California State Board of Education

Meeting Agenda Items for November 2-3, 2016

Bylaws

ARTICLE I

Authority

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

ARTICLE II

Powers and Duties

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

ARTICLE III

Members

APPOINTMENT

Section 1.

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

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

TERM OF OFFICE

Section 2.

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

d. If the Senate fails to confirm within 365 days after the day the person first began performing the duties of the office, the person may not continue to serve in that office following the end of the 365-day period.

EC 33001; 33000.5
GC 1774

VACANCIES

Section 3.

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

EC 33002

STUDENT MEMBER

Section 4.

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

EC 33000.5

COMPENSATION AND EXPENSES

Section 5.

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

EC 33006
GC 11564.5

CONFLICT OF INTEREST CODE

Section 6.

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

2 CCR 18730
5 CCR 18600

ARTICLE IV

Officers and Duties

PRESIDENT, VICE PRESIDENT

Section 1.

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

Section 2.

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

EXECUTIVE OFFICER

Section 3.

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

EC 33004

DUTIES OF THE PRESIDENT

Section 4.

The president shall:

- serve as spokesperson for the Board;
- represent the position of the Board to the State Superintendent of Public Instruction;
- appoint members to serve on committees and as liaisons, as prescribed in these Bylaws, and as may be needed in his or her judgment properly to fulfill the Board's responsibilities;
- serve as an ex officio voting member of the Screening Committee and any ad hoc committees, either by substituting for an appointed member who is not present with no change in an affected committee's quorum requirement, or by serving as an additional member with the affected committee's quorum requirement being increased if necessary;
- preside at all meetings of the Board and follow-up with the assistance of the executive director to see that

agreed upon action is implemented;

- serve, as necessary, as the Board's liaison to the National Association of State Boards of Education, or designate a member to serve in his or her place;
- serve, or appoint a designee to serve, on committees or councils that may be created by statute or official order where required or where, in his or her judgment, proper carrying out of the Board's responsibility demands such service;
- keep abreast of local, state, and national issues through direct involvement in various conferences and programs dealing with such issues, and inform Board members of local, state, and national issues;
- participate in selected local, state, and national organizations, which have an impact on public education, and provide to other members, the State Superintendent, and the staff of the Department of Education the information gathered and the opinion and perspective developed as the result of such active personal participation;
- provide direction for the executive director;
- and, along with the executive director, direct staff in preparing agendas for Board meetings, in consultation with other members as permitted by law, and determine priorities for the expenditure of board travel funds.

DUTIES OF THE VICE PRESIDENT

Section 5.

The vice president shall:

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

DUTIES OF COMMITTEE CHAIR

Section 6.

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

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

DUTIES OF LIAISON OR REPRESENTATIVE

Section 7.

A Board member appointed as a liaison or representative shall:

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

appropriately informed.

DUTIES OF A BOARD MEMBER APPOINTED TO ANOTHER AGENCY

Section 8.

The member shall:

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

ARTICLE V

Meetings

REGULAR MEETINGS

Section 1.

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

EC 33007

SPECIAL MEETINGS

Section 2.

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

OPEN MEETINGS

Section 3.

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

GC 11120 et seq.

NOTICE OF MEETINGS

Section 4.

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

SPECIAL MEETINGS (ADDITIONAL PROVISIONS)

Section 5.

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

EC 33008
GC 11125

EMERGENCY MEETINGS

Section 5.

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

GC 11125.5
EC 33008
EC 33010

CLOSED MEETINGS

Section 6.

Closed sessions shall be held only in accordance with law.

GC 11126

QUORUM

Section 7.

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

ORDER OF BUSINESS

Section 8.

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

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

CONSENT CALENDAR

Section 9.

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

ARTICLE VI

Committees and Representatives

SCREENING COMMITTEE

Section 1.

a. The president shall appoint a Screening Committee composed of at least three Board members to screen and interview applicants for appointment to Board advisory bodies and other positions as necessary; participate, as directed by the president, in the selection of candidates for the position of student Board member in accordance with law; and recommend appropriate action to the Board. The president shall designate one Board member as Chair of the Screening Committee.

b. In consultation with the chair, the president may appoint additional Board members, such as the appointed Board liaison, to serve as voting members of the Screening Committee on a temporary basis. In accordance with Section 4 of these bylaws, the president may also serve as an ex officio member of the Screening Committee. The quorum requirement shall be increased as necessary to include the total number of Board members, including temporary members, appointed to serve on the Committee for that purpose.

c. As necessary, the chair may create an ad hoc subcommittee of the Screening Committee to assist the Screening Committee with its duties.

AD HOC COMMITTEES

Section 2.

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

REPRESENTATIVES

Section 3.

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

ARTICLE VII

Public Hearings: General

SUBJECT OF A PUBLIC HEARING

Section 1.

a. The Board may hold a public hearing regarding any matter pending before it after giving notice as required by law.

b. The Board may direct that a public hearing be held before staff of the Department of Education, an advisory commission to the Board, or a standing or ad hoc committee of the Board regarding any matter which is or is likely to be pending before the Board. If the Board directs that a public hearing be held before staff, then a recording of the public hearing and a staff-prepared summary of comments received at the public hearing shall be made available in advance of the meeting at which action on the pending matter is scheduled in accordance with law.

5 CCR 18460

EC 33031
GC 11125

TIME LIMITS FOR THE PRESENTATION OF PUBLIC TESTIMONY

Section 2.

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

5 CCR 18463
EC 33031

WAIVER BY PRESIDING INDIVIDUAL

Section 3.

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

5 CCR 18464
EC 33031

ARTICLE VIII

Public Hearings: School District Reorganization

SUBMISSION OF PROPOSALS AND PETITIONS

Section 1.

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

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

CCR 18570

ARGUMENTS PRESENTED AT THE PUBLIC HEARING: ORIGINAL SUBMISSION

Section 2.

At the time and place of hearing, the Board (or staff if so directed by the Board) will receive oral or written arguments

on the proposal or petition. The presiding individual may limit the number of speakers on each side of the issue, limit the time permitted for the presentation of a particular view, and limit the time of the individual speakers. The presiding individual may ask that speakers not repeat arguments previously presented.

CCR 18571

RESUBMISSION OF THE SAME OR ESSENTIALLY IDENTICAL PROPOSAL OR PETITION

Section 3.

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

CCR 18572

ARTICLE IX

Public Records

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

GC 6250 et seq.

ARTICLE X

Parliamentary Authority

RULES OF ORDER

Section 1.

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

Section 2.

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

Section 3.

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

Section 4.

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

Section 5.

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

ARTICLE XI

Board Appointments

ADVISORY BODIES

Section 1.

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

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

OTHER APPOINTMENTS

Section 2.

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

SCREENING AND APPOINTMENT

Section 3.

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

ARTICLE XII

Presidential Appointments

LIAISONS

Section 1.

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

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

OTHER

Section 2.

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

ARTICLE XIII

Amendment to the Bylaws

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

Abbreviations

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

Abbreviation	Description
CC	Constitution of the State of California
CCR	California Code of Regulations

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

Dates of Adoption and Amendment

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

SBE Agenda for November 2016

Agenda for the California State Board of Education (SBE) meeting on November 2-3, 2016.

State Board Members

- Michael W. Kirst, President
- Ilene W. Straus, Vice President
- Sue Burr
- Bruce Holaday
- Feliza I. Ortiz-Licon
- Patricia A. Rucker
- Niki Sandoval
- Ting L. Sun
- Trish Williams
- Olivia Sison, Student Member
- *Vacancy*

Secretary & Executive Officer

- Hon. Tom Torlakson

Executive Director

- Karen Stapf Walters

Schedule of Meeting	Location
Wednesday, November 2, 2016 8:30 a.m. Pacific Time ± STATE BOARD OF EDUCATION **Public Session. Public Session, adjourn to Closed Session – IF NECESSARY.**	**California Department of Education** 1430 N Street, Room 1101 Sacramento, California 95814 916-319-0827

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

Schedule of Meeting	Location
Thursday, November 3, 2016 8:30 a.m. Pacific Time ± STATE BOARD OF EDUCATION **The Closed Session will take place at approximately 8:30 a.m.** (The Public may not attend.)	**California Department of Education** 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 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, 1st Dist., Case No. A122485, CA Supreme Court, Case No. S186129
- *Cruz et al. v. State of California, State Board of Education, State Department of Education, Tom Torlakson et al.,* Alameda County Superior Court, Case No. RG14727139
- *D.J. et al. v. State of California, California Department of Education, Tom Torlakson, the State Board of Education,* Los Angeles Superior Court, Case No. BS142775,CA Ct. of Appeal, 2nd Dist., Case No. B260075 and related complaint from the U.S. Department of Justice
- *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
- *Peoples v. State of California, State Board of Education,* Los Angeles County Superior Court, Case No. BC618619
- *Reed v. State of California, Los Angeles Unified School District, State Superintendent of Public Instruction, Jack O'Connell, California Department of Education,* and *State Board of Education, et al.*, Los Angeles County Superior Court, Case No. BC432420, CA Ct. of Appeal, 2nd Dist., Case No. B230817, CA Supreme Ct., Case No. 5191256
- *Valenzuela v. Tom Torlakson, the California Department of Education, the State Board of Education*, Alameda County Superior Court, Case No. RG16805941
- *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

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, November 2, 2016
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 1

PLEASE NOTE: Individual speakers will be limited to **one minute each** for public comment for all items Wednesday and Thursday.

For items 3 and 4 only, a group of five speakers may sign up together and designate one speaker who will be allocated a total of **three minutes for the group**.

Item 01

Subject: 2017-2018 State Board of Education Student Member: Recommendation of Three Finalists for Submission to the Governor for Consideration and Appointment.

Type of Action: Action, Information

Item 02

Subject: Reports from the 2016 Student Advisory Board on Education.

Type of Action: Information

Item 03

Subject: Developing an Integrated Local, State, and Federal Accountability and Continuous Improvement System: Approval of the Performance Standards for the Academic Indicator; Review of Recommendations on the Process for Local Educational Agencies to Evaluate and Report Progress on Local Performance Indicators; Update on How the Evaluation Rubrics Apply to Charter Schools; and Update on Continuing Developmental Work on the Evaluation Rubrics.

Type of Action: Action, Information

Item 04

Subject: The Local Control and Accountability Plan Template, *California Code of Regulations*, Title 5, Section 15497.5 – Adoption of the proposed Revised Local Control and Accountability Plan Template, pursuant to *Education Code* Section 52064(e).

Type of Action: Action, Information

Item 05

Subject: Update on the Development of the California State Plan for the Every Student Succeeds Act.

Type of Action: Action, Information

Item 06

Subject: California Assessment of Student Performance and Progress: Determination of the Release of Up to 10 Percent Withheld for the 2015–16 Educational Testing Service Contract.

Type of Action: Action, Information

Item 07

Subject: English Language Proficiency Assessments for California: Approve Commencement of a 15-Day Public Comment Period for Proposed Amendments to *California Code of Regulations*, Title 5, Sections 11518 through 11519.5.

Type of Action: Action, Information

- Item 07 Attachment 4
- Accessible Alternative Version (AAV) of Item 07 Attachment 4

Item 08

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

CALIFORNIA STATE BOARD OF EDUCATION

FULL BOARD AGENDA

Public Session Day 2

Thursday, November 3, 2016
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

PLEASE NOTE: Individual speakers will be limited to **one minute each** for public comment for all items Wednesday and Thursday.

PUBLIC HEARING

The Public Hearing will commence no earlier than 8:45 a.m. on Thursday, November 3, 2016. The Public Hearing listed below will be held as close to 8:45 a.m. as the business of the State Board permits.

Item 09

Subject: *Science Framework for California Public Schools: Kindergarten Through Grade Twelve*, 2016 Revision: Public Hearing and Adoption.

Type of Action: Action, Information, Hearing

- Item 09 Attachment 1

END OF PUBLIC HEARING

Item 10

Subject: State Performance Plan and Annual Performance Report for Part B of the Individuals with Disabilities Education Act of 2004 covering program year 2015−16.

Type of Action: Action, Information

WAIVERS / ACTION AND CONSENT ITEMS

The following agenda items include waivers that are proposed for consent and those waivers scheduled for separate action because CDE staff has identified possible opposition, recommended denial, or determined they may 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; however, any board member may remove a waiver from proposed consent and the item may be heard individually. Public testimony may be provided regarding any waiver 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

Subject: Request by Middletown Unified School District 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 Number: Fed-19-2016

(Recommended for APPROVAL)

SPECIAL EDUCATION PROGRAM (Educational Interpreter for Deaf and Hard of Hearing)

Item W-02

Subject: Request by Corcoran Joint Unified School District to waive *California Code of Regulations*, Title 5, Section 3051.16(b)(3), the requirement that educational interpreters for deaf and hard of hearing pupils meet minimum qualifications as of July 1, 2009, to allow Regina Lanteigne to continue to provide services to students until June 30, 2017, under a remediation plan to complete those minimum requirements.

Waiver Number: 12-8-2016

(Recommended for APPROVAL WITH CONDITIONS)

CHARTER SCHOOL PROGRAM (Advanced Apportionment)

Item W-03

Subject: Request by Los Angeles Unified School District for a waiver of portions of California *Education Code* Section 47652(b), in order to allow the City High School, charter #1710, to receive a full advanced apportionment for students from the former The City School, charter #1410, now merged with the City High School.

Waiver Number: 13-8-2016

(Recommended for APPROVAL)

CHARTER SCHOOL PROGRAM (Nonclassroom-Based Funding)

Item W-04

Subject: Request 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:

- Acton-Agua Dulce Unified School District 12-7-2016
- Lakeside Union Elementary School District 8-7-2016
- Vista Unified School District 7-8-2016

(Recommended for APPROVAL)

EQUITY LENGTH OF TIME

Item W-05

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

Waiver Numbers:

- Clovis Unified School District 5-8-2016
- Dixie Elementary School District 3-8-2016
- Lakeport Unified School District 13-7-2016
- Los Molinos Unified School District 2-7-2016
- Marysville Joint Unified School District 9-8-2016
- Ross Valley Elementary School District 5-7-2016
- San Rafael City Elementary School District 11-7-2016

(Recommended for APPROVAL WITH CONDITIONS)

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

Item W-06

Subject: Request by two school districts to waive California *Education Code* sections specific to statutory provisions for the sale or lease of surplus property.

Waiver Numbers:

- Simi Valley Unified School District 4-8-2016
- William S. Hart Union High School District 15-8-2016

(Recommended for APPROVAL WITH CONDITIONS)

SCHOOL CONSTRUCTION BONDS (Bond Indebtedness Limit - Non-Unified after 2000)

Item W-07

Subject: Request by Pixley Union Elementary School District to waive California *Education Code* Section 15268, to allow the district to exceed its bond indebtedness limit of 1.25 percent of the taxable assessed value of property (requesting 1.40 percent).

Waiver Number: 1-9-2016

(Recommended for APPROVAL WITH CONDITIONS)

SCHOOLSITE COUNCIL STATUTE (Number and Composition of Members)

Item W-08

Subject: Request by four 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:

- Claremont Unified School District 10-8-2016
- Claremont Unified School District 11-8-2016
- Happy Valley Union Elementary School District 14-8-2016
- Modoc Joint Unified School District 4-7-2016
- Sweetwater Union High School District 1-7-2016

(Recommended for APPROVAL WITH CONDITIONS)

Item W-09 -- WITHDRAWN by the Tehachapi Unified School District on October 24, 2016

~~<begin delete> EQUITY LENGTH OF TIME~~

~~Item W-09~~

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

~~Waiver Number: 8-8-2016~~

~~(Recommended for APPROVAL WITH CONDITIONS) <end delete>~~

SPECIAL EDUCATION PROGRAM (Educational Interpreter for Deaf and Hard of Hearing)

Item W-10

Subject: Request by Plumas Unified School District to waive *California Code of Regulations*, Title 5, Section 3051.16(b)(3), the requirement that educational interpreters for deaf and hard of hearing pupils meet minimum qualifications as of July 1, 2009, to allow Stephanie Metzger to continue to provide services to students until June 30, 2017, under a remediation plan to complete those minimum requirements.

Waiver Number: 10-7-2016

(Recommended for DENIAL)

END OF WAIVERS

Item 11

Subject: Elementary and Secondary Education Act: No Child Left Behind: Approval of Local Educational Agency Plans, Title I, Section 1112.

Type of Action: Action, Information

Item 12

Subject: Elementary and Secondary Education Act Section 1003(g), School Improvement Grant: Approval of Cohort 4 Funding for Local Educational Agencies and Schools for the Fiscal Years 2014, 2015, and 2016.

Type of Action: Action, Information

Item 13

Subject: Approval of 2016–17 Consolidated Applications.

Type of Action: Action, Information

Item 14

Subject: History–Social Science Instructional Materials Adoption–Adopt Proposed *California Code of Regulations*, Title 5, Section 9517.3.

Type of Action: Action, Information

- Item 14 Attachment 3
- Accessible Alternative Version (AAV) of Item 14 Attachment 3

Item 15

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

Type of Action: Action, Information

Item 16

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

Item 17

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

PUBLIC HEARINGS

The Public Hearings will commence no earlier than 10:30 a.m. on Thursday, November 3, 2016. The first Public Hearing listed below will be held as close to 10:30 a.m. as the business of the State Board permits.

Item 18

Subject: Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Celerity Himalia Charter School, which was denied by the Los Angeles Unified School District and the Los Angeles County Board of Education.

Type of Action: Action, Information, Hearing

- Item 18 Attachment 1

Item 19

Subject: Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Celerity Rolas Charter School, which was denied by the Los Angeles Unified School District and the Los Angeles County Board of Education.

Type of Action: Action, Information, Hearing

- Item 19 Attachment 1

Item 20

Subject: Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Winton Charter High School, which was denied by the Merced Union High School District and the Merced County Board of Education.

Type of Action: Action, Information, Hearing

- Item 20 Attachment 1

END OF PUBLIC HEARINGS

Item 21

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

This agenda is posted on the State Board of Education's Web site at http://www.cde.ca.gov/be/ag/. For more information concerning this agenda, please contact the State Board of Education at 1430 N Street, Room 5111, Sacramento, CA, 95814; telephone 916-319-0827; facsimile 916-319-0175. Members of the public wishing to send written comments about an agenda item to the board are encouraged to send an electronic copy to SBE@cde.ca.gov, with the item number clearly marked in the subject line. In order to ensure that comments are received by board members in advance of the meeting, please submit these and any related materials to our office by 12:00 Noon on October 28, 2016, the Friday prior to the meeting. If you do not meet the deadline, please provide 25 copies to distribute at the meeting.

