California Assessment of Pupil Performance and Progress. Following our Local Control Accountability Plan, Anahuacalmeac proposes to demonstrate an increase in growth in pupil achievement of at least 3% per year, as state in our charter petition.

ii.) **ACTIONS TO ACHIEVE GOAL:**

AIUP's administrative team will provide leadership to teaching staff to ensure that classroom instruction is conducive to pupil learning and teachers provide adequate learning environments.

AIUP will adopt appropriate CCSS aligned instructional materials, including intervention programs for at-risk pupils.

AIUP will continue to use instructional technology in the areas of ELA and Math (i-Ready and Carnegie).

AIUP will employ teacher assistants in the classroom to support instruction and pupil learning.

**b.) SUBPRIORITY B – The Academic Performance Index (API), as described in Section 52052.**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** AIUP will meet the annual API Growth Target, or equivalent as mandated by the CA State Board of Education.

ii.) **ACTIONS TO ACHIEVE GOAL:**

AIUP within the first year of the charter will continue to contract with Measures of Academic Progress® (MAP) interim assessments to provide us with a mature, stable scale that measures not only on- or off-grade proficiency on Common Core standards, but growth over time

Classroom instruction will incorporate testing strategies in preparation for the Smarter Balanced Assessment.

- iii.) **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 clusters of courses that satisfy the requirements of subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692, and align with State Board-approved career technical education standards and frameworks.**

**c.) SUBPRIORITY C – UC/CSU COURSE REQUIREMENTS (OR CTE)**

- i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP’s guidance counselor in collaboration with the administrative team will ensure that pupils are on track to be college and/or career ready as demonstrated by post-secondary pupil data.
- ii.) **ACTIONS TO ACHIEVE GOAL**

pupils will have access to coursework that meets the A-G college entrance requirements.

The Guidance Counselor will meet with pupils to develop a post-secondary education plan as part of their individualized learning plans.

AIUP will focus on extensive pupil support structures (summer school, before/after-school tutoring) to meet graduation requirements (UC A-G).

**d.) SUBPRIORITY D – EL PROFICIENCY RATES. 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.**

- i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, English Learner pupils will advance at least one performance level per the CELDT each academic year.
- ii.) **ACTIONS TO ACHIEVE GOAL:**

English Learner pupils will receive in-class support provided by instructional aide and teacher, using SDAIE and other ELD instructional strategies.

Pupils identified as Early Intermediate or below will receive Systematic ELD instruction during a dedicated class period driven by pupils English proficiency level.

**e.) SUBCATEGORY E - THE ENGLISH-LEARNER RECLASSIFICATION RATE**

- i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, English Learner pupils will be reclassified as Fluent English Proficient annual and perform at grade level on the CAASPP statewide assessment.
  - ii.) **ACTIONS TO ACHIEVE GOAL:**

English Learner pupils will receive in-class support provided by instructional aide and teacher, using SDAIE and other ELD instructional strategies.

Pupils identified as Early Intermediate or below receive Systematic ELD instruction during a dedication class period driven by pupils English proficiency level.

English Learner pupils will receive in-class instructional support that includes one-on-one or small group teacher support.
  - f.) **SUBPRIORITY F – AP EXAM PASSAGE RATE**
    - i.) **GOAL TO ACHIEVE SUBPRIORITY:**

Pupils taking an AP exam will have a passage score of 3 or higher.
    - ii.) **ACTIONS TO ACHIEVE GOAL:ii**

Pupils will participate in at least one advanced placement course during their 9th-12th grade.
  - g.) **SUBPRIORITY G – COLLEGE PREPAREDNESS/EAP. 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.**
    - i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, pupils will demonstrate college preparedness pursuant to the EAP.
    - ii.) **ACTIONS TO ACHIEVE GOAL:**

Pupils will be exposed to rigorous college-ready curriculum while attending AIUP.
- 5.) **Pupil engagement, as measured by school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, high school graduation rates.**
- a.) **School attendance rates.**
    - i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, Anahuacalmecac will maintain a 95% ADA rate.
    - ii.) **ACTIONS TO ACHIEVE GOAL**

AIUP will provide a safe and engaging learning environment for all its pupils and families, including those of the various subgroups enrolled.

The Guidance Counselor/pupil Advisor will conduct periodic attendance updates to families reminding them of the importance of in-school attendance as the primary way of learning and success.

**b.) Chronic absenteeism rates.**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will decrease chronic absenteeism rates by 1%.

ii.) **ACTIONS TO ACHIEVE GOAL.**

Parents and pupils will be informed of our attendance policies specified in our Parent/pupil Handbook given out at the beginning of every year and to in-year enrollees.

Parents will be informed of chronic absences as specified in Parent/pupil Handbook.