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT	
2017-2018 State Board of Education Student Member: Recommendation of Three Finalists for Submission to the Governor for Consideration and Appointment.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

On Tuesday, November 1, 2016, the State Board of Education (SBE) Screening Committee will interview six candidates selected by student representatives attending the Student Advisory Board on Education (SABE) Conference from an initial set of 12 semi-finalists. The list of three finalists recommended by the Screening Committee will be provided as an Item Addendum.

RECOMMENDATION

The State Board of Education's (SBE) Screening Committee recommends that the SBE approve the three finalists for the position of 2017-2018 SBE Student Member, as identified in the Item Addendum. The approved finalists will be forwarded to the Governor for his consideration and appointment as the 2017-18 SBE Student Member.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Pursuant to California *Education Code* Section 33000.5(e)(5), the SBE annually selects three finalists from six candidates to be considered by the Governor as the Student Member for the forthcoming year.

FISCAL ANALYSIS (AS APPROPRIATE)

None.

ATTACHMENT(S)

An Item Addendum will contain information about the 12 semi-finalists, the six candidates interviewed by the SBE Screening Committee, and the three finalists recommended by the SBE Screening Committee.

ITEM #02

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT Reports from the 2016 Student Advisory Board on Education.	☐ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

The 2016 Student Advisory Board on Education (SABE) Conference will be held in Sacramento from October 30 through November 2, 2016, and will culminate in oral presentations to the State Board of Education (SBE) on Wednesday, November 2, 2016. Each presentation will focus on an issue chosen by student delegates of the 2016 SABE Conference, and will reflect their research and discussion.

RECOMMENDATION

Listen to student proposals from the 2016 SABE Conference.

BRIEF HISTORY OF KEY ISSUES

The SBE receives annual SABE reports. The California Department of Education (CDE) and SBE staff, working with the SBE's Student Member, may review and develop responses to the SABE proposals, and may be considered at a future SBE meeting if they are within the jurisdiction of the SBE.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Student proposals to the SBE in November 2015 covered a range of topics, including Common Core State Standards, Smarter Balanced Assessment Consortium, School Accountability Standards, Role of Technology in Education, Mental Health, and Soliciting Student Opinion.

FISCAL ANALYSIS (AS APPROPRIATE)

None.

ATTACHMENT

Student representatives will provide a handout of their report to SBE members at the time of their oral presentation.

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

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

SUMMARY OF THE ISSUE(S)

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

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

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

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

RECOMMENDATION

Staff recommend that the SBE take the following action:

1. Adopt the performance standards for the Academic Indicator, based on student test scores on English Language Arts/Literacy (ELA) and Mathematics for grades 3–8, that includes results from the second year of Smarter Balanced tests, as specified in Attachment 1.

2. Approve proposed self-assessment tools for local educational agencies (LEAs) to determine progress on the local performance indicators for Basics (Priority 1), School Climate (Priority 6), Coordination of Services for Expelled Students (Priority 9), and Coordination of Services for Foster Youth (Priority 10).

3. Revise the approved standards for local performance indicators to clarify that LEAs must report the results of the local measurement of progress to their local governing boards at a regularly scheduled public meeting of the local governing board.

4. Add language to the criteria to determine LEA eligibility for technical assistance and intervention under the LCFF statutes, approved at the September 2016 SBE meeting, to clarify the applicability of the criteria to charter schools, as specified in Attachment 3.

BRIEF HISTORY OF KEY ISSUES

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

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

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

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

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

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

Attachment 5 contains *EC* sections referencing the LCFF.

Update on Review of Data on Course Taking and Course Completion

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

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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

- An update on the proposed revisions to the LCAP template and instructions (http://www.cde.ca.gov/be/pn/im/documents/memo-exec-lasso-sep16item01.doc)

- Proposed approaches on the use of self-assessment tools and menu of local measures for LEAs to determine progress on the local performance indicators (September CPAG/SBE Study Session: http://www.cde.ca.gov/be/cc/cp/documents/memo-cpag-sep16item02.doc and October CPAG/SBE Study Session: http://www.cde.ca.gov/be/cc/cp/documents/memo-cpag-oct16item04.doc).

- An overview of the historical information on alternative school accountability and upcoming activities in the development of the new alternate accountability system (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-oct16item03.doc).

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

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

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

- An update on developing the new accountability and continuous improvement system draft timeline (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-aug16item01.doc)

- A framework for supporting local educational agencies and schools (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-aug16item02.doc)

- An overview of the college/career indicator structure and proposed measures (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-aug16item01.doc)

- Proposed percentile cut scores for state indicators (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-aug16item02rev.doc)

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

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

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

- Draft statements of model practices (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-jun16item02.doc)

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

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

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

- A summary of the decisions on accountability and continuous improvement that were approved at the March 2016 meeting (http://www.cde.ca.gov/be/pn/im/documents/memo-amard-apr16item01.doc)

- Further analysis on potential key indicators (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-apr16item02.doc)

- Additional analysis on the graduation rate to inform the methodology to set standards for performance and expectations for improvement (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-apr16item04.doc)

- LCAP template revisions (http://www.cde.ca.gov/be/pn/im/documents/memo-exec-lasso-apr16item01.doc)

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

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

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

- Common terminology and definition of terms used to describe the proposed architecture for the new accountability and continuous improvement system (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-feb16item02.doc).

- Draft architecture that clarifies how the pieces of the emerging, integrated accountability system will fit together (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-feb16item03.doc).

- Further analysis on the graduation rate indicator to illustrate potential standards (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-feb16item04.doc).

- Options for key indicators that satisfy the requirements of the LCFF and ESSA (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-feb16item05.doc).

- Overview of student-level growth models for Smarter Balanced summative assessment results (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-feb16item01.doc).

- Review of college and career indicator (CCI) options (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-feb16item02.doc).

FISCAL ANALYSIS (AS APPROPRIATE)

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

ATTACHMENT(S)

Attachment 1: Proposed Performance Standards for the Academic Indicator Based on Student Test Scores in English Language Arts/Literacy and Mathematics for Grades Three through Eight (13 Pages)

Attachment 2: Proposed Approach to Determine Progress on the Local Performance Indicators Including the Use of Self-Assessment Tools and/or A Menu of Local Measures (8 Pages)

Attachment 3: Update and Recommended Action on Application of Evaluation Rubrics to Charter Schools (5 Pages)

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

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

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

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

Background

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

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

Methodology Considerations for Current and Future Years

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

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

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

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

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

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

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

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

Stakeholder Input

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

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

Recommendation

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

Academic Indicator—ELA Status

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

Distribution for ELA Status

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

Total Number of Districts = 1,691

Academic Indicator—Mathematics Status

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

Distribution for Mathematics Status

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

Total Number of Districts = 1,689

Academic Indicator—ELA Change

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

Distribution for ELA Change

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

Total Number of Districts = 1,670

Academic Indicator—Mathematics Change

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

Distribution for Mathematics Change

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

Total Number of Districts = 1,668

ELA Academic Performance Categories

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

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

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

Statewide Districts' Performance

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

Statewide Schools' Performance

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

Performance by School Type

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

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

Mathematics Academic Performance Categories

Mathematics Academic Indicator Change

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

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

Level	Declined Significantly by more than 5%	Declined by 1% to 5%	Maintained Declined by more than 1% and improved by less than 2%	Increased by 2% to less than 5%	Increased Significantly by 5% or more
Very High 70% or more	Yellow	Green	Blue	Blue	Blue
High 51% to less than 70%	Orange	Yellow	Green	Green	Blue
Medium 40% to less than 51%	Orange	Orange	Yellow	Green	Green
Low 15% to less than 40%	Red	Orange	Orange	Yellow	Yellow
Very Low Less than 15%	Red	Red	Red	Orange	Yellow

Statewide Districts' Performance

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

Statewide Schools' Performance

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

Performance by School Type

School Type	# of Schools	Red	Orange	Yellow	Green	Blue
Non Charter	6,394	625 (9.8%)	1,439 (22.5%)	2,213 (34.6%)	1,077 (16.8%)	1,040 (16.3%)
Charter	788	95 (12.1%)	204 (25.9%)	250 (31.7%)	114 (14.5%)	125 (15.8%)
Small Schools*	100	16 (16.0%)	29 (29.0%)	26 (26.0%)	14 (14.0%)	15 (15.0%)
Non Small Schools	7,082	704 (9.9%)	1,614 (22.8%)	2437 (34.4%)	1,177 (16.6%)	1,150 (16.3%)

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

ELA Academic Indicator
District Student Group Results

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

*Total = Number of districts with 30 or more students at the district level and student group level with CAASPP results.
- = No data available due to less than 30 students with CAASSP results.

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

ELA Academic Indicator
School Student Group Results

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

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

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

Mathematics Academic Indicator
District Student Group Results

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

*Total = Number of districts with 30 or more students at the district level and student group level with CAASPP results.
- = No data available due to less than 30 students with CAASSP results.

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

Mathematics Academic Indicator
School Student Group Results

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

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

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

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

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

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

Background

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

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

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

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

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

As noted in previous SBE meeting items, the self-assessment tools and menu of local measures represent the strategy for the initial phase of the evaluation rubrics. The California Department of Education (CDE) is convening work groups, technical experts, and stakeholders to provide input on the local indicators to provide the SBE with recommendations for further development and refinement for those indicators. The initial phase of the web-based system will launch in early 2017, and the accountability system will take full effect in the 2017-18 school year. (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-aug16item01.doc).

Stakeholder Input

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

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

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

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

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

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

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

Recommendations

Process to Collect Information on the Local Performance Indicators

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

- Designate a representative (e.g., LCFF Rubrics Coordinator) to compile and coordinate feedback and/or responses from stakeholders, such as, governing board members, county, district, and school personnel, and members of the public, to inform the completion of the self-assessment tool.

- Present the results to the local governing board, school personnel, and members of the public (e.g., presentation at a regularly scheduled board meeting through a public presentation with opportunity for public comment).

- Determine LEA the performance on the standard (met, not met, not met for two years) and report this performance in the evaluation rubrics.

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

Proposed Self-Assessment Tools and Menu of Local Measures

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

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

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

- Revised standard with the addition an LEA reports the results to its local governing board ***at a regularly scheduled meeting of the local governing board***;

- Information about the evidence that LEAs would use to demonstrate progress in meeting the standard;

- Proposed self-assessment tool to be included in the LCFF evaluation rubrics system.

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

School Climate (Priority 6)

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

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

Proposed Local Data Reporting Interface:

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

[Insert LEA summary of school climate results.]

Coordination of Services for Expelled Students (Priority 9)

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

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

Proposed Self-Assessment Tool:

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

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

Coordination of Services for Foster Youth (Priority 10)

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

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

Proposed Self-Assessment Tool:

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

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

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

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

Criteria for Determining LEA Eligibility for Differentiated Assistance and Intensive Intervention

Basics (Priority 1)

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

Implementation of State Academic Standards (Priority 2)

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

Parent Engagement (Priority 3)

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

Pupil Achievement (Priority 4)

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

Pupil Engagement (Priority 5)

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

School Climate (Priority 6)

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

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

- *Red* on College/Career Indicator

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

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

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

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

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

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

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

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

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

- A school district or county office of education is eligible for intensive intervention if *three or more student groups* met the Criteria *for two or more* LCFF priorities in *three out of four consecutive years. EC* sections 52072 & 52072.5.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

> **Application of Criteria to School Districts, County Offices of Education, and Charter Schools.**
>
> A school district or county office of education is eligible for technical assistance if *any student group* met the Criteria for *two or more* LCFF priorities. *Education Code (EC)* 52071(b) & 52071.5(b).

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

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

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

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

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

- *California Practitioners Advisory Group (CPAG)*: The CPAG is an advisory committee to the SBE (http://www.cde.ca.gov/be/cc/cp/) that met on September 29, 2016 (http://www.cde.ca.gov/be/cc/cp/cpag2016agendasept29.asp) and again on October 13, 2015 (http://www.cde.ca.gov/be/cc/cp/cpag2016agendaoct13.asp). The CPAG provided feedback on preliminary concepts for the Every Student Succeeds Act (ESSA) State Plan, the revised version of the Local Control and Accountability Plan (LCAP) and Annual Update template, and the LCFF evaluation rubrics local performance indicators. The CPAG recommendations on the Academic Performance Indicator are in Attachment 1 and the discussion and recommendations on the local performance indicators are in Attachment 2. The next CPAG meeting is scheduled for December 7, 2016.

- *Equity and Policy Stakeholder Input Working Group*: WestEd, on behalf of the California Department of Education (CDE) and State Board of Education (SBE), hosted webinars for representatives from statewide and community-based organizations to review draft top-level data displays and standard reports that will be used to prepopulate the initial phase of the web based version of the LCFF evaluation rubrics : https://lcff.wested.org/lcff-channel/evaluation-rubric-videos/evaluation-rubrics-design-webinar-august-26-2016/. A summary of the feedback is posted on the WestEd LCFF Web page: https://lcff.wested.org/wp-content/uploads/2016/08/August-26-webinar-summary_final.pdf. A second webinar was presented to review the LCAP redesign https://lcff.wested.org/lcff-channel/lcap-webinars/tour-of-the-proposed-lcap-and-annual-update-template-redesign-webinar/. A summary of the feedback is posted on the WestEd LCFF Web page: https://lcff.wested.org/local-control-accountability-plan-template-redesign-feedback-summary-october-2016/.

- *School Conditions and Climate Work Group*: The School Conditions and Climate Work Group (CCWG) has convened two meetings conducted via a webinar to review and discuss school conditions and climate resources and the proposed work plan. A third webinar meeting is scheduled in October and the group will convene in

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

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

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

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

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

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

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Timeframe	SBE Review and Decision Points	Ongoing Development and Tasks
August 2016	SBE received a series of Information Memorandum on the following topics: • draft timeline and proposed annual review of the LCFF indicators, • a framework for technical assistance, • an update on the college/career indicator and proposed cut-point and performance categories for the state indicators, and • an updated timeline to revise the LCAP template.	*Early August-Continue receiving feedback on accountability and continuous improvement:* • Conference Calls • Standing Meetings • Policy Input Sessions *Work Groups:* • CDE convenes the school conditions and climate work group
September 2016	*LCFF Evaluation Rubrics:* **Initial Phase of the Local Control Funding Formula (LCFF) Evaluation Rubrics for SBE Adoption.** • Performance categories for CAASPP, English Learner Proficiency, Graduation Rate, Suspension Rate, and College/Career Readiness. • Criteria to determine eligibility for technical assistance based on performance on all LCFF priorities. • Design dimensions for the evaluation rubrics web application that includes, but is not limited to, the top-level data display, equity report, and standard reports. • CDE provides an update on the working groups to explore school conditions and climate and English learner proficiency indicator. *ESSA State Plan:* • Overview of the law and plan requirements, review of stakeholder feedback	*California Practitioners Advisory Group (CPAG) Meeting:* • CPAG provides feedback on draft ESSA State Plan • CPAG reviews plan for future work on state and local indicators (e.g., college /career readiness) • CPAG reviews the plan to revise the LCAP template *Work Groups:* • CDE convenes the school conditions and climate work group Proposed Information Memorandum on updated draft for revised LCAP template and instructions

Timeframe	SBE Review and Decision Points	Ongoing Development and Tasks
October 2016		*California Practitioners Advisory Group (CPAG) Meeting:* • CPAG provides feedback on draft ESSA State Plan • CPAG reviews draft standards for the LCFF local performance measures *Early October-Continue receiving feedback on accountability and continuous improvement:* • Conference Calls • Standing Meetings • Policy Input Sessions *Work Groups:* • School conditions and climate work group will provide opportunities for stakeholder input • CDE convenes the English Learner Indicator work group Proposed Information Memorandum on local indicators
November 2016	*LCFF Evaluation Rubrics:* Update on local indicators to measure state priorities not addressed by the state indicators (e.g., priorities 1,2,3,6,7,8,9,10) and implications for state performance standards based on stakeholder input gathered in October 2016	*LCFF Evaluation Rubrics*: • California Collaborative for Educational Excellence (CCEE) workshop trainings

Timeframe	SBE Review and Decision Points	Ongoing Development and Tasks
November 2016	CDE provides an update on the School Conditions and Climate work group and the English Learner Indicator work group. CDE also provides an update on the Statements of Model Practices. *LCAP Template:* **Final changes to the LCAP template for SBE adoption.** *ESSA State Plan*: CDE presents first draft of ESSA State Plan based on stakeholder input, including CPAG comments, for SBE review.	*ESSA State Plan:* • ESSA State Plan extended public comment period begins November 18 • ESSA State Plan Stakeholder Outreach Phase 2 begins • Webinars • Regional meetings • Survey • Stakeholder engagement toolkit
December 2016		*California Practitioners Advisory Group (CPAG) Meeting*: • Provides feedback on ESSA State Plan Update • Update on the proposal to review the LCFF evaluation rubrics state and local indicators and statements of model practices *Work Groups:* • CDE convenes the school conditions and climate work group • School conditions and climate work group will provide opportunities for stakeholder input • CDE convenes the English Learner Indicator work group
January 2017	*LCFF Evaluation Rubrics:* • CDE presents preliminary recommendations to the SBE for transition plan to support	*ESSA State Plan:* 30 day public comment period closes January 20

Timeframe	SBE Review and Decision Points	Ongoing Development and Tasks
January 2017	the use of school conditions and climate measures in the accountability and continuous improvement system. *ESSA State Plan*: Second Draft ESSA State Plan for SBE Review. • CDE revises ESSA State Plan based on stakeholder feedback, including the input provided by the CPAG.	Stakeholder Outreach Phase 2 ends *Work Groups:* • CDE convenes the English Learner Indicator work group
February 2017		*Early February-Continue receiving feedback on accountability and continuous improvement:* • Conference Calls • Standing Meetings • Policy Input Sessions *California Practitioners Advisory Group (CPAG) Meeting* • Reviews public comments on ESSA state plan and makes recommendations • Advise SBE on annual review of evaluation rubrics state and local indicators Proposed Information Memorandum on the English Learner Indicator
March 2017	*LCFF Evaluation Rubrics:* Annual review of evaluation rubrics, which may include, but is not necessarily limited to the following: • CAASPP performance categories • English Learner Indicator	*Work Groups:* • CDE convenes the English Learner Indicator working group

Timeframe	SBE Review and Decision Points	Ongoing Development and Tasks
March 2017	• Suspension Rate and School Climate • Academic Engagement • College/Career Indicator *ESSA State Plan*: Third Draft ESSA State Plan for SBE Review. • CDE revises ESSA State Plan based on stakeholder feedback, including the input provided by the CPAG.	
April 2017		*Early April-Continue receiving feedback on accountability and continuous improvement:* • Conference Calls • Standing Meetings • Policy Input Sessions *California Practitioners Advisory Group (CPAG) Meeting* • Reviews progress on pilot of state and local indicators, feedback from SBE on annual review • Reviews alignment of ESSA state plan to LCFF evaluation rubrics (e.g., plan alignment activities)
May 2017	*LCFF Evaluation Rubrics:* CDE presents recommendations to the SBE for transition plan to support the use of the English Learner Indicator in the accountability and continuous improvement system.	

Timeframe	SBE Review and Decision Points	Ongoing Development and Tasks
	ESSA State Plan: SBE reviews CPAG feedback, CPAG recommendations on public comment, and provisionally approves ESSA State Plan (pending suggested amendments)	
June 2017		*Early June-Continue receiving feedback on accountability and continuous improvement:* • Conference Calls • Standing Meetings • Policy Input Sessions *California Practitioners Advisory Group (CPAG) Meeting* • Update on state and local indicator pilots and implications for standards and technical assistance
July 2017	*ESSA State Plan*: Submit California ESSA Consolidated State Plan to ED **New Accountability System begins July 2017.** The ESSA State Plan takes effect 2017-18 and implements process to identify schools for assistance.	
August 2017		*Early August-Continue receiving feedback on accountability and continuous improvement:* • Conference Calls • Standing Meetings • Policy Input Sessions

Timeframe	SBE Review and Decision Points	Ongoing Development and Tasks
		California Practitioners Advisory Group (CPAG) Meeting • Review proposal to revise evaluation rubrics based on the state and local indicator pilots and SBE annual review at the March SBE meeting
September 2017	*LCFF Evaluation Rubrics:* Possible action to revise the evaluation rubrics based on the annual review completed in March 2017, any updated data elements and indicators based on stakeholder input.	
2018-19	**The new technical assistance, support, and interventions under LCFF and ESSA are implemented.**	

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

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

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

Education Code Section 52064.5.

(a) On or before October 1, 2016, the state board shall adopt evaluation rubrics for all of the following purposes:
(1) To assist a school district, county office of education, or charter school in evaluating its strengths, weaknesses, and areas that require improvement.
(2) To assist a county superintendent of schools in identifying school districts and charter schools in need of technical assistance pursuant to Section 52071 or 47607.3, as applicable, and the specific priorities upon which the technical assistance should be focused.
(3) To assist the Superintendent in identifying school districts for which intervention pursuant to Section 52072 is warranted.
(b) The evaluation rubrics shall reflect a holistic, multidimensional assessment of school district and individual schoolsite performance and shall include all of the state priorities described in subdivision (d) of Section 52060.
(c) As part of the evaluation rubrics, the state board shall adopt standards for school district and individual schoolsite performance and expectations for improvement in regard to each of the state priorities described in subdivision (d) of Section 52060.

Education Code Section 47607.

(a) (1) A charter may be granted pursuant to Sections 47605, 47605.5, and 47606 for a period not to exceed five years. A charter granted by a school district governing board, a county board of education, or the state board may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years. A material revision of the provisions of a charter petition may be made only with the approval of the authority that granted the charter. The authority that granted the charter may inspect or observe any part of the charter school at any time.
(2) Renewals and material revisions of charters are governed by the standards and criteria in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.
(3) (A) The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal.
(B) For purposes of this section, “all groups of pupils served by the charter school” means a numerically significant pupil subgroup, as defined by paragraph (3) of subdivision (a) of Section 52052, served by the charter school.
(b) Commencing on January 1, 2005, or after a charter school has been in operation for four years, whichever date occurs later, a charter school shall meet at least one of the

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

remedy the violation, unless the authority determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils.
(e) Before revoking a charter for failure to remedy a violation pursuant to subdivision (d), and after expiration of the school's reasonable opportunity to remedy without successfully remedying the violation, the chartering authority shall provide a written notice of intent to revoke and notice of facts in support of revocation to the charter school. No later than 30 days after providing the notice of intent to revoke a charter, the chartering authority shall hold a public hearing, in the normal course of business, on the issue of whether evidence exists to revoke the charter. No later than 30 days after the public hearing, the chartering authority shall issue a final decision to revoke or decline to revoke the charter, unless the chartering authority and the charter school agree to extend the issuance of the decision by an additional 30 days. The chartering authority shall not revoke a charter, unless it makes written factual findings supported by substantial evidence, specific to the charter school, that support its findings.
(f) (1) If a school district is the chartering authority and it revokes a charter pursuant to this section, the charter school may appeal the revocation to the county board of education within 30 days following the final decision of the chartering authority.
(2) The county board of education may reverse the revocation decision if the county board of education determines that the findings made by the chartering authority under subdivision (e) are not supported by substantial evidence. The school district may appeal the reversal to the state board.
(3) If the county board of education does not issue a decision on the appeal within 90 days of receipt, or the county board of education upholds the revocation, the charter school may appeal the revocation to the state board.
(4) The state board may reverse the revocation decision if the state board determines that the findings made by the chartering authority under subdivision (e) are not supported by substantial evidence. The state board may uphold the revocation decision of the school district if the state board determines that the findings made by the chartering authority under subdivision (e) are supported by substantial evidence.
(g) (1) If a county office of education is the chartering authority and the county board of education revokes a charter pursuant to this section, the charter school may appeal the revocation to the state board within 30 days following the decision of the chartering authority.
(2) The state board may reverse the revocation decision if the state board determines that the findings made by the chartering authority under subdivision (e) are not supported by substantial evidence.
(h) If the revocation decision of the chartering authority is reversed on appeal, the agency that granted the charter shall continue to be regarded as the chartering authority.
(i) During the pendency of an appeal filed under this section, a charter school, whose revocation proceedings are based on subparagraph (A) or (B) of paragraph (1) of subdivision (c), shall continue to qualify as a charter school for funding and for all other purposes of this part, and may continue to hold all existing grants, resources, and facilities, in order to ensure that the education of pupils enrolled in the school is not disrupted.
(j) Immediately following the decision of a county board of education to reverse a decision of a school district to revoke a charter, the following shall apply:

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

Education Code Section 47607.3.
(a) If a charter school fails to improve outcomes for three or more pupil subgroups identified pursuant to Section 52052, or, if the charter school has less than three pupil subgroups, all of the charter school's pupil subgroups, in regard to one or more state or school priority identified in the charter pursuant to subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605 or subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, in three out of four consecutive school years, all of the following shall apply:

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

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

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

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

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

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

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

Education Code Section 52071.
(a) If a county superintendent of schools does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a governing board of a school district, or if the governing board of a school

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

(1) Identification of the school district's strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52060, communicated in writing to the school district. This identification shall include a review of effective, evidence-based programs that apply to the school district's goals.

(2) Assignment of an academic expert or team of academic experts to assist the school district in identifying and implementing effective programs that are designed to improve the outcomes for all pupil subgroups identified pursuant to Section 52052. The county superintendent of schools may also solicit another school district within the county to act as a partner to the school district in need of technical assistance.

(3) Request that the Superintendent assign the California Collaborative for Educational Excellence to provide advice and assistance to the school district.

(b) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the county superintendent of schools shall provide the technical assistance described in subdivision (a) to any school district that fails to improve pupil achievement across more than one state priority described in subdivision (d) of Section 52060 for one or more pupil subgroup identified pursuant to Section 52052.

(c) Technical assistance provided pursuant to this section at the request of a school district shall be paid for by the school district requesting the assistance.

Education Code Section 52071.5.
(a) If the Superintendent does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a county board of education, or if the county board of education requests technical assistance, the Superintendent shall provide technical assistance, including, among other things, any of the following:

(1) Identification of the county board of education's strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52066, communicated in writing to the county board of education. This identification shall include a review of effective, evidence-based programs that apply to the board's goals.

(2) Assignment of an academic expert or team of academic experts, or the California Collaborative for Educational Excellence established pursuant to Section 52074, to assist the county board of education in identifying and implementing effective programs that are designed to improve the outcomes for all pupil subgroups identified pursuant to Section 52052. The Superintendent may also solicit another county office of education to act as a partner to the county office of education in need of technical assistance.

(b) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the Superintendent shall provide the technical assistance described in subdivision (a) to any county office of education that fails to improve pupil achievement in regard to more than one state priority described in subdivision (d) of Section 52066 for one or more pupil subgroups identified pursuant to Section 52052.

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

Education Code Section 52072.
(a) The Superintendent may, with the approval of the state board, identify school districts in need of intervention.

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

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

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

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

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

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

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

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

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

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

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

Education Code Section 52072.5.
(a) The Superintendent may, with the approval of the state board, identify county offices of education in need of intervention.

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

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

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

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

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

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

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

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

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

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

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

Education Code Section 52060.

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

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

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

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

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

(d) All of the following are state priorities:

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

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

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

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

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

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

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

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

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

(E) The English learner reclassification rate.

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

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

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

(A) School attendance rates.

(B) Chronic absenteeism rates.

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

(D) High school dropout rates.

(E) High school graduation rates.

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

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

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

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

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

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

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

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

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

Education Code Section 52066.

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

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

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

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

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

(d) All of the following are state priorities:

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

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

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

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

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

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

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

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

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

(E) The English learner reclassification rate.

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

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

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

(A) School attendance rates.

(B) Chronic absenteeism rates.

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

(D) High school dropout rates.

(E) High school graduation rates.

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

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

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

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

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

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

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

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

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

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

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

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

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

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

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

Education Code Section 52064.

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

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

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

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

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

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

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

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

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

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

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

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

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

Education Code Section 52052.
(a) (1) The Superintendent, with the approval of the state board, shall develop an Academic Performance Index (API), to measure the performance of schools and school districts, especially the academic performance of pupils.

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

(A) Ethnic subgroups.

(B) Socioeconomically disadvantaged pupils.

(C) English learners.

(D) Pupils with disabilities.

(E) Foster youth.

(F) Homeless youth.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) The standards-based achievement tests provided for in Section 60642.5.

(2) The high school exit examination.

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

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

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

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

(A) Irregularities in testing procedures occurred.

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

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

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

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

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

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

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

(A) The most recent API calculation.

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

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

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

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

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

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

CALIFORNIA STATE BOARD OF EDUCATION

November 2016 AGENDA

SUBJECT	
The Local Control and Accountability Plan Template, *California Code of Regulations,* Title 5, Section 15497.5 – Adoption of the proposed Revised Local Control and Accountability Plan Template, pursuant to *Education Code* Section 52064(e)	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

California *Education Code* (*EC*) Section 52064(e) provides the State Board of Education (SBE) with the opportunity to adopt a revised Local Control and Accountability Plan and Annual Update (LCAP) template using its regular meeting process in accordance with the Bagley-Keene Open Meeting Act. The SBE is required to present the LCAP template at a regular meeting (July 2016 SBE Meeting), and take action to adopt the template at a subsequent meeting (November 2016 Meeting). Revisions to the template must be approved by January 31 before the fiscal year during which it is to be used by local educational agencies (LEAs). As part of the adoption of a revised LCAP template process, SBE staff and CDE staff will work in conjunction with the Office of Administrative Law and complete the requisite procedures to repeal *California Code of Regulations,* Title 5 Section 15497.5 Local Control and Accountability Plan and Annual Update Template.

In response to the direction received from the SBE at its May 2016 meeting to revise the current version of the LCAP template (http://www.cde.ca.gov/fg/aa/lc/documents/approvedlcaptemplate.doc), the California Department of Education (CDE) initiated redesign activities in alignment with the guiding principles adopted by the SBE. At its July 2016 board meeting, the CDE presented the SBE with a draft Revised LCAP and Annual Update Template (Item 3, Attachment 2: http://www.cde.ca.gov/be/ag/ag/yr16/documents/jul16item03.doc) developed in partnership with educational stakeholders. The SBE, in response, directed the CDE to continue with the development of a revised template informed by the assumptions that it should include a Plan Summary section for completion by all LEAs, and that it will be effective for a period of three years inclusive, and be updated annually, as required.

In September 2016, an information memorandum was provided to update the SBE on ongoing stakeholder engagement and revisions made to the draft Revised LCAP and Annual Update Template in response to stakeholder feedback (http://www.cde.ca.gov/be/pn/im/documents/memo-exec-lasso-sep16item01.doc). Following the release of the memorandum, WestEd, on behalf of the SBE, and in partnership with the

CDE, gathered additional feedback from various stakeholder groups on the version of the draft Revised LCAP and Annual Update Template provided in the memorandum. A summary of stakeholder feedback is available at https://lcff.wested.org/wp-content/uploads/2016/10/LCAP-Template-Redesign_Feedback-Summary-Final.pdf.

At its meeting on October 13, 2016, the California Practitioners Advisory Group (CPAG) was provided with an update on the draft Revised LCAP and Annual Update Template by the CDE. CPAG members expressed the need to continue building the capacity of LEAs in evaluating how actions/services articulated in the LCAP support positive change, and for effective messaging to local stakeholders surrounding the revisions to the template. They suggested that exemplars of LCAPs completed using the revised template be provided to the field while voicing appreciation for the process of continuous improvement modeled in the efforts of CDE, SBE staff, and WestEd in soliciting and incorporating stakeholder feedback into the draft Revised LCAP and Annual Update Template.

The proposed Revised LCAP and Annual Update Template, provided as Attachment 1, reflects the collaborative efforts of SBE staff, CDE's LCAP Support Team, CCSESA, and WestEd. It incorporates suggested revisions from numerous stakeholders, education coalition and advocacy groups, and builds on input received via CDE's *LCAP Redesign Survey* and during SBE meetings. Revisions to the LCAP template include both changes to the content and the format of the plan. The new design promotes ease of reading with more "white space", and the addition of color, helping to improve the user experience. Revisions to the LCAP Template content respond to stakeholder feedback and seek to adhere to the design principles approved by the SBE at its May meeting:

- ***Maximize transparency and ease of use for stakeholders***
  - Revise the LCAP template such that the plans for school districts and county offices of education shall be developed, adopted by the local governing board, and be effective for a period of three years, inclusive, and updated annually, as required, consistent with *EC* sections 52060(b) and 52066(b), and *EC* sections 52061(a) and 52067(a).
  - Provide instructions in the revised template for including a required summary of the LCAP and the Annual Update.
- ***Simplify, to the extent possible, structure and language***
  - Reorder the sections of the Revised LCAP and Annual Update Template to align with a typical LCAP planning cycle.
    - Plan Summary
    - Annual Update
    - Stakeholder Engagement
    - Goals, Actions, and Services
    - Demonstration of Increased or Improved Services for Unduplicated Students

- ***Provide clear instructions and support***
    - Reword and/or clarify instructions for completing each section of the LCAP and the Annual Update.
    - Relocate the instructions for completing the LCAP and the Annual Update to an addendum, and include the State priorities as an addendum. The calculation instructions for metrics in Priorities 5 and 6 and the Guiding Questions are provided as appendices.
- ***Support efficient and effective local planning, reporting, and implementation processes***
    - Allow a county superintendent of schools, which has jurisdiction over a single school district, to complete a single LCAP and Annual Update encompassing the educational programs and services of both the county office of education and the school district.

In addition to significant reformatting to improve the user experience with the LCAP template, the CDE has made several additional changes, which are outlined below.

Within the Annual Update, prompts for the Analysis section have been expanded to include:

- A description of the overall implementation of the actions/services to achieve the articulated goal;
- The opportunity to identify material differences between Budgeted Expenditures and Estimated Actual Expenditures; and
- Identification of any changes that have been made to the students or student groups served and/or the planned location of the actions/services provided.

Within the Goals, Actions, and Services section:

- The Expected Annual Measurable Outcomes table has been reformatted to specifically identify the metrics associated with a goal, to identify the baselines from which expected outcomes will be set, and arranged in columns for ease of reading and comparison of the expected growth throughout the three years of the LCAP.

- Checkboxes have been added to identify Goals and/or Planned Actions/Services as New, Modified, or Unchanged from the previous LCAP year. This will facilitate transparency and accessibility for stakeholders by clearly identifying changes made to Goals and/or planned Actions Actions/Services, particularly, during the second and third years of the three–year LCAP.

- For actions/services that are not identified by the LEA as contributing to meeting the requirement to increase or improve services for unduplicated students, LEAs will indicate which student group(s) will benefit from the actions/services and the locations and/or grade spans of the actions/services. “Students with Disabilities” has been added to align with the federal State Systemic Improvement Plan.

- For any action/service identified by the LEA as contributing to meeting the requirement to increase or improve services for unduplicated students, the LEA will identify the unduplicated student group(s) being served, will identify the scope of service by indicating "LEA-wide", "Schoolwide", or "Limited to Unduplicated Student Group(s)", and will identify the locations and/or grade spans of the action/service.

The Demonstration of Increased or Improved Services for Unduplicated Students section has been revised to allow LEAs to describe how services provided for unduplicated students are increased or improved by the percentage required. If the overall increased or improved services include any actions/services being funded and provided on a schoolwide or districtwide basis, the LEA will identify each action/service and include the required descriptions supporting each action/service.

Further, in response to feedback provided by members of the State Board at its July meeting, the LCAP template ties directly to the Evaluation Rubrics adopted by the SBE at its September meeting. Instructions for completing the Annual Update and Goals sections reference an analysis of the data in the Evaluation Rubrics, while prompts provided in the Plan Summary section direct LEAs to review student performance ratings for state and/or local indicators in the Evaluation Rubrics and, based on that review, provide an explanation of how the LEA will either build on successes or address areas of greatest need.