AIUP will provide recognition and incentives for perfect attendance.

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

i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will retain and promote 98% of the 7<sup>th</sup> and 8<sup>th</sup> grade pupils as verified by our pupil information system and CALPADS.

ii.) **ACTIONS TO ACHIEVE GOAL**

AIUP will offer an academically engaging learning environment for all its pupils, including members of all subgroups.

AIUP will have a culture of “achieving academic excellence,” high expectations and high support, a nurturing, safe environment, and connected school community

**d.) High school dropout rates.**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will retain and promote 80% of 10<sup>th</sup>-12<sup>th</sup> grade pupils as verified by our pupil information system and CALPADS.

ii.) **ACTIONS TO ACHIEVE GOAL:**

AIUP will offer an academically engaging learning environment for all its pupils, including members of all subgroups.

AIUP will have a culture of “achieving academic excellence,” high expectations and high support, a nurturing environment, and connected school community.

**e.) High school graduation rates.**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will increase the graduation rate by 1% as evidenced by our high school graduation records. AIUP strives to achieve an 80% graduation target rate.

ii.) **ACTIONS TO ACHIEVE GOAL:**

AIUP will develop a school culture and academic environment that will promote high expectations, including high school graduation for all pupils.

AIUP will ensure that all pupils have an Individualized Learning Plan to support at-risk pupils.

**6.) School climate, as measured by pupil suspension rates, pupil expulsion rates, other local measures including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.**

**a.) Pupil suspension rates.**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will reduce its annual suspension rate by 1% as evidenced by our Annual School Accountability Report Card, and CALPADS Report 7.1 Discipline Incident

ii.) **ACTIONS TO ACHIEVE GOAL:**

AIUP provides teachers professional development in the IB Learner Profile.

AIUP staff works as a team to empower pupils to adhere to the values of respect and care for self, each other and the next seven generations. The Directors and Guidance Counselor work with teachers and families to manage pupil behavior issues and concerns.

**b.) Pupil expulsion rates.**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will reduce its annual expulsion rate by .02% as evidenced by our Annual School Accountability Report Card, Annual Report, and CALPADS Report 7.1 Discipline Incidents.

ii.) **ACTIONS TO ACHIEVE GOAL:**

AIUP provides teachers professional development in the IB Learner Profile.

AIUP staff works as a team to empower pupils to adhere to the values of respect and care for self, each other and the next seven generations. The Directors and Guidance Counselor work with teachers and families to manage pupil behavior issues and concerns.

**c.) OTHER SCHOOL SAFETY AND SCHOOL CONNECTEDNESS MEASURES (SURVEYS).**

i.) **GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will adhere to the School Safety Plan as evidenced through professional development agendas and annual drill calendars.

ii.) **ACTIONS TO ACHIEVE GOAL:**

AIUP will provide all school employees training on the elements of the School Safety Plan at least annually.

AIUP pupils and staff will participate in monthly Fire, Earthquake, and/or safety drills.

AIUP will ensure the school is housed in facilities that comply with state and/or local building codes, ADA accessibility requirements, and other fire, health, and appropriate safety requirements. The school maintains on file readily accessible records documenting such compliance.

Other local measures of pupils, parents and teachers on the sense of safety and school connectedness will increase by 1% as measured through school surveys.

**d.) SUBPRIORITY D**

**i.) GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP will host various community building events and activities throughout the school year as demonstrated through our school master calendar.

**ii.) ACTIONS TO ACHIEVE GOAL:**  
AIUP will host at least five community events annually.

**e.) SUBPRIORITY E**

**i.) GOAL TO ACHIEVE SUBPRIORITY:** For each year of the charter, AIUP pupils, parents, and teachers will feel a sense of community on campus, and within their classroom community.

**ii.) ACTIONS TO ACHIEVE GOAL:**  
pupils will practice the IB Learner Profile while on campus.

AIUP's administrative team will devise and administer satisfaction survey to parents, pupil, and teachers at least once a year.

AIUP will plan and deliver a variety of fun and engaging co-curricular opportunities that will further enhance pupils' sense of belonging and community.

**7.) COURSE ACCESS -pupil enrollment in a broad course of study that includes all of the subject areas described in Educational Code Section 51210 and subdivisions (a) to (i), inclusive, of section Section 51220, as applicable.**

**i.) GOAL TO ACHIEVE SUBPRIORITY:** AIUP pupils, including all pupil subgroups, unduplicated pupils, and pupils with exceptional needs, will have access to enroll in our academic and educational programs outlined in the school's charter.

**ii.) ACTIONS TO ACHIEVE GOAL:**  
AIUP will ensure that all academic content areas are available to all pupils, including pupil subgroups, at all grade levels.