RECOMMENDATION

The CDE recommends that the SBE adopt the proposed Revised LCAP and Annual Update Template (Attachment 1) and to allow the CDE, in collaboration with SBE staff, to make any necessary typographical or formatting corrections as the document is prepared for posting on the CDE Website.

BRIEF HISTORY OF KEY ISSUES

In September, an information memorandum was provided to apprise the SBE of ongoing stakeholder engagement and revisions made to the draft Revised LCAP and Annual Update Template in response to stakeholder feedback (http://www.cde.ca.gov/be/pn/im/documents/memo-exec-lasso-sep16item01.doc).

At its July 2016 meeting, the SBE, in response to the draft Revised LCAP and Annual Update Template, directed the CDE to continue with the development of a revised template informed by the assumptions that it should include a Plan Summary section for completion by all LEAs, and that it will be effective for a period of three years inclusive, and be updated annually, as required (Item 3: http://www.cde.ca.gov/be/ag/ag/yr16/documents/jul16item03.doc).

On May 11, 2016, the SBE took action to direct CDE staff to proceed with the development of a revised template for the LCAP and the Annual Update, as described in *EC* Section 52064(e), using the overarching design principles identified in Item 3, available at http://www.cde.ca.gov/be/ag/ag/yr16/documents/may16item03.doc.

An information memoranda was posted in April 2016 providing a summary of the results of a survey conducted by the CDE to inform the development of recommendations for design

principles to guide a revision of the LCAP template (http://www.cde.ca.gov/be/pn/im/documents/memo-exec-lasso-apr16item01.doc).

California *EC* Section 52064(e) provides the SBE with the opportunity to adopt a revised LCAP template using its regular meeting process in accordance with the Bagley-Keene Open Meeting Act, rather than through the rulemaking process for adoption of regulations. The SBE is required to present the LCAP template at a regular meeting, and take action to adopt the template at a subsequent meeting. Revisions to the template must be approved by January 31 before the fiscal year during which it is to be used by the LEAs. A proposed timeline for revising the LCAP template is identified in Attachment 4 of Item 23 of the March 2016 SBE meeting (http://www.cde.ca.gov/be/ag/ag/yr16/documents/mar16item23.doc, Attachment 4).

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At its May 2016 board meeting, the SBE took the following actions:

- Directed the CDE to proceed with the development of a revised template for the LCAP and the Annual Update, as described in *EC* Section 52064(e), using the identified overarching design principles:
    - Maximize transparency and ease of use for stakeholders;
    - Simplify, to the extent possible, structure and language;
    - Provide clear instructions and support; and
    - Support efficient and effective local planning, reporting, and implementation processes.
- Directed the CDE to bring a revised LCAP and Annual Update template before the SBE at its July 2016 meeting for feedback and comment as part of the template revision process consistent with *EC* Section 52064(e).

At its July 2016 board meeting, the SBE took the following actions:

- Directed the CDE to continue with the development of a revised template for the LCAP and the Annual Update, as described in *EC* Section 52064(e), based on the following identified assumptions:
    - The revised LCAP and Annual Update Template will include a Plan Summary section for completion by all LEAs; and
    - The revised LCAP and Annual Update Template will be effective for a period of three years inclusive, and be updated annually, as required [consistent with EC sections 52060(b) and 52066(b), and EC sections 52061(a) and 52067(a)].
- Directed the CDE to bring a revised LCAP and Annual Update template before the SBE for adoption consistent with *EC* Section 52064(e).

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact to state operations.

ATTACHMENT(S)

Attachment 1: Proposed Revised Local Control and Accountability Plan and Annual Update Template (23 pages)

LCAP Year ☐ 2017–18 ☐ 2018–19 ☐ 2019–20

Local Control Accountability Plan and Annual Update (LCAP) Template

Addendum: General instructions & regulatory requirements.

Appendix A: Priorities 5 and 6 Rate Calculations

Appendix B: Guiding Questions: Use as prompts (not limits)

LCFF Evaluation Rubrics [Note: this text will be hyperlinked to the LCFF Evaluation Rubric web page when it becomes available.]: Essential data to support completion of this LCAP. Please analyze the LEA's full data set; specific links to the rubrics are also provided within the template.

LEA Name			
Contact Name and Title		Email and Phone	

2017-20 Plan Summary

THE STORY

Briefly describe the students and community and how the LEA serves them.

LCAP HIGHLIGHTS

Identify and briefly summarize the key features of this year's LCAP.

REVIEW OF PERFORMANCE

Based on a review of performance on the state indicators and local performance indicators included in the LCFF Evaluation Rubrics, progress toward LCAP goals, local self-assessment tools, stakeholder input, or other information, what progress is the LEA most proud of and how does the LEA plan to maintain or build upon that success? This may include identifying any specific examples of how past increases or improvements in services for low-income students, English learners, and foster youth have led to improved performance for these students.

GREATEST PROGRESS

Referring to the LCFF Evaluation Rubrics, identify any state indicator or local performance indicator for which overall performance was in the “Red” or “Orange” performance category or where the LEA received a “Not Met” or “Not Met for Two or More Years” rating. Additionally, identify any areas that the LEA has determined need significant improvement based on review of local performance indicators or other local indicators. What steps is the LEA planning to take to address these areas with the greatest need for improvement?

GREATEST NEEDS

Referring to the LCFF Evaluation Rubrics, identify any state indicator for which performance for any student group was two or more performance levels below the “all student” performance. What steps is the LEA planning to take to address these performance gaps?

PERFORMANCE GAPS

INCREASED OR IMPROVED SERVICES

If not previously addressed, identify the two to three most significant ways that the LEA will increase or improve services for low-income students, English learners, and foster youth.

BUDGET SUMMARY

Complete the table below. LEAs may include additional information or more detail, including graphics.

DESCRIPTION	AMOUNT
Total General Fund Budget Expenditures for LCAP Year	$
Total Funds Budgeted for Planned Actions/Services to Meet the Goals in the LCAP for LCAP Year	$

The LCAP is intended to be a comprehensive planning tool but may not describe all General Fund Budget Expenditures. Briefly describe any of the General Fund Budget Expenditures specified above for the LCAP year not included in the LCAP.

$	Total Projected LCFF Revenues for LCAP Year

Annual Update

LCAP Year Reviewed: XXXX–XX

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed.

Goal 1	

State and/or Local Priorities Addressed by this goal:

STATE ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8

COE ☐ 9 ☐ 10

LOCAL _____

ANNUAL MEASURABLE OUTCOMES

EXPECTED	ACTUAL

ACTIONS / SERVICES

Duplicate the Actions/Services from the prior year LCAP and complete a copy of the following table for each. Duplicate the table as needed.

Action 1

	PLANNED	ACTUAL
Actions/Services		

	BUDGETED	ESTIMATED ACTUAL
Expenditures		

ANALYSIS

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed.

Use actual annual measurable outcome data, including performance data from the LCFF Evaluation Rubrics, as applicable.

Describe the overall implementation of the actions/services to achieve the articulated goal.	
Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA.	
Explain material differences between Budgeted Expenditures and Estimated Actual Expenditures.	
Describe any changes made to this goal, expected outcomes, metrics, or actions and services to achieve this goal as a result of this analysis and analysis of the LCFF Evaluation Rubrics, as applicable. Identify where those changes can be found in the LCAP.	

Stakeholder Engagement

LCAP Year ☐ 2017–18 ☐ 2018–19 ☐ 2019–20

INVOLVEMENT PROCESS FOR LCAP AND ANNNUAL UPDATE

How, when, and with whom did the LEA consult as part of the planning process for this LCAP/Annual Review and Analysis?

IMPACT ON LCAP AND ANNNUAL UPDATE

How did these consultations impact the LCAP for the upcoming year?

Goals, Actions, & Services

Strategic Planning Details and Accountability

Complete a copy of the following table for each of the LEA's goals. Duplicate the table as needed.

☐ New ☐ Modified ☐ Unchanged

Goal 1

State and/or Local Priorities Addressed by this goal:

STATE ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8

COE ☐ 9 ☐ 10

LOCAL _____

Identified Need

EXPECTED ANNUAL MEASURABLE OUTCOMES

Metrics/Indicators	Baseline	2017-18	2018-19	2019-20

PLANNED ACTIONS / SERVICES

Complete a copy of the following table for each of the LEA's Actions/Services. Duplicate the table, including Budgeted Expenditures, as needed.

Action 1

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:	
Students to be Served	☐ All ☐ Students with Disabilities ☐ [Specific Student Group(s)]_____
Location(s)	☐ All schools ☐ Specific Schools:_____ ☐ Specific Grade spans:_____

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:	
Students to be Served	☐ English Learners ☐ Foster Youth ☐ Low Income
Scope of Services	☐ LEA-wide ☐ Schoolwide **OR** ☐ Limited to Unduplicated Student Group(s)
Location(s)	☐ All schools ☐ Specific Schools:_____ ☐ Specific Grade spans:_____

ACTIONS/SERVICES

2017-18	2018-19	2019-20
☐ New ☐ Modified ☐ Unchanged	☐ New ☐ Modified ☐ Unchanged	☐ New ☐ Modified ☐ Unchanged

BUDGETED EXPENDITURES

2017-18		2018-19		2019-20	
Amount		Amount		Amount	
Source		Source		Source	
Budget Reference		Budget Reference		Budget Reference	

Demonstration of Increased or Improved Services for Unduplicated Pupils

LCAP Year	☐ 2017–18 ☐ 2018–19 ☐ 2019–20

Estimated Supplemental and Concentration Grant Funds:	$	Percentage to Increase or Improve Services:	%

Describe how services provided for unduplicated pupils are increased or improved by at least the percentage identified above, either qualitatively or quantitatively, as compared to services provided for all students in the LCAP year.

Identify each action/service being funded and provided on a schoolwide or LEA-wide basis. Include the required descriptions supporting each schoolwide or LEA-wide use of funds (see instructions).

DRAFT Revised Local Control and Accountability Plan and Annual Update Template Instructions

Addendum

The Local Control and Accountability Plan (LCAP) and Annual Update Template documents and communicates local educational agencies' (LEAs) actions and expenditures to support student outcomes and overall performance. For school districts and county offices of education, the LCAP is a three-year plan which is reviewed and updated in the second and third years of the plan. Charter schools may complete the LCAP to align with the term of the charter school's budget, typically one year, which is submitted to the school's authorizer. The LCAP and Annual Update Template must be completed by all LEAs each year.

For school districts, the LCAP must describe, for the school district and each school within the district, goals and specific actions to achieve those goals for all students and each student group identified by the Local Control Funding Formula (LCFF) (ethnic, socioeconomically disadvantaged, English learners, foster youth, pupils with disabilities, and homeless youth), for each of the state priorities and any locally identified priorities.

For county offices of education, the LCAP must describe, for each county office of education-operated school and program, goals and specific actions to achieve those goals for all students and each LCFF student group funded through the county office of education (students attending juvenile court schools, on probation or parole, or expelled under certain conditions) for each of the state priorities and any locally identified priorities. School districts and county offices of education may additionally coordinate and describe in their LCAPs services funded by a school district that are provided to students attending county-operated schools and programs, including special education programs.

If a county superintendent of schools has jurisdiction over a single school district, the county board of education and the governing board of the school district may adopt and file for review and approval a single LCAP consistent with the requirements in Education Code (EC) sections 52060, 52062, 52066, 52068, and 52070. The LCAP must clearly articulate to which entity's budget (school district or county superintendent of schools) all budgeted and actual expenditures are aligned.

Charter schools must describe goals and specific actions to achieve those goals for all students and each LCFF subgroup of students including students with disabilities and homeless youth, for each of the state priorities that apply for the grade levels served or the nature of the program operated by the charter school, and any locally identified priorities. 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 in the Education Code. Changes in LCAP goals and actions/services for charter schools that result from the annual update process do not necessarily constitute a material revision to the school's charter petition.

For questions related to specific sections of the template, please see instructions below:

Instructions: Linked Table of Contents

Plan Summary
Annual Update
Stakeholder Engagement
Goals, Actions, and Services
Planned Actions/Services
Demonstration of Increased or Improved Services for Unduplicated Students

For additional questions or technical assistance related to completion of the LCAP template, please contact the local county office of education, or the CDE's Local Agency Systems Support Office at: 916-319-0809 or by email at: lcff@cde.ca.gov.

Plan Summary

The LCAP is intended to reflect an LEA's annual goals, actions, services and expenditures within a fixed three-year planning cycle. LEAs must include a plan summary for the LCAP each year.

When developing the LCAP, mark the appropriate LCAP year, and address the prompts provided in these sections. When developing the LCAP in year 2 or year 3, mark the appropriate LCAP year and replace the previous summary information with information relevant to the current year LCAP.

In this section, briefly address the prompts provided. These prompts are not limits. LEAs may include information regarding local program(s), community demographics, and the overall vision of the LEA. LEAs may also attach documents (e.g., the LCFF Evaluation Rubrics data reports) if desired and/or include charts illustrating goals, planned outcomes, actual outcomes, or related planned and actual expenditures.

An LEA may use an alternative format for the plan summary as long as it includes the information specified in each prompt and the budget summary table.

The reference to LCFF Evaluation Rubrics means the evaluation rubrics adopted by the State Board of Education under *EC* Section 52064.5.

Budget Summary

The LEA must complete the LCAP Budget Summary table as follows:

- **Total LEA General Fund Budget Expenditures for the LCAP Year**: This amount is the LEA's total budgeted General Fund expenditures for the LCAP year. The LCAP year means the fiscal year for which an LCAP is adopted or updated by July 1. The General Fund is the main operating fund of the LEA and accounts for all activities not accounted for in another fund. All activities are reported in the General Fund unless there is a compelling reason to account for an activity in another fund. For further information please refer to the *California School Accounting Manual (http://www.cde.ca.gov/fg/ac/sa/)*. (Note: For some charter schools that follow governmental fund accounting, this amount is the total budgeted expenditures in the Charter Schools Special Revenue Fund. For charter schools that follow the not-for-profit accounting model, this amount is total budgeted expenses, such as those budgeted in the Charter Schools Enterprise Fund.)
- **Total Funds Budgeted for Planned Actions/Services to Meet the Goals in the LCAP for the LCAP Year:** This amount is the total of the budgeted expenditures associated with the actions/services included for the LCAP year from all sources of funds, as reflected in the LCAP. To the extent actions/services and/or expenditures are listed in the LCAP under more than one goal, the expenditures should be counted only once.

- **Description of any use(s) of the General Fund Budget Expenditures specified above for the LCAP year not included in the LCAP:** Briefly describe expenditures included in total General Fund Expenditures that are not included in the total funds budgeted for planned actions/services for the LCAP year. (Note: The total funds budgeted for planned actions/services may include funds other than general fund expenditures.)

- **Total Projected LCFF Revenues for LCAP Year:** This amount is the total amount of LCFF funding the LEA estimates it will receive pursuant to *EC* sections 42238.02 (for school districts and charter schools) and 2574 (for county offices of education), as implemented by *EC* sections 42238.03 and 2575 for the LCAP year respectively.

Annual Update

The planned goals, expected outcomes, actions/services, and budgeted expenditures must be copied verbatim from the previous year's* approved LCAP. Minor typographical errors may be corrected.

* For example, for LCAP year 2017/18 of the 2017/18 – 2019/20 LCAP, review the goals in the 2016/17 LCAP. Moving forward, review the goals from the most recent LCAP year. For example, LCAP year 2020/21 will review goals from the 2019/20 LCAP year, which is the last year of the 2017/18 – 2019/20 LCAP.

Annual Measurable Outcomes

For each goal in the prior year, identify and review the actual measurable outcomes as compared to the expected annual measurable outcomes identified in the prior year for the goal.

Actions/Services

Identify the planned Actions/Services and the budgeted expenditures to implement these actions toward achieving the described goal. Identify the **actual** actions/services implemented to meet the described goal and the estimated actual annual expenditures to implement the actions/services. As applicable, identify any changes to the students or student groups served, or to the planned location of the actions/services provided.

Analysis

Using actual annual measurable outcome data, including data from the LCFF Evaluation Rubrics, analyze whether the planned actions/services were effective in achieving the goal. Respond to the prompts as instructed.

- Describe the overall implementation of the actions/services to achieve the articulated goal. Include a discussion of relevant challenges and successes experienced with the implementation process.
- Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA.
- Explain material differences between Budgeted Expenditures and Estimated Actual Expenditures. Minor variances in expenditures or a dollar-for-dollar accounting is not required.
- Describe any changes made to this goal, expected outcomes, metrics, or actions and services to achieve this goal as a result of this analysis and analysis of the data provided in the LCFF Evaluation Rubrics, as applicable. Identify where those changes can be found in the LCAP.

Stakeholder Engagement

Meaningful engagement of parents, students, and other stakeholders, including those representing the student groups identified by LCFF, is critical to the development of the LCAP and the budget process. Education Code identifies the minimum consultation requirements for school districts and county offices of education as consulting with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing the LCAP. Education Code requires charter schools to consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the LCAP. In addition, Education Code Section 48985 specifies the requirements for the translation of notices, reports, statements, or records sent to a parent or guardian.

The LCAP should be shared with, and LEAs should request input from, school site-level advisory groups, as applicable (e.g., school site councils, English Learner Advisory Councils, student advisory groups, etc.), to facilitate alignment between school-site and district-level goals and actions. An LEA may incorporate or reference actions described in other plans that are being undertaken to meet specific goals.

Instructions: The stakeholder engagement process is an ongoing, annual process. The requirements for this section are the same for each year of a three-year LCAP. When developing the LCAP, mark the appropriate LCAP year, and describe the stakeholder engagement process used to develop the LCAP and Annual Update. When developing the LCAP in year 2 or year 3, mark the appropriate LCAP year and replace the previous stakeholder narrative(s) and describe the stakeholder engagement process used to develop the current year LCAP and Annual Update.

School districts and county offices of education: Describe the process used to consult with the Parent Advisory Committee, the English Learner Parent Advisory Committee, parents, students, school personnel, the LEA's local bargaining units, and the community to inform the development of the LCAP and the annual review and analysis for the indicated LCAP year.

Charter schools: Describe the process used to consult with teachers, principals, administrators, other school personnel, parents, and students to inform the development of the LCAP and the annual review and analysis for the indicated LCAP year.

Describe how the consultation process impacted the development of the LCAP and annual update for the indicated LCAP year, including the goals, actions, services, and expenditures.

Goals, Actions, and Services

LEAs must include a description of the annual goals, for all students and each LCFF identified group of students, to be achieved for each state priority as applicable to type of LEA. An LEA may also include additional local priorities. This section shall also include a description of the specific planned actions an LEA will take to meet the identified goals, and a description of the expenditures required to implement the specific actions.

School districts and county offices of education: The LCAP is a three-year plan, which is reviewed and updated annually, as required.

Charter schools: The number of years addressed in the LCAP may align with the term of the charter schools budget, typically one year, which is submitted to the school's authorizer. If year 2 and/or year 3 is not applicable, charter schools must specify as such.

New, Modified, Unchanged

As part of the LCAP development process, which includes the annual update and stakeholder engagement, indicate if the goal, identified need, related state and/or local priorities, and/or expected annual measurable outcomes for the current LCAP year or future LCAP years are modified or unchanged from the previous year's LCAP; or, specify if the goal is new.

Goal

State the goal. LEAs may number the goals using the "Goal #" box for ease of reference. A goal is a broad statement that describes the desired result to which all actions/services are directed. A goal answers the question: What is the LEA seeking to achieve?

Related State and/or Local Priorities

Identify the state and/or local priorities addressed by the goal by placing a check mark next to the applicable priority or priorities. The LCAP must include goals that address each of the state priorities, as applicable to the type of LEA, and any additional local priorities; however, one goal may address multiple priorities. (Link to State Priorities)

Identified Need

Describe the needs that led to establishing the goal. The identified needs may be based on quantitative or qualitative information, including, but not limited to, results of the annual update process or performance data from the LCFF Evaluation Rubrics, as applicable.

Expected Annual Measurable Outcomes

For each LCAP year, identify the metric(s) or indicator(s) that the LEA will use to track progress toward the expected outcomes. LEAs may identify metrics for specific student groups. Include in the baseline column the most recent data associated with this metric or indicator available at the time of adoption of the LCAP for the first year of the three-year plan. The most recent data associated with a metric or indicator includes data as reported in the annual update of the LCAP year immediately preceding the three-year plan, as applicable. The baseline data shall remain unchanged throughout the three-year LCAP. In the subsequent year columns, identify the progress to be made in each year of the three-year cycle of the LCAP. Consider how expected outcomes in any given year are related to the expected outcomes for subsequent years.

The metrics may be quantitative or qualitative, but at minimum an LEA must use the applicable required metrics for the related state priorities, in each LCAP year as applicable to the type of LEA. For the student engagement priority metrics, as applicable, LEAs must calculate the rates as described in the LCAP Template Appendix, sections (a) through (d).

Planned Actions/Services

For each action/service, the LEA must complete either the section "For Actions/Services not contributing to meeting Increased or Improved Services Requirement" or the section "For Actions/Services Contributing to Meeting the Increased or Improved Services Requirement." The LEA shall not complete both sections for a single action.

For Actions/Services Not Contributing to Meeting the Increased or Improved Services Requirement

Students to be Served

The "Students to be Served" box is to be completed for all actions/services except for those which are included by the LEA as contributing to meeting the requirement to increase or improve services for unduplicated students. Indicate in this box which students will benefit from the actions/services by checking "All", "Students with Disabilities", or "Specific Student Group(s)". If "Specific Student Group(s)" is checked, identify the specific student group(s) as appropriate.

Location(s)

Identify the location where the action/services will be provided. If the services are provided to all schools within the LEA, the LEA must indicate "All Schools". If the services are provided to specific schools within the LEA or specific grade spans only, the LEA must mark "Specific Schools" or "Specific

Grade Spans". Identify the individual school or a subset of schools or grade spans (e.g., all high schools or grades K-5), as appropriate.

Charter schools operating more than one site, authorized within the same charter petition, may choose to distinguish between sites by selecting "Specific Schools" and identify the site(s) where the actions/services will be provided. For charter schools operating only one site, "All Schools" and "Specific Schools" may be synonymous and, therefore, either would be appropriate. Charter schools may use either term provided they are used in a consistent manner through the LCAP.

For Actions/Services Contributing to Meeting the Increased or Improved Services Requirement:

Students to be Served

For any action/service contributing to the LEA's overall demonstration that it has increased or improved services for unduplicated students above what is provided to all students (see Demonstration of Increased or Improved Services for Unduplicated Students section, below), the LEA must identify the unduplicated student group(s) being served.

Scope of Service

For each action/service contributing to meeting the increased or improved services requirement, identify scope of service by indicating "LEA-wide", "Schoolwide", or "Limited to Unduplicated Student Group(s)". The LEA must select one of the following three options:

- If the action/service is being funded and provided to upgrade the entire educational program of the LEA, place a check mark next to "LEA-wide."
- If the action/service is being funded and provided to upgrade the entire educational program of a particular school or schools, place a check mark next to "schoolwide".
- If the action/service being funded and provided is limited to the unduplicated students identified in "Students to be Served", place a check mark next to "Limited to Student Groups".

For charter schools and single-school school districts, "LEA-wide" and "Schoolwide" may be synonymous and, therefore, either would be appropriate. For charter schools operating multiple schools (determined by a unique CDS code) under a single charter, use "LEA-wide" to refer to all schools under the charter and use "Schoolwide" to refer to a single school authorized within the same charter petition. Charter schools operating a single school may use "LEA-wide" or "Schoolwide" provided these terms are used in a consistent manner through the LCAP.

Location(s)

Identify the location where the action/services will be provided. If the services are provided to all schools within the LEA, the LEA must indicate "All Schools". If the services are provided to specific schools within the LEA or specific grade spans only, the LEA must mark "Specific Schools" or "Specific Grade Spans". Identify the individual school or a subset of schools or grade spans (e.g., all high schools or grades K-5), as appropriate.

Charter schools operating more than one site, authorized within the same charter petition, may choose to distinguish between sites by selecting "Specific Schools" and identify the site(s) where the actions/services will be provided. For charter schools operating only one site, "All Schools" and "Specific Schools" may be synonymous and, therefore, either would be appropriate. Charter schools may use either term provided they are used in a consistent manner through the LCAP.

Actions/Services

For each LCAP year, identify the actions to be performed and services provided to meet the described goal. Actions and services that are implemented to achieve the identified goal may be grouped together. LEAs may number the action/service using the "Action #" box for ease of reference.

New/Modified/Unchanged:

- Check "New" if the action/service is being added in any of the three years of the LCAP to meet the articulated goal.
- Check "Modified" if the action/service was included to meet an articulated goal and has been changed or modified in any way from the prior year description.
- Check "Unchanged" if the action/service was included to meet an articulated goal and has not been changed or modified in any way from the prior year description.
    - If a planned action/service is anticipated to remain unchanged for the duration of the plan, an LEA may check "Unchanged" and leave the subsequent year columns blank rather than having to copy/paste the action/service into the subsequent year columns. Budgeted expenditures may be treated in the same way as applicable.

Note: The goal from the prior year may or may not be included in the current three-year LCAP. For example, when developing year 1 of the LCAP, the goals articulated in year 3 of the preceding three-year LCAP will be from the prior year.

Charter schools may complete the LCAP to align with the term of the charter school's budget that is submitted to the school's authorizer. Accordingly, a charter school submitting a one-year budget to its authorizer may choose not to complete the year 2 and year 3 portions of the Goals, Actions, and Services section of the template. If year 2 and/or year 3 is not applicable, charter schools must specify as such.

Budgeted Expenditures

For each action/service, list and describe budgeted expenditures for each school year to implement these actions, including where those expenditures can be found in the LEA's budget. The LEA must reference all fund sources for each proposed expenditure. Expenditures must be classified using the California School Accounting Manual as required by *Education Code* sections 52061, 52067, and 47606.5.

Expenditures that are included more than once in an LCAP must be indicated as a duplicated expenditure and include a reference to the goal and action/service where the expenditure first appears in the LCAP.

If a county superintendent of schools has jurisdiction over a single school district, and chooses to complete a single LCAP, the LCAP must clearly articulate to which entity's budget (school district or county superintendent of schools) all budgeted expenditures are aligned.

Demonstration of Increased or Improved Services for Unduplicated Students

This section must be completed for each LCAP year. When developing the LCAP in year 2 or year 3, copy the Demonstration of Increased or Improved Services for Unduplicated Students table and mark the appropriate LCAP year. Using the copy of the table, complete the table as required for the current year LCAP. Retain all prior year tables for this section for each of the three years within the LCAP.

Estimated Supplemental and Concentration Grant Funds

Identify the amount of funds in the LCAP year calculated on the basis of the number and concentration of low income, foster youth, and English learner students as determined pursuant to 5 *CCR* 15496(a)(5).

Percentage to Increase or Improve Services

Identify the percentage by which services for unduplicated pupils must be increased or improved as compared to the services provided to all students in the LCAP year as calculated pursuant to 5 *CCR* 15496(a)(7).

Consistent with the requirements of 5 *CCR* 15496, describe how services provided for unduplicated pupils are increased or improved by at least the percentage calculated as compared to services provided for all students in the LCAP year. To improve services means to grow services in quality and to increase services means to grow services in quantity. This description must address how the action(s)/service(s) limited for one or more unduplicated student group(s), and any schoolwide or districtwide action(s)/service(s) supported by the appropriate description, taken together, result in the required proportional increase or improvement in services for unduplicated pupils.

If the overall increased or improved services include any actions/services being funded and provided on a schoolwide or districtwide basis, identify each action/service and include the required descriptions supporting each action/service as follows.

For those services being provided on an LEA-wide basis:

- For school districts with an unduplicated pupil percentage of 55% or more, and for charter schools and county offices of education: Describe how these services are **principally directed to** and **effective in** meeting its goals for unduplicated pupils in the state and any local priorities.
- For school districts with an unduplicated pupil percentage of less than 55%: Describe how these services are **principally directed to** and **effective in** meeting its goals for unduplicated pupils in the state and any local priorities**.** Also describe how the services are **the most effective use of the funds to** meet these goals for its unduplicated pupils. Provide the basis for this determination, including any alternatives considered, supporting research, experience or educational theory.

For school districts only, identify in the description those services being funded and provided on a schoolwide basis, and include the required description supporting the use of the funds on a schoolwide basis:

- For schools with 40% or more enrollment of unduplicated pupils: Describe how these services are **principally directed to** and **effective in** meeting its goals for its unduplicated pupils in the state and any local priorities.
- For school districts expending funds on a schoolwide basis at a school with less than 40% enrollment of unduplicated pupils: Describe how these services are **principally directed to** and how the services are **the most effective use of the funds to** meet its goals for English learners, low income students and foster youth, in the state and any local priorities.

State Priorities

Priority 1: Basic Services addresses the degree to which:

A. Teachers in the LEA are appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching;
B. Pupils in the school district have sufficient access to the standards-aligned instructional materials; and
C. School facilities are maintained in good repair.

Priority 2: Implementation of State Standards addresses:

A. The implementation of state board adopted academic content and performance standards for all students, which are:
    a. English Language Arts – Common Core State Standards for English Language Arts
    b. Mathematics – Common Core State Standards for Mathematics
    c. English Language Development
    d. Career Technical Education
    e. Health Education Content Standards
    f. History-Social Science
    g. Model School Library Standards
    h. Physical Education Model Content Standards
    i. Next Generation Science Standards
    j. Visual and Performing Arts
    k. World Language; and
B. How the programs and services will enable English learners to access the CCSS and the ELD standards for purposes of gaining academic content knowledge and English language proficiency.

Priority 3: Parental Involvement addresses:

A. The efforts the school district makes to seek parent input in making decisions for the school district and each individual school site;
B. How the school district will promote parental participation in programs for unduplicated pupils; and
C. How the school district will promote parental participation in programs for individuals with exceptional needs.

Priority 4: Pupil Achievement as measured by all of the following, as applicable:

A. Statewide assessments;
B. The Academic Performance Index;
C. The percentage of pupils who have successfully completed courses that satisfy UC or CSU entrance requirements, or programs of study that align with state board approved career technical educational standards and framework;
D. The percentage of English learner pupils who make progress toward English proficiency as measured by the CELDT;
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; and
G. The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program, or any subsequent assessment of college preparedness.

Priority 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;
D. High school dropout rates; and
E. High school graduation rates;

Priority 6: School Climate as measured by all of the following, as applicable:

A. Pupil suspension rates;
B. Pupil expulsion rates; and
C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and

school connectedness.

Priority 7: Course Access addresses the extent to which pupils have access to and are enrolled in:

A. S broad course of study including courses described under Sections 51210 and 51220(a)-(i), as applicable;
B. Programs and services developed and provided to unduplicated pupils; and
C. Programs and services developed and provided to individuals with exceptional needs.

Priority 8: Pupil Outcomes addresses pupil outcomes, if available, for courses described under Sections 51210 and 51220(a)-(i), as applicable.

Priority 9: Coordination of Instruction of Expelled Pupils (COE Only) addresses how the county superintendent of schools will coordinate instruction of expelled pupils

Priority 10. Coordination of Services for Foster Youth (COE Only) addresses how the county superintendent of schools will coordinate services for foster children, including:

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 in the delivery of services to foster children, including 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; and
D. Establishing a mechanism for the efficient expeditious transfer of health and education records and the health and education passport.

Local Priorities address:

A. Local priority goals; and
B. Methods for measuring progress toward local goals.

APPENDIX A: PRIORITIES 5 AND 6 RATE CALCULATION INSTRUCTIONS

For the purposes of completing the LCAP in reference to the state priorities under *Education Code* sections 52060 and 52066, as applicable to type of LEA, the following shall apply:

(a) "Chronic absenteeism rate" shall be calculated as follows:

(1) The number of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30) who are chronically absent where "chronic absentee" means a pupil who is absent 10 percent or more of the schooldays in the school year when the total number of days a pupil is absent is divided by the total number of days the pupil is enrolled and school was actually taught in the total number of days the pupil is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays.

(2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).

(3) Divide (1) by (2).

(b) "Middle School dropout rate" shall be calculated as set forth in *California Code of Regulations*, title 5, Section 1039.1.

(c) "High school dropout rate" shall be calculated as follows:

(1) The number of cohort members who dropout by the end of year 4 in the cohort where "cohort" is defined as the number of first-time grade 9 pupils in year 1 (starting cohort) plus pupils who transfer in, minus pupils who transfer out, emigrate, or die during school years 1, 2, 3, and 4.

(2) The total number of cohort members.

(3) Divide (1) by (2).

(d) "High school graduation rate" shall be calculated as follows:

(1) The number of cohort members who earned a regular high school diploma [or earned an adult education high school diploma or passed the California High School Proficiency Exam] by the end of year 4 in the cohort where "cohort" is defined as the number of first-time grade 9 pupils in year 1 (starting cohort) plus pupils who transfer in, minus pupils who transfer out, emigrate, or die during school years 1, 2, 3, and 4.

(2) The total number of cohort members.

(3) Divide (1) by (2).

(e) "Suspension rate" shall be calculated as follows:

(1) The unduplicated count of pupils involved in one or more incidents for which the pupil was suspended during the academic year (July 1 – June 30).

(2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).

(3) Divide (1) by (2).

(f) "Expulsion rate" shall be calculated as follows:

(1) The unduplicated count of pupils involved in one or more incidents for which the pupil was expelled during the academic year (July 1 – June 30).

(2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).

(3) Divide (1) by (2).

NOTE: Authority cited: Sections 42238.07 and 52064, *Education Code*. Reference: Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.6, 47606.5, 48926, 52052, 52060, 52061, 52062, 52063, 52064, 52066, 52067, 52068, 52069, 52070, 52070.5, and 64001,; 20 U.S.C. Sections 6312 and 6314.

APPENDIX B: GUIDING QUESTIONS

Guiding Questions: Annual Review and Analysis

1) How have the actions/services addressed the needs of all pupils and did the provisions of those services result in the desired outcomes?
2) How have the actions/services addressed the needs of all subgroups of pupils identified pursuant to *Education Code* Section 52052, including, but not limited to, English learners, low-income pupils, and foster youth; and did the provision of those actions/services result in the desired outcomes?
3) How have the actions/services addressed the identified needs and goals of specific school sites and were these actions/services effective in achieving the desired outcomes?
4) What information (e.g., quantitative and qualitative data/metrics) was examined to review progress toward goals in the annual update?
5) What progress has been achieved toward the goal and expected measurable outcome(s)? How effective were the actions and services in making progress toward the goal? What changes to goals, actions, services, and expenditures are being made in the LCAP as a result of the review of progress and assessment of the effectiveness of the actions and services?
6) What differences are there between budgeted expenditures and estimated actual annual expenditures? What were the reasons for any differences?

Guiding Questions: Stakeholder Engagement

1) How have applicable stakeholders (e.g., parents and pupils, including parents of unduplicated pupils and unduplicated pupils identified in *Education Code* Section 42238.01; community members; local bargaining units; LEA personnel; county child welfare agencies; county office of education foster youth services programs, court-appointed special advocates, and other foster youth stakeholders; community organizations representing English learners; and others as appropriate) been engaged and involved in developing, reviewing, and supporting implementation of the LCAP?
2) How have stakeholders been included in the LEA's process in a timely manner to allow for engagement in the development of the LCAP?
3) What information (e.g., quantitative and qualitative data/metrics) was made available to stakeholders related to the state priorities and used by the LEA to inform the LCAP goal setting process? How was the information made available?
4) What changes, if any, were made in the LCAP prior to adoption as a result of written comments or other feedback received by the LEA through any of the LEA's engagement processes?
5) What specific actions were taken to meet statutory requirements for stakeholder engagement pursuant to *Education Code* sections 52062, 52068, or 47606.5, as applicable, including engagement with representatives of parents and guardians of pupils identified in *Education Code* Section 42238.01?
6) What specific actions were taken to consult with pupils to meet the requirements 5 *CCR* 15495(a)?
7) How has stakeholder involvement been continued and supported? How has the involvement of these stakeholders supported improved outcomes for pupils, including unduplicated pupils, related to the state priorities?