**8.) Other Pupil Outcomes - Pupil outcomes in the subject areas described in Education Code Section 51210 and subdivisions (a) to (i), inclusive, of Education Code Section 51220, as applicable.**

**a.) Subpriority A - English**

- i.) **Goal to Achieve Subpriority:** AIUP pupils, including all pupil subgroups, unduplicated pupils, and pupils with exceptional needs, will demonstrate grade level proficiency in English Language Arts.
  - ii.) **Actions to Achieve Goal**  
All pupils at the elementary level will participate in the Spanish and English dual language immersion program.  
All pupils at the secondary level will be placed correctly into ELA classes.  
All pupils will be provided CCSS aligned curriculum.
- b.) **Subpriority B - Mathematics**
  - i.) **Goal to Achieve Subpriority:** AIUP pupils, including all pupil subgroups, unduplicated pupils, and pupils with exceptional needs, will demonstrate grade level proficiency in Mathematics.
  - ii.) **Actions to Achieve Goal**  
All pupils will be provided CCSS aligned curriculum.  
All pupils at the secondary level will be placed correctly into Math classes.
- c.) **Subpriority C - Social Sciences**
  - i.) **Goal to Achieve Subpriority:** AIUP pupils, including all pupil subgroups, unduplicated pupils, and pupils with exceptional needs, will demonstrate grade level skills and content knowledge in history, civic and social science.
  - ii.) **Actions to Achieve Goal**  
Through direct instruction and an integrated approach, pupil will study courses outlined in petition (e.g. U.S. History, World History, Government, Geography, and economics) using the CA History-Social Science Content Standards and CA Literacy Objectives or presently approved stated standards. Strategies included in an integrated approach are: inquiry, non-fiction and historical fiction texts, project based learning, computer based information, field trip experiences and hands-on projects
- d.) **SUBPRIORITY D – SCIENCE**
  - i.) **Goal to Achieve Subpriority:** AIUP pupils, including all pupil subgroups, unduplicated pupils, and pupils with exceptional needs, will demonstrate grade level skills and content knowledge on life, earth and space, and physical science.
  - ii.) **Actions to Achieve Goal**  
Utilizing an inquiry based approach pupils will develop an understanding of science and engineering practices, disciplinary core ideas and practices. Strategies include: project based learning, gathering and analyzing data,

integrating skills and concepts as they apply to different subjects, and hands-on learning.

**e.) SUBPRIORITY E – VISUAL AND PERFORMING ARTS**

i.) **Goal to Achieve Subpriority:** AIUP pupils, including all pupil subgroups, unduplicated pupils, and pupils with exceptional needs, will have access to Visual and Performing Arts.

**ii.) Actions to Achieve Goal**

All pupils will have the opportunity to participate in classroom and school- wide visual, dance, music, and theater performances throughout the year.

**f.) SUBPRIORITY F – PHYSICAL EDUCATION**

i.) **Goal to Achieve Subpriority:** AIUP pupils, including all pupil subgroups, unduplicated pupils, and pupils with exceptional needs, will participate in Physical Fitness.

**ii.) Actions to Achieve Goal**

All pupils will have the opportunity to learn about different methods of exercise and health including team and individual sports.

**g.) SUBPRIORITY G – HEALTH (GRADES 1-6 ONLY)**

i.) **Goal to Achieve Subpriority:** AIUP pupils, including all pupil subgroups, unduplicated pupils, and pupils with exceptional needs, will participate in health science.

**ii.) Actions to Achieve Goal**

All pupils will have knowledge of pertinent issues of health, safety, and the development of behaviors that are the foundation of lifetime healthy living.

**h.) SUBPRIORITY H – FOREIGN LANGUAGES (GRADES 7-12 ONLY)**

i.) **Goal to Achieve Subpriority:** AIUP pupils, including all pupil subgroups, unduplicated pupils, and pupils with exceptional needs, will have the opportunity to learn a foreign language.

**ii.) Actions to Achieve Goal**

pupils will have a foundation in a language other than English and a knowledge and understanding of other cultures.

**i.) SUBPRIORITY I – APPLIED ARTS (GRADES 7-12 ONLY)**

i.) Not Applicable

**j.) SUBPRIORITY J – CTE (GRADES 7-12 ONLY)**

i.) Not Applicable



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2015 AGENDA

<b>SUBJECT</b> GENERAL PUBLIC COMMENT. Public Comment is invited on any matter <b>not</b> 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.	<input type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing
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#### **SUMMARY OF THE ISSUE(S)**

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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**

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Listen to public comment on matters not included on the agenda.

#### **BRIEF HISTORY OF KEY ISSUES**

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Not applicable.

#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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Not applicable.

#### **FISCAL ANALYSIS (AS APPROPRIATE)**

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Not applicable.

#### **ATTACHMENT(S)**

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Not applicable.