Guiding Questions: Goals, Actions, and Services

1) What are the LEA's goal(s) to address state priorities related to "Conditions of Learning": Basic Services (Priority 1), the Implementation of State Standards (Priority 2), and Course Access (Priority 7)?
2) What are the LEA's goal(s) to address state priorities related to "Pupil Outcomes": Pupil Achievement (Priority 4), Pupil Outcomes (Priority 8), Coordination of Instruction of Expelled Pupils (Priority 9 – COE Only), and Coordination of Services for Foster Youth (Priority 10 – COE Only)?
3) What are the LEA's goal(s) to address state priorities related to parent and pupil "Engagement": Parental Involvement (Priority 3), Pupil Engagement (Priority 5), and School Climate (Priority 6)?
4) What are the LEA's goal(s) to address any locally-identified priorities?
5) How have the unique needs of individual school sites been evaluated to inform the development of meaningful district and/or individual school site goals (e.g., input from site level advisory groups, staff, parents, community, pupils; review of school level plans; in-depth school level data analysis, etc.)?
6) What are the unique goals for unduplicated pupils as defined in *Education Code* sections 42238.01 and bgroups as defined in section 52052 that are different from the LEA's goals for all pupils?
7) What are the specific expected measurable outcomes associated with each of the goals annually and over the term of the LCAP?
8) What information (e.g., quantitative and qualitative data/metrics) was considered/reviewed to develop goals to address each state or local priority?
9) What information was considered/reviewed for individual school sites?
10) What information was considered/reviewed for subgroups identified in *Education Code* Section 52052?
11) What actions/services will be provided to all pupils, to subgroups of pupils identified pursuant to *Education Code* Section 52052, to specific school sites, to English learners, to low-income pupils, and/or to foster youth to achieve goals identified in the LCAP?
12) How do these actions/services link to identified goals and expected measurable outcomes?
13) What expenditures support changes to actions/services as a result of the goal identified? Where can these expenditures be found in the LEA's budget?

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT	
Update on the Development of the California State Plan for the Every Student Succeeds Act.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

The Every Student Succeeds Act (ESSA) was signed into law by President Barack Obama on December 10, 2015, and goes into full effect in the 2017–18 school year. The ESSA reauthorizes the Elementary and Secondary Education Act (ESEA), the nation's federal education law, and replaces the No Child Left Behind Act (NCLB).

As part of California's transition to ESSA, California must submit an ESSA Consolidated State Plan (State Plan) to the U.S. Department of Education (ED) in 2017. The State Plan will describe the State's implementation of standards, assessments, accountability, and assistance programs. This agenda item provides the first draft of the ESSA State Plan and an update to inform the State Board of Education (SBE) and the public regarding the development of the ESSA State Plan.

The ED has made available proposed regulations for Title I "supplement, not supplant." This set of proposed regulations is subject to a 60-day public comment period that will inform the final regulations. The deadline for submitting feedback regarding the proposed regulations is November 7, 2016.

RECOMMENDATION

The CDE recommends that the SBE give authority to the State Superintendent of Public Instruction (SSPI) to submit with the SBE President a joint response to the proposed regulations for Title I "supplement, not supplant" to the ED on or before November 7, 2016.

The CDE also recommends that the SBE take additional action as deemed necessary and appropriate.

BRIEF HISTORY OF KEY ISSUES

The ESSA maintains the original purpose of ESEA: equal opportunity for all students. Departing from the NCLB reauthorization, ESSA grants much more authority to states,

provides new opportunities to enhance school leadership, provides more support for early education, and renews a focus on well-rounded educational opportunity and safe and healthy schools. Under ESSA, states may submit a Consolidated State Plan to apply for several ESSA programs. Consolidated State Plan requirements are defined in proposed regulations, and they are designed and organized for states to consider school improvement and support strategies across ESSA programs, allowing for a more holistic system of support.

Response to Federal Regulations

On September 6, 2016, ED made available for public comment proposed regulations regarding "supplement, not supplant" under Title I, Part A. The proposed regulations, along with a number of related resources, are available on the ED ESSA Resources Web page at http://www2.ed.gov/policy/elsec/leg/essa/index.html. These proposed regulations are open for a 60-day public comment period that will inform final regulations, expected to be available by the end of the year. The deadline for submitting feedback on the proposed regulations is November 7, 2016.

Staff has analyzed the proposed regulations and believe the regulations go beyond the requirements detailed in the ESSA statute. Further, staff believes that the elements contained in the proposed regulations are contrary to California's shift to greater local control that is centered on providing LEAs the ability to better meet the needs of their high needs students. Ensuring equity and resources for high needs students, and that Title I funds will be supplemental to state and local funds, can be achieved under the State's current structure without further Federal intrusion.

Staff is in the process of preparing a response to the proposed regulations, to be signed jointly by State Superintendent Torlakson and SBE President Kirst, to alert ED and Congress of California's position on the proposed regulations.

ESSA Regulations and the Development of the Consolidated State Plan

According to proposed regulations, ESSA state plans may be submitted to the ED on March 6, 2017, or July 3, 2017. Proposed regulations for accountability, data reporting, and the submission of consolidated state plans are expected to be finalized by the end of the year. Final regulations regarding assessment are not yet available, and, as noted above, the public comment period for the proposed regulations for "supplement, not supplant" under Title I does not close until November 7.

California will not be able to finalize its State Plan until final regulations are available. The California Department of Education (CDE) intends to steadily develop, and make available for public comment, three successive drafts of the plan over the next several months with new plan sections added to the document as new information becomes available. The CDE anticipates that the entire State Plan will be available for the 30-day public comment period required in statute soon after the March 2017 SBE meeting. An updated draft plan development timeline is provided in Attachment 1.

First Draft of California's ESSA Consolidated State Plan

California intends to align state and federal education policies to the greatest extent possible to develop an integrated local, state, and federal accountability and continuous improvement system that will:

- Promote coherence across programs to better serve the needs of LEAs, schools, educators, and students;
- Recognize the diverse and multidimensional characteristics of LEAs, schools, educators, and students, and support LEAs, schools, educators, and students in diverse and multidimensional ways; and
- Systematically and collaboratively identify and resource opportunities to build the capacity of local, regional, and state educators and leaders to better serve students and families.

The first draft of California's ESSA Consolidated State Plan includes the following plan sections and program information:

- The Consultation and Coordination section,
- The Challenging State Academic Standards and Academic Assessments section, and
- Program-specific requirements for:
    - Title IV, Part B: 21st Century Community Learning Centers
    - Title I, Part A: Improving Basic Programs Operated by State and Local Educational Agencies: Schoolwide Program Waivers
    - Title I, Part C: Education of Migratory Children
    - Title III, Part A: Language Instruction for English Learners and Immigrant Students: Entrance and Exit Procedures for English Learners
    - Title V, Part B, Subpart 2: Rural and Low-Income School Program
    - Title IX, Part A (Title VII, Subpart B of the McKinney Vento-Homeless Assistance Act): Education for Homeless Children and Youth Program

The first draft of California's State Plan is organized using the structure and content provided in the draft consolidated State Plan template released by ED in July 2016. ED's draft template is based on ESSA statute and proposed regulations and is likely to change once regulations are finalized. Similarly, the structure and content of California's State Plan is subject to change pending SBE direction, final regulations and other

federal requirements, and stakeholder feedback. The first draft of California's ESSA Consolidated State Plan is provided in Attachment 2.

Information regarding elements in the first draft was shared at the October 13 joint meeting of the California Practitioners Advisory Group (CPAG) and the SBE. CPAG members had the opportunity to ask questions and provide feedback on each of the elements. The CDE addressed members' suggestions in the draft State Plan sections included in this item by providing more clarity and detail around proposed program implementation activities. Some of the other suggestions will be addressed in subsequent State Plan drafts including more detail about the integration and coordination of ESSA programs.

This first draft of the ESSA Consolidated State Plan will be made available for public comment and review November 10–December 2, 2016, launching Phase II of ESSA stakeholder engagement. CDE staff will provide webinars and a toolkit for local use that provide information about the contents the first draft of the State Plan. Public comment for this first draft will be collected via an online survey.

Ongoing Communication and Engagement

States are required to consult with diverse stakeholders at multiple points during the design, development, and implementation of their ESSA state plans. The SBE and CDE are committed to ensuring a transparent transition to the new law and developing an ESSA State Plan that is informed by the voices of diverse Californians. A summary of outreach and consultation activities conducted by CDE staff in September and October 2016 is provided in Attachment 3.

The most current information regarding California's transition to the ESSA is available on the CDE ESSA Web page at http://www.cde.ca.gov/essa. Interested stakeholders are encouraged to join the CDE ESSA listserv to receive notifications when new information becomes available by sending a blank e-mail message to join-essa@mlist.cde.ca.gov. Questions regarding ESSA in California may be sent to ESSA@cde.ca.gov.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

September 2016: CDE staff presented to the SBE an update on the development of the ESSA State Plan including an overview of ESSA programs, an overview of ESSA Consolidated State Plan requirements and related decision points, a preliminary status of various decisions, and areas where final regulations will be needed to address plan requirements. The update included information regarding use of federal funds and a description of stakeholder outreach and communications activities. Further, CDE staff reviewed Phase I of stakeholder engagement around ESSA, which was provided to the SBE as an August Information Memorandum. In addition, CDE and SBE staff presented to the SBE an update regarding the development of a new accountability and continuous improvement system, which led to the SBE approval of key elements of the

system that will be used to evaluate schools and districts in ten areas critical to student performance, including graduation rates, readiness for college and careers, test scores, and progress of English learners.

July 2016: CDE staff presented to the SBE an update on the development of the ESSA State Plan including opportunities in the ESSA to support California's accountability and continuous improvement system, an update on proposed ESSA regulations, and a description of stakeholder outreach and communications activities. SBE members approved CDE staff recommendations to authorize the SBE President to submit joint letters with the State Superintendent of Public Instruction in response to ESSA regulations for accountability, data reporting, submission of state plans, and assessments. Additionally, CDE and SBE staff presented to the SBE an update regarding the development of a new accountability and continuous improvement system, which led to the SBE approval of a measure of college and career readiness, a methodology for establishing standards for state priorities, inclusion of a standard for use of local climate surveys, an Equity Report within the top-level summary data display, and the development of a timeline through the 2017 calendar year addressing upcoming developmental work.

May 2016: CDE staff presented to the SBE an update on the development of the ESSA State Plan including Title I State Plan requirements described in the ESSA, outreach and consultation with stakeholders, and a draft State Plan development timeline. CDE and SBE staff presented to the SBE an update regarding the development of a new accountability and continuous improvement system, which led to the SBE approval of specific design elements of the LCFF evaluation rubrics and direction to staff to prepare recommendations and updates concerning standards for the LCFF priority areas and feasibility of incorporating additional indicators. The SBE also approved the ESSA 2016–17 School Year Transition Plan and two federal ESSA waiver requests to address double testing in science and Speaking and Listening assessment requirements. The SBE also heard a presentation of the Final Report from the State Superintendent of Public Instruction's Advisory Accountability and Continuous Improvement Task Force.

March 2016: CDE and SBE staff presented to the SBE an update regarding development of a new accountability system including information regarding the Local Control and Accountability Plan and annual update template, evaluation rubrics, the ESSA State Plan, and the revised timeline for transitioning to a new accountability and continuous improvement system. The SBE approved appointments to the California Practitioners Advisory Group.

January 2016: CDE staff presented to the SBE an update on issues related to California's implementation of the ESEA, including information regarding ESSA, and the implications for state accountability and state plans.

FISCAL ANALYSIS (AS APPROPRIATE)

California's total K–12 funding as of the 2016–17 California Budget Act is $88.3 billion:

State	$52.9 billion
Local	27.4 billion
Federal	8.0 billion
Total	$ 88.3 billion

This includes K–12 revenues from all sources. ESSA funds are only a portion of the total federal funding amount. The ESSA will be implemented in 2017–18. No fiscal changes are projected for the 2016–17 school year. The new law will become effective for non-competitive formula grants in the 2017–18 school year.

The following fiscal information relates specifically to the programs included in the ESSA Consolidated State Plan. State allocations for fiscal years 2016 and 2017 are preliminary estimates based on currently available data. Allocations based on new data may result in significant changes from these preliminary estimates. The 2016–17 amounts provided below are based on actual grant awards, but are also subject to change.

The 2017–18 amounts provided below are based on ED's State Tables which are based on the President's Proposed Budget.

For Title I, minor changes to the amount of Title I funds that flow through each of the four parts will be made, but the state grant formula overall is unchanged.

Title I, Part A: Improving Basic Programs Operated by State and Local Educational Agencies: California currently receives approximately $1.767 billion. The CDE anticipates that California will receive $1.803 billion in Title I, Part A funds in 2017–18.

Title I, Part B: State Assessment Grants: California currently receives approximately $28 million from ESEA Title VI, State Assessments program. The CDE anticipates that California will receive $26.4 million in ESSA, Title I, Part B funds in 2017–18.

Title I, Part C: Education of Migratory Children: California currently receives approximately $128.7 million. The CDE anticipates that California will receive $116.2 million in Title I, Part C funds in 2017–18.

Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk: California currently receives approximately $1.7 million. The CDE anticipates that California will receive $1.2 million in Title I, Part D funds in 2017–18.

Title II, Part A: Preparing, Training, and Recruiting High Quality Teachers, Principals, and Other School Leaders: The state grant formula will be adjusted, gradually eliminating the hold harmless provision by 2023 and increasing the poverty factor and decreasing the population factor from the current 65/35 ratio to 80/20 in 2020. According to a report by the Congressional Research Service, California's Title II, Part A funding is projected to increase by more than $25 million by 2023 as a result of these

changes. California currently receives approximately $249.3 million. The CDE anticipates that California will receive $252 million in Title II, Part A funds in 2017–18.

Title III: Language Instruction for English Learners and Immigrant Students: The state grant formula for Title III remains unchanged. California currently receives approximately $150 million. The CDE anticipates that California will receive $167.6 million in Title III funds in 2017–18.

Title IV, Part A: Student Support and Academic Enrichment Grants: California does not currently receive Title IV, Part A funding. The CDE anticipates that California will receive $58 million in Title IV, Part A funds based on the President's Proposed Budget.

Title IV, Part B: 21st Century Community Learning Centers: California currently receives approximately $132.7 million. The CDE anticipates that California will receive $113.7 million in Title IV, Part B funds in 2017–18.

Title V, Rural Education Initiative: California currently receives approximately $1.5 million from Title VI, Part B, Subpart 1 of ESEA. The CDE anticipates that California will receive $3.5 million in 2017–18.

Title IX, Part A: Education for Homeless Children and Youths: California currently receives approximately $8.2 million. The CDE anticipates that California will receive $10 million in 2017–18.

ATTACHMENT(S)

Attachment 1: ESSA Consolidated State Plan Development: Draft Timeline (1 Page)

Attachment 2: First Draft of California's ESSA Consolidated State Plan (58 Pages)

Attachment 3: ESSA State Plan: Communications, Outreach, and Consultation with Stakeholders: September–October 2016 (5 Pages)

ESSA Consolidated State Plan Development: Draft Timeline

The California Department of Education (CDE) intends to steadily develop, and make available for public comment, three successive drafts of the Every Student Succeeds Act (ESSA) Consolidated State Plan over the next several months with new plan sections added to the document as new information becomes available. The CDE anticipates that the entire ESSA Consolidated State Plan will be available for the 30-day public comment period required in statute soon after the March 2017 State Board of Education (SBE) meeting. This timeline is subject to change pending new information and SBE direction.

Date	Activity
September 8–9	**SBE meeting – conversation regarding contents of law, plan direction and contents, and various decision points**
September 29	California Practitioners Advisory Group (CPAG) meeting – new timeline for plan development shared
October 13	CPAG meeting – feedback on elements in first draft of plan
November 2–3	**SBE meeting – feedback on first draft of plan, including CPAG comments**
November 10	First draft plan posted for public comment. Stakeholder engagement Phase II begins, including survey, webinars, and a toolkit for local use.
December 2	Stakeholder engagement Phase II completed
December 7	CPAG meeting – feedback on elements in second draft of plan
January 11–12	**SBE meeting – feedback on second draft of plan, including CPAG comments**
January 20	Second draft plan posted for public comment. Stakeholder engagement Phase III begins, including survey, webinars, and a toolkit for local use.
February 9	CPAG meeting – feedback on elements in third draft of plan
February 10	Stakeholder engagement Phase III completed
March 8–9	**SBE meeting – feedback on third and final draft of plan, including CPAG comments**
March 17	Final draft of plan posted for required 30-day public comment. Stakeholder engagement Phase IV begins, including survey, webinars, statewide regional meetings, and a toolkit for local use.
April 4	CPAG meeting – feedback on draft plan
April 14	Stakeholder engagement Phase IV completed
Week of April 24	CPAG meeting – CPAG provides feedback regarding public comment collected during 30-day public comment period
May 10–11	**SBE meeting – SBE reviews CPAG feedback, CPAG recommendations on public comment, and provisionally approves final ESSA State Plan (pending suggested amendments)**
July 3	Submit California ESSA Consolidated State Plan to ED

California ESSA Consolidated State Plan: First Draft

The first draft of California's ESSA Consolidated State Plan (State Plan) includes the following plan sections and program information:

- The Consultation and Coordination section (p. 2),
- The Challenging State Academic Standards and Academic Assessments section (p. 20), and
- Program-specific requirements for:
    - Title IV, Part B: 21st Century Community Learning Centers (p. 32)
    - Title I, Part A: Improving Basic Programs Operated by State and Local Educational Agencies: Schoolwide Program Waivers (p. 39)
    - Title I, Part C: Education of Migratory Children (p. 40)
    - Title III, Part A: Language Instruction for English Learners and Immigrant Students: Entrance and Exit Procedures for English Learners (p. 47)
    - Title V, Part B, Subpart 2: Rural and Low-Income School Program (p. 48)
    - Title IX, Part A (Title VII, Subpart B of the McKinney-Vento Homeless Assistance Act): Education for Homeless Children and Youth Program (p. 49)

This first draft of the State Plan will be made available for public comment and review November 10–December 2, 2016, launching Phase II of ESSA stakeholder engagement. CDE staff will provide webinars and a toolkit for local use that provides information about the contents the first draft of the State Plan. Public comment for this first draft will be collected via an online survey.

Section 2: Consultation and Coordination

State Plan Requirement: **2.1 Timely and Meaningful Consultation**

Each SEA [state educational agency] must engage in timely and meaningful consultation with stakeholders in developing its consolidated State plan, consistent with §§ 299.13 (b) and 299.15 (a). The stakeholders must include the following individuals and entities and reflect the geographic diversity of the State: the Governor or appropriate officials from the Governor's office; members of the State legislature; members of the State board of education, if applicable; LEAs, including LEAs in rural areas; representatives of Indian tribes located in the State; teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, and organizations representing such individuals; charter school leaders, if applicable; parents and families; community-based organizations; civil rights organizations, including those representing students with disabilities, English learners, and other historically underserved students; institutions of higher education (IHEs); employers; and the public.

Prompt: **Public Notice**

A. *Provide evidence of the public notice that the SEA provided in compliance with the requirements under §200.21(b)(1)-(3), of the SEA's processes and procedures for developing and adopting its consolidated State plan.*

California's Response

Below you will find evidence of the public notice the state educational agency (SEA) provided of the SEA's processes and procedures for developing and adopting its ESSA Consolidated State Plan (State Plan) aligned to the phases of California's Stakeholder Engagement Plan.

STAKEHOLDER ENGAGEMENT PLAN: Providing Public Notice

Throughout the ESSA State Plan Development Process

State Board of Education Meetings

The California State Board of Education (SBE) meets every other month in publicly noticed, webcasted meetings. Since the passage of the ESSA in December 2015, the SBE has been presented regular updates on the Every Student Succeeds Act (ESSA) and asked to take action as members deem necessary.

The timeline to develop and adopt the State Plan was presented to the SBE and the public at the following SBE meetings:

- March 2016
- May 2016
- September 2016
- November 2016

SBE meeting agendas and public notices are available on the SBE Current & Past Agendas Web page at http://www.cde.ca.gov/be/ag/ag/index.asp. As noted in each SBE meeting agenda, members of the public requiring translation services or a reasonable accommodation in order to access materials before the SBE may request assistance by contacting the SBE Office. SBE meeting agenda items related to the development and adoption of the State Plan are available on the California Department of Education (CDE) Web site at http://www.cde.ca.gov/re/es/sbeitems.asp.

California Practitioners Advisory Group Meetings

The California Practitioners Advisory Group (CPAG) is California's Title I Committee of Practitioners. During the development of the State Plan, CPAG members have participated and will participate in at least seven public meetings:

- April 13–14, 2016
- June 22, 2016
- September 29, 2016
- October 13, 2016
- December 7, 2016
- February 9, 2017
- April 4, 2017
- Week of April 24, 2017 (meeting date to be determined)

In each of these meetings, the CPAG provides input on the practical implications of decisions before the SBE related to California's accountability system and the State Plan.

CPAG public meeting notices, agendas, and minutes are available at http://www.cde.ca.gov/be/cc/cp/cpag2016agendas.asp. All CPAG meetings are open to the public and webcasted, and members of the public may comment on matters under discussion in person or via written correspondence. As noted in each CPAG meeting agenda, members of the public requiring translation services or a reasonable accommodation in order to access materials before the CPAG may request assistance by contacting the CDE. More information about the CPAG is available on the CDE CPAG Web page at http://www.cde.ca.gov/be/cc/cp/.

Phase I: What Californians Want for Their Schools

The first phase of stakeholder engagement addressed three distinct goals: 1) ensure stakeholders have timely access to important information about ESSA; 2) gather and respond to questions regarding ESSA; and 3) gather input from stakeholders about what they would like to see in the State Plan and the best ways for the State to sustain their engagement in the plan development process. Results of the outreach conducted in Phase I are explained in more detail under the Outreach and Input Section of this draft State Plan. Below you will find information about all of the activities the State engaged in during Phase I to provide public notice of the process and procedures for developing the State Plan, in addition to SBE and CPAG meetings.

California ESSA Webinar for Education Stakeholders and Public

On May 26, 2016, and June 1, 2016, CDE staff, with support from the California Comprehensive Center, presented a brief overview of the ESSA and the process and timeline to develop a State Plan. These webinars were promoted through the CDE ESSA State Plan Development Opportunities Web page at http://www.cde.ca.gov/re/es/essaopptopart.asp and the ESSA Update listserv, an archive of which is available at http://www.cde.ca.gov/re/es/essaupdate.asp. Materials from the webinar and a recording of one of the webinars is available on the ESSA State Plan Development Opportunities Web page.

ESSA Regional Stakeholder Meetings

In Phase I of the California ESSA Stakeholder Engagement Plan, the CDE and several county offices of education (COEs) across the state partnered to host a series of regional stakeholder meetings to provide an overview of the ESSA and an update on

the development of the State Plan and to consult with stakeholders regarding what should be included in the State Plan.

Specific COEs representing the geographic diversity of the state were invited to host regional stakeholder meetings. The map and table below display the locations of the six regional stakeholder meetings in Phase I.

Figure 1: Map of ESSA Regional Stakeholder Meetings - Phase I

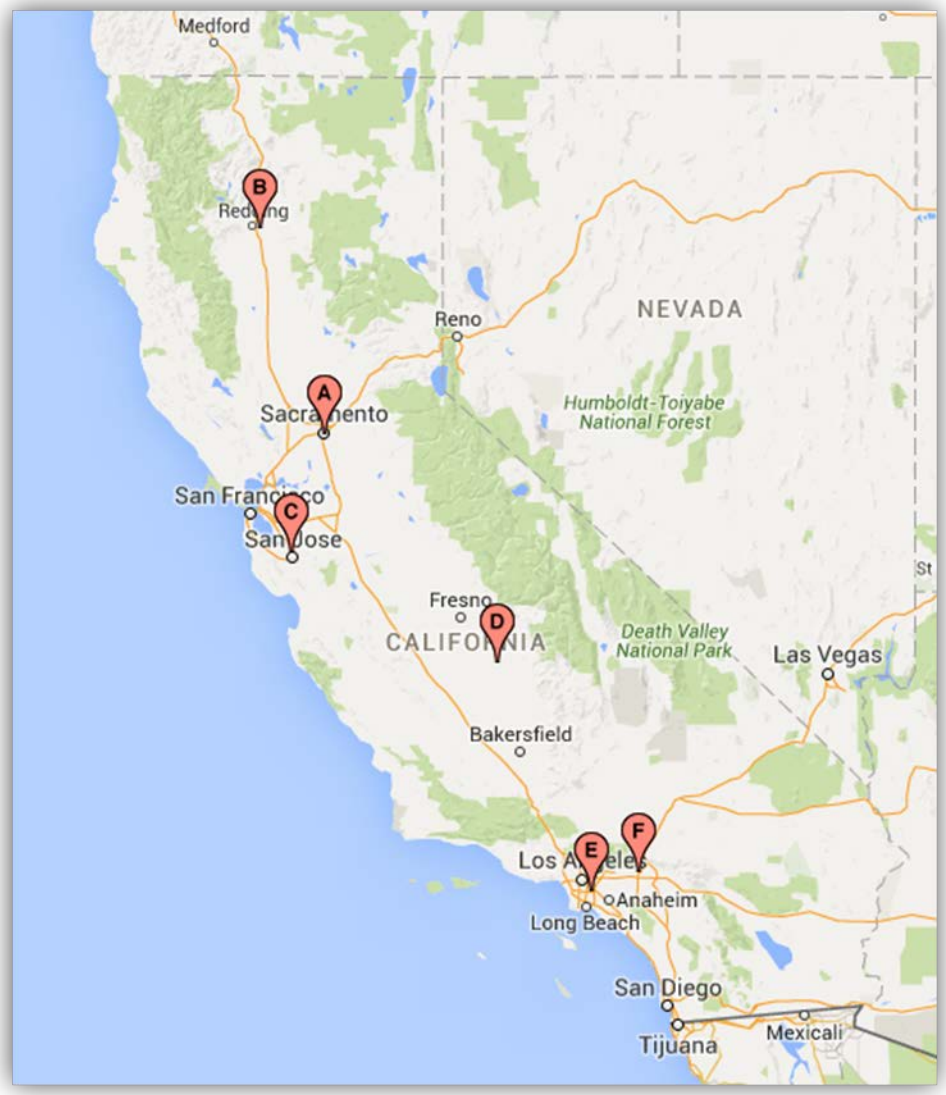

Table 1: Locations of ESSA Regional Stakeholder Meetings – Phase I

	Date/Time	Location
A	June 16 1–4 p.m.	California Department of Education 1430 N Street, Room 1101 Sacramento, CA 95814
B	June 20 1–4 p.m.	Shasta County Office of Education 2985 Innsbruck Dr. Redding, CA 96002
C	June 23 1–4 p.m.	Santa Clara County Office of Education San Jose/Eastside Room 1290 Ridder Park Drive San Jose, CA 95131-2304
D	June 27 1–4 p.m.	Tulare County Office of Education 6200 S. Mooney Blvd. Visalia, CA 93278 Redwood Rooms C-F
E	June 28 1–4 p.m.	Los Angeles County Office of Education 9300 Imperial Hwy - EC 281 Downey, CA 90242
F	July 8 1–4 p.m.	Etiwanda Gardens 7576 Etiwanda Ave Etiwanda, CA 91739

In addition to the events being locally promoted by the host COEs, the CDE utilized its ESSA State Plan Development Opportunities Webpage, ESSA Update listserv (http://www.cde.ca.gov/re/es/essaupdate.asp), the CDE Facebook (https://www.facebook.com/CAEducation), and the CDE Twitter (https://twitter.com/cadepted) to promote the events.

Targeted Consultation

In order to ensure California consults with all of the required stakeholders and any interested stakeholder in a manner that is adapted to the needs of specific audiences, CDE staff presented information about the State Plan development and adoption processes and procedures at the following meetings and events:

- March 16, 2016 – Policy Work Group Input Session[1]
- March 18, 2016 – State and Federal Programs Directors' Meeting
- March 25, 2016 – Listening Session with Deputy Assistant Secretary Ary Amerikaner from the U.S. Department of Education and stakeholder representatives
- April 15, 2016 – State and Federal Programs Directors' Meeting
- May 5, 2016 – Education Coalition and Equity Coalition[2]
- May 18, 2016 – Regional Assessment Network
- May 19, 2016 – Bilingual Coordinators Meeting
- May 20, 2016 – State and Federal Programs Directors' Meeting
- May 24, 2016 – Alameda County Office of Education ESSA Workshop
- June 2, 2016 – Contra Costa County Office of Education ESSA Workshop
- June 17, 2016 – Policy Work Group Meeting

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[1] According to sign in sheets, representatives from the following organizations attended this event: Public Advocates, Association of California School Administrators, Early Edge California, California School Boards Association, California Legislative Analyst's Office, WestEd, California Collaborative for Educational Excellence, Kids Alliance, COEs, districts, Education Trust-West, Youth Law, Fight Crime: Invest in Kids, California Forward Action Fund, California Senate, Families in Schools, California County Superintendents Educational Services Association, Capitol Advisors, Fiscal Crisis & Management Assistance Team, Charter Schools Development Center, California Parent Teacher Association, California Department of Finance, California Endowment, California Budget & Policy Center, ACLU, California Governor's Office, California Teachers Association, EdVoice, and Children Now.

[2] The following organizations are represented in the Education Coalition and Equity Coalition: Children Now, ACLU, Inland Congregations United for Change – PICO, Public Advocates, Parent Network, Californians for Justice, California Budget & Policy Center, Families in Schools, EdVoice, Education Trust-West, PICO California, Oakland Community Organizations – PICO, Advancement Project, Californians Together, Contra Costa Interfaith Supporting Community Organization, Fight Crime: Invest in Kids, and Youth Law.

- June 17, 2016 – State and Federal Programs Directors' Meeting
- June 23, 2016 – Educator Equity Plan Meeting (included representatives from diverse equity groups)
- August 10, 2016 – California Advisory Commission on Special Education Meeting
- August 12, 2016 – American Indian Oversight Committee Meeting
- August 19, 2016 – State and Federal Programs Directors' Meeting
- August 24, 2016 – California Private School Advisory Committee
- September 1, 2016 – Migrant Education Program Directors Meeting
- September 16, 2016 – Bilingual Coordinators Network Meeting
- September 16, 2016 – State and Federal Programs Directors' Meeting
- September 19, 2016 – Early Education and ESSA Meeting
- September 19, 2016 – SBE, CDE, California Commission on Teacher Credentialing, California Subject Matter Project, California Collaborative on Education Excellence, and California County Superintendents Educational Services Association Cross-State Agency ESSA Meeting
- September 23, 2016 – California Federation of Teachers Early Childhood/TK–12 Division Council Meeting
- September 26, 2016 – Marin County Office of Education ESSA Workshop
- October 4, 2016 – Small School Districts Association Meeting, Siskiyou County
- October 5, 2016 – Riverside County Office of Education ESSA Workshop
- October 12, 2016 – California Credential Analysts and Counselors Conference
- October 13, 2016 – California Association of Administrators of State and Federal Education Programs Institute

- October 18, 2016 – Association of California School Administrators Webinar
- October 20, 2016 – Small School Districts Association Meeting, Merced County

Phases II, III, and IV: Engagement and Public Comment on ESSA State Plan Drafts

The goal of Phases II, III, and IV of California's ESSA Stakeholder Engagement Plan is to present drafts of the ESSA State Plan to stakeholders and gather their feedback on those drafts in order to refine the State Plan and ensure it reflects the voices of diverse Californians. Each of these phases will begin with the availability of a new draft of the State Plan, webinars explaining the contents of the draft, a toolkit for local stakeholder engagement, and a survey to collect public comment on the draft.

Regional Stakeholder Meetings

Phase IV of stakeholder engagement will include the required 30-day public comment period on the final draft of the State Plan and will also include regional stakeholder meetings throughout the state and online to explain the contents of the final plan and encourage engagement in the public comment process. Participants in these regional meetings will be able to request translation services and reasonable accommodations.

Below is a timeline that displays when each draft of the State Plan will be made available for public comment, including the final draft and the 30-day public comment period.

Table 2: Stakeholder Engagement Phases

Date	Activity
November 10–December 2, 2016	Phase II: First draft made available for public comment
January 20–February 10, 2017	Phase III: Second draft made available for public comment
March 17–April 17, 2017	Phase IV: Third and final draft made available for 30-day public comment period

Phase V and Beyond: Implementation of the ESSA State Plan

Once the State Plan is approved, California will engage in statewide activities to inform the public about how the plan will impact education in our state. Public engagement activities and a continuous improvement process will be built into every ESSA program so that California can annually reflect on the progress of these programs with the public and make any necessary refinements to the programs and our State Plan.

Prompt: **Outreach and Input**

B. *For each of the four components of the consolidated State plan listed below, describe how the SEA:*

   i. *Conducted outreach to and solicited input from the individuals and entities listed above* ***during the design and development*** *of the SEA's plans to implement the programs that the SEA has indicated it will include in its consolidated State plan; and* ***following the completion*** *of the consolidated State plan by making the plan available for public comment for a period of not less than 30 days prior to submission to the Department for review and approval.*

   ii. *Took into account the consultation and public comment, including how the SEA addressed the concerns and issues raised through consultation and public comment and any changes the SEA made as a result of consultation and public comment.*

California's Response

As this is the first draft of California's ESSA Consolidated State Plan, it will describe the outreach that has taken place to date and how it has and will inform the drafts of the ESSA State Plan. This first draft also describes what the SEA plans to do in the forthcoming phases of stakeholder engagement around the subsequent drafts of the State Plan. This section will be updated in the final draft.

Challenging Academic Standards and Academic Assessments

Stakeholder Engagement Prior to ESSA State Plan Development

The challenging academic standards ESSA requires states to adopt were adopted in California prior to the ESSA being signed into law. The SEA engaged in extensive and rigorous public processes to review and amend, as necessary, each set of standards. For detailed information about the development and adoption of the ESSA-required academic standards, please visit the links below.

Common Core State Standards for Mathematics and English Language Arts and Literacy in History-Social Studies, Science and Technical Subjects, 2010	http://www.cde.ca.gov/re/cc/ccssadoptprocess.asp
Next Generation Science Standards , 2013	http://www.cde.ca.gov/pd/ca/sc/ngsshistory.asp

The California Assessment of Student Performance and Progress (CAASPP) is extensively vetted by education stakeholders. Smarter Balanced mathematics and English language arts/literacy assessments undergo public processes to develop and refine items, ensure ease of use by all users, set achievement levels, and provide technical reports. These processes include regular stakeholder meetings, surveys, focus groups, workshops, and pilot and field testing. Using similar public processes, the CDE is currently developing an assessment based on the state-adopted Next Generation Science Standards, which is scheduled to be fully operation by the 2018–19 school year. For detailed information regarding the development of ESSA-required assessments, please visit the links below.

Smarter Balanced Assessments for Mathematics and English Language Arts	http://www.cde.ca.gov/ta/tg/sa/index.asp
California Science Assessments	http://www.cde.ca.gov/ta/tg/ca/caasppscience.asp

Stakeholder Engagement During Design and Development of State Plan

The Challenging Academic Standards and Academic Assessments section of California's Consolidated State Plan is being made available for public comment in the first draft of the State Plan. This first draft will be presented to the California Practitioners Advisory Group (CPAG) (described above) at its October 13, 2016

meeting, and to the State Board of Education (SBE) at its November 2–3, 2016 meeting. After these publicly noticed meetings, the first draft will be made available for public comment November 10–December 2, 2016. CDE staff will review and analyze the public comments for this section for possible revisions in the final draft of the State Plan.

Accountability and Support for Schools

Stakeholder Engagement Prior to ESSA State Plan Development

It is important to note that California has been engaged in developing a State accountability and continuous improvement system since the 2013 transition to California's new school funding system known as the Local Control Funding Formula. An important goal for this initiative is to create a single and coherent local, state, and federal system, addressing persistent feedback from education stakeholders to streamline the system and avoid duplicative processes and procedures.

With the passage of ESSA in December 2015, the SBE seized the opportunity to incorporate elements of ESSA accountability into the emerging state accountability and continuous improvement system. Existing stakeholder groups and networks were and continue to be consulted about ESSA accountability requirements and how they will fit into the single and coherent system. The California ESSA State Plan is designed to complement the work well underway in the state that has years of stakeholder support behind it.

Stakeholder Engagement During Design and Development of State Plan

Since the passage of ESSA, California has conducted outreach to and solicited input from a variety of individuals and organizations regarding ESSA accountability.

In May 2016, the State Superintendent of Public Instruction's Advisory Task Force on Accountability and Continuous Improvement published the report entitled *Preparing All Students for College, Career, Life, and Leadership in the 21st Century*. The task force included teachers, parents, students, administrators, school board members, institutions of higher education representatives, researchers, philanthropic representatives, and business representatives. The report considers the state's emerging accountability system and the provisions of ESSA to provide recommendations for an accountability and continuous improvement system that is rooted in performance, equity, and improvement.

Other important activities have focused on the development of the LCFF Evaluation Rubrics. The evaluation rubrics assist LEAs, and those providing technical assistance

to LEAs, to evaluate strengths, weaknesses, and areas that require improvement based on data from multiple state and local indicators, and, on the basis of this evaluation, connect the LEA to practices and resources that result in meaningful improvement of student-level outcomes. The LCFF Evaluation Rubrics include the ESSA-required indicators.

Stakeholders have been and continue to be integrally involved in the development of the LCFF evaluation rubrics system, including reviewing data methodologies and simulations, reviewing indicator cut scores and distributions, providing input regarding the identification of schools and districts for technical assistance and support, and providing feedback regarding the system's user-interface. California is currently working with the following groups to gather stakeholder feedback:

- **CPAG:** As noted above, the CPAG is an advisory committee to the SBE and also serves as the State's Title I committee of practitioners. The CPAG has and will continue to provide input regarding accountability to the SBE throughout the State Plan development process.

- **Equity and Policy Stakeholder Input Working Group:** This group, which includes representatives from statewide professional associations and community based organizations, provides feedback to the CDE and SBE regarding LCFF implementation and accountability.

- **User Acceptance Testing Group:** This group consists of representatives from over 30 LEAs, including county offices of education, school districts, and charter schools. It provides feedback to the CDE and SBE regarding the LCFF Evaluation Rubrics and their relevance, usefulness, and applicability to support local planning and evaluation of performance relative to State priorities.

- **Technical Design Group:** This is a group of experts in psychometric theory and education research that provides recommendations to the CDE on matters related to the state and federal accountability system.

- **English Learner Indicator Work Group:** This group is comprised of individuals with English learner (EL) program expertise and EL data expertise with representatives from the county and district levels as well as representatives from stakeholder groups. It is tasked with creating a composite measure for the English Learner Indicator that includes English acquisition, reclassification rates, and long-term EL rates.

- **School Conditions and Climate Work Group:** This group consists of members with expertise in education measurement and school conditions/climate. It is tasked with reviewing existing school climate measurement approaches, tools, resources, and surveys that measure aspects of school conditions and climate and present recommendations to CDE regarding the school climate State priority indicator.

During Phase I of stakeholder engagement, described above, CDE staff also gathered feedback from stakeholders regarding the accountability system. These comments have been summarized by the Comprehensive Center at WestEd in the ESSA Stakeholder Engagement – Phase I Report available at http://www.cde.ca.gov/be/pn/im/documents/memo-exec-essa-aug16item02.doc. This feedback will be taken into account as California develops this section of the plan.

The Accountability and Support for Schools section of California's State Plan will be made available for public comment in a subsequent draft of the State Plan. CDE staff will review and analyze the public comments on this section for possible revisions in the final draft of the State Plan.

Supporting Excellent Educators

Stakeholder Engagement Prior to ESSA State Plan Development

Stakeholder engagement regarding supporting excellent educators in California is a continuous process. ESSA-related stakeholder engagement cannot be discussed without first recognizing the work the State has engaged in prior to the ESSA and how it impacts the State's implementation of the ESSA.

California Commission on Teacher Credentialing (CTC): The purpose of the CTC is to ensure integrity, relevance, and high quality in the preparation and discipline of the educators who serve all California's diverse students. The CTC is an agency in the Executive Branch of the California State Government. The Governor-appointed commissioners consist of six classroom teachers, one school administrator, one school board member, one school counselor or services credential holder, one higher education faculty member from an institution for teacher education, and four public members. The CTC meets every other month in publicly noticed meetings where members of the public are welcome to comment on matters before the CTC, and, as a state standards board, regularly engages the public in its processes and procedures. The CTC's work as influenced by stakeholders is an integral piece of the Supporting Excellent Educators section of the ESSA State Plan.

***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 and will provide much of the focus for the Supporting Excellent Educators section of the ESSA State Plan.

California State Plan to Ensure Equitable Access to Excellent Educators, July 2015: California submitted to the U.S. Department of Education its plan of current and future work related to gaps in equitable access to excellent educators for all students in July 2015. This document details a theory of action and progress toward achieving equitable access to excellent teachers and leaders for all students. 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. Parents, teachers, administrators, community members, policymakers and representatives from school districts, civil rights groups, and institutions of higher education participated in these meetings. Since many of the requirements of the Educator Equity Plan have been retained under ESSA, the basis of the 2015 Educator Equity Plan will help to inform the Supporting Excellent Educators section of the ESSA State Plan to guarantee continuity of strategies to ensure low-income and minority students in Title I schools have equitable access to excellent educators.

Stakeholder Engagement During Design and Development of State Plan
Between December 2015 and June 2016, the CDE conducted six stakeholder events with facilitation support from the California Comprehensive Center. These events were held to gather input on the root causes identified in the 2015 Educator Equity Plan and the strategies being used by the State to address these root causes. Combined, there were a total of 169 individual stakeholder participants. Parents, teachers, administrators, community members, policymakers and representatives from school districts, civil rights groups, and institutions of higher education participated in these meetings. The feedback from stakeholders gathered at these

meetings will greatly inform the Supporting Excellent Educators section of the ESSA State Plan.

During Phase I of stakeholder engagement, described above, CDE staff also gathered feedback from stakeholders regarding educator excellence. These comments have been summarized by the Comprehensive Center at WestEd in the ESSA Stakeholder Engagement – Phase I Report available at http://www.cde.ca.gov/be/pn/im/documents/memo-exec-essa-aug16item02.doc. This feedback will be taken into account as California develops this section of the plan.

The Supporting Excellent Educators section of California's State Plan will be made available for public comment in a subsequent draft of the plan. CDE staff will review and analyze the public comments on this section for possible revisions in the final draft of the State Plan.

Supporting All Students

Stakeholder Engagement Prior to ESSA State Plan Development

There is an integral document that provides California its Education North Star, *A Blueprint for Great Schools: Version 2.0*. State Superintendent Torlakson convened 29 stakeholders representing teachers, district and site administrators, business, higher education, school boards, early education, legislators, philanthropists, and community organizations to develop an action plan to guide the State as it continues its momentum to implement California's academic standards and new funding system, and address important concerns such as the achievement gap and teacher shortage.

The *Blueprint* defined five strategic priority areas on which the State should focus: California Standards, teaching and leading excellence, student success, continuous improvement and accountability systems, and systems change and supports for strategic priorities. The Blueprint further defined guiding principles that provide a lens for addressing the strategic priority areas: meaningful learning, whole child, community engagement, collaboration and coherence, creativity and flexibility, transparency, multiple measures, trust and responsibility, reciprocity and subsidiarity, and equity.

As California develops the Supporting All Students section of the State Plan, the strategic priority areas and guiding principles will continue to provide California's Education North Star.

Stakeholder Engagement During Design and Development of State Plan
During Phase I of stakeholder engagement, described above, CDE staff gathered feedback from stakeholders regarding the how the State can support schools to support the needs of all students and how the State can ensure that all students have equitable access to a well-rounded education and rigorous coursework across the curriculum. These comments have been summarized by the Comprehensive Center at WestEd in the ESSA Stakeholder Engagement – Phase I Report available at http://www.cde.ca.gov/be/pn/im/documents/memo-exec-essa-aug16item02.doc. This feedback will be taken into account as California develops this section of the plan.

The Supporting All Students section of California's State Plan will be made available for public comment in the third draft of the plan. The third draft will be presented to the CPAG at its February 9, 2017 meeting, and to the SBE at its March 8–9, 2017 meeting.

Stakeholder Engagement Following Completion of State Plan

The final draft of the State Plan will be made available for the 30-day public comment period March 17–April 17, 2017. Public comments will then be presented to the California Practitioners Advisory Group for recommendations about how public comments should be incorporated into the final State Plan. The final State Plan, scheduled to be presented to the SBE at its May 2017 meeting, will include a description about how California took into account the consultation and public comment, including how the State addressed the concerns and issues raised through consultation and public comment and any changes the State made as a result of consultation and public comment.

Ensuring Engagement with Diverse Californians

California is a large and diverse state and the SEA is committed to hearing from as many stakeholders as possible in the development of the State Plan. As noted above, in Phase I of stakeholder engagement, the State engaged in public state board and advisory group meetings, webinars, regional stakeholder meetings, a stakeholder survey, and targeted consultation. Along the way, California has noted which stakeholders have been consulted with that meet the ESSA State Plan requirements. Below is a chart that displays which stakeholders contributed input through each Phase I activity.

Chart 1: Engagement with Stakeholders Required by ESSA

Stakeholder	SBE Meetings	CPAG Meetings	ESSA Webinars 5/26 and 6/1	Phase I Regional Stakeholder Meetings	ESSA Stakeholder Survey	Targeted Consultation
Governor						
State Legislature						
State Board of Education	x					
LEAs		x	x	x	x	x
LEAs in rural areas				x		x
Indian tribes				x		x
Teachers		x	x	x	x	x
Principals		x	x	x		x
Paraprofessionals		x		x		x
Instruction Support		x	x	x		x
Educator Organizations						x
Charter School Leaders		x		x		
Parents and Families		x		x	x	
Community Based Organizations				x	x	x
Civil Rights Organizations				x	x	x
Organizations representing students with disabilities						x
Organizations representing English learners						x
Higher Education				x	x	
Employers				x	x	
The Public				x	x	

This information has helped the State plan for the next phases of stakeholder engagement. While a good number and variety of stakeholders engaged in Phase I activities, California plans employ two new strategies to engage greater numbers of diverse stakeholders in Phases II through IV.

First, CDE will develop a toolkit of engagement resources that can be used at the local level—school sites, community meetings, special interest groups, etc.—that will provide all of the information stakeholders need in order to review the ESSA State Plan and provide feedback to the SEA. The toolkit will include presentations that provide background information about ESSA, videos that provide overviews of the State Plan development timeline and each section of each draft of the State Plan, and information about how stakeholders can provide feedback during the public comment periods.

Second, CDE will seek out organizations to partner with to provide webinars to specific audiences such as student, parent, teacher, administrator, and school board organizations and associations. This will help the SEA communicate what the ESSA State Plan means for specific stakeholders so that they may provide feedback on the issues and concerns that are most important to them.

During future phases of engagement, the SEA will also consult with the Governor's Office and members of the State Legislature to gather their feedback on the drafts of the State Plan.

State Plan Requirement: **2.2 Coordination**

Each SEA must coordinate its plans for administering the included programs and other programs, consistent with §299.15 (b). The programs must include the following: other programs authorized under the ESEA, as amended by the ESSA; the Individuals with Disabilities Education Act; the Rehabilitation Act; the Carl D. Perkins Career and Technical Education Act of 2006; the Workforce Innovation and Opportunity Act; the Head Start Act; the Child Care and Development Block Grant Act of 1990; the Education Sciences Reform Act of 2002; the Education Technical Assistance Act of 2002; the National Assessment of Educational Progress Authorization Act; and the Adult Education and Family Literacy Act.

Prompt: Plan Coordination

A. *Describe how the SEA is coordinating its plans for administering the programs under this consolidated application and the programs listed above.*

California's Response

The SEA will identify and convene each of the program directors at the state level for each of the ESSA programs and the other federal programs listed above. These directors will review each draft of the ESSA State Plan and identify any areas where plans conflict or where plans can be aligned and leveraged to increase coherence in the education system. These state level directors will also work closely with their contacts at the county and district levels to consider the practical implications of plan alignment.

Section 3: Challenging State Academic Standards and Academic Assessments

State Plan Requirement: **State Academic Standards**

Each SEA must provide evidence that it has adopted challenging State academic standards, including challenging academic content standards and aligned academic achievement standards; as applicable, alternate academic achievement standards; and English language proficiency standards, in compliance with section 1111(b)(1) of the ESEA. Note: In general, the evidence referenced here will be provided through the Department's peer review process; consequently, a State is required to submit evidence for section 3.1, only if it has made changes to its standards ***after*** *the peer review process.*

A. ***Challenging Academic Content Standards and Aligned Academic Achievement Standards****. Provide evidence at such time and in such manner specified by the Secretary that the State has adopted challenging academic content standards and aligned academic achievement standards in the required subjects and grades consistent with section 1111(b)(1)(A)-(D) of the ESSA.*

B. ***Alternate Academic Achievement Standards****. If the State has adopted alternate academic achievement standards for students with the most significant cognitive disabilities, provide evidence at such time and in such manner specified by the Secretary that those standards meet the requirements of section 1111(b)(1)(E) of the ESSA.*

C. ***English Language Proficiency Standards.*** *Provide evidence at such time and in such manner specified by the Secretary that the State has adopted English language proficiency standards that meet the following requirements:*
   i. *Are derived from the four recognized domains of speaking, listening, reading, and writing;*
   ii. *Address the different proficiency levels of English learners; and*
   iii. *Align with the State's challenging academic standards.*

Prompt: **State Academic Standards**

Note: In general, the evidence referenced here will be provided through the Department's peer review process; consequently, a State is required to submit evidence for section 3.1, only if it has made changes to its standards ***after*** *the peer review process.*

California's Response

California will provide the required evidence as part of the peer review process.

State Plan Requirement: **3.2 Academic Assessments**

Each SEA must identify its high-quality student academic assessments consistent with section 1111(b)(2) of the Act. Note: In general, the evidence referenced here will be provided through the Department's peer review process; consequently, a State is required to submit evidence for section 3.2.B only if it has changed its high-quality student academic assessments ***after*** *the peer review process.*

Prompt: **Student Academic Assessments**

A. *Identify the student academic assessments that the State is implementing under section 1111(b)(2) of the ESEA, including the following:*

   i. *High-quality student academic assessments in mathematics, reading or language arts, and science consistent with the requirements under section 1111(b)(2)(B);*

California's Response

The California Assessment of Student Performance and Progress (CAASPP) is designed to annually assess all public elementary school, middle school, and high school students in grades three through eight and high school for English language arts (ELA) and mathematics using the same standards for all students. Additionally, the system is designed to annually assess all public school students in grades five and eight and once in high school for science using the same standards for all students. The CAASPP System includes, but is not limited to, assessments in English language arts/literacy, mathematics, and science that assess and are aligned with the academic content standards adopted by the California State Board of Education (SBE). The assessments are of high quality, reliable, fair, valid for their intended purpose, and consistent with professional standards outlined in the *Standards for Educational and Psychological Testing*.

The CAASPP System utilizes the Smarter Balanced assessments for ELA and mathematics. The summative tests measure critical thinking skills and allow students to demonstrate what they know and are able to do. Universal test design features provide accessibility for all students, including English learners and students with disabilities.

The tests are designed to facilitate high quality teaching and learning through an innovative system of formative and interim resources in addition to summative assessments. The data from the summative tests are used for monitoring individual student academic achievement from year to year. Aggregate data are used to analyze the performance of educational programs and are also a part of the state's academic accountability reporting program. Annual reports are issued in a timely manner to parents and local educational agencies (LEAs) to convey individual student academic achievement, as well as disaggregated data reporting on required student populations. The reports illustrate student growth over time, providing parents and others greater opportunity to interpret and address students' specific academic needs. The California Department of Education (CDE) pubic reporting Web site provides parents, educators, stakeholders, and researchers with access to school, district, county, and state results in a manner that allows for analyses and comparisons while also protecting personally identifiable information.

In the 2016–17 school year, California will pilot the new California Next Generation Science Standards (CA NGSS) assessment, known as the California Science Test (CAST), in grades five and eight and high school. The pilot test will be followed by a

field test in 2017–18 with the operational assessment scheduled for 2018–19. The CAST design was developed based on feedback provided by California educators and other stakeholders (e.g., representatives of Stanford's NGSS Assessment Program [SNAP]) and the expertise of the Assessment Design Team. The Assessment Design Team is made up of some of the country's leading experts on NGSS, assessment design, innovative item types, psychometrics, accessibility, and computer-based assessment delivery. Among the members of the team are Dr. James Pellegrino and Dr. Kathleen Scalise, who have played prominent roles in kindergarten through grade twelve (K–12) science education reform in the United States.

Once developed, the CAST will measure the full range and depth of the CA NGSS content standards, known as "performance expectations" (PEs), by leveraging the state's very large student population. Each of the CA NGSS PEs integrates multiple dimensions of the NRC Framework [*A Framework for K–12 Science Education*]: disciplinary core ideas (DCIs); science and engineering practices (SEPs); and crosscutting concepts (CCCs). In addition to providing student level results, the design will also utilize a partial matrix sampling that will provide the robust and broadly-based group-level feedback needed to support teaching and promote curriculum improvement; while at the same time, ensuring that each student is measured fairly and comparably.

ii. Any assessments used under the exception for advanced middle school mathematics under section 1111(b)(2)(C)(iii) of the Act;

California's Response

The California statewide assessment system does not include end-of-course tests; students in middle school are administered the Smarter Balanced mathematics assessment consistent with the grade of enrollment for the student. To satisfy federal requirements, state summative assessments must test students on grade-level content. To reflect the range of student knowledge and skills, test content for each grade level reflects a significant range of difficulty. However, the computer adaptive test may present students with questions from up to two grade levels below or above the tested grade level if the student is performing near the bottom or top of the range for the tested grade. These questions are presented to students in a limited fashion in order to meet federal requirements for precisely measuring student knowledge and skills at their current grade level.

iii. Alternate assessments aligned with the challenging State academic standards and alternate academic achievement standards for students with the most significant cognitive disabilities;

California's Response

ELA and Mathematics

The California Alternate Assessments (CAAs) are aligned to the core content connectors, which are linked to state-adopted California standards for ELA and mathematics. California has developed a new, computer-based assessment for students with the most significant cognitive disabilities in grades three through eight and eleven. Used operationally for the first time in 2016, the CAA is an innovative, two-stage adaptive assessment designed to allow students to demonstrate their academic achievements while minimizing testing time. The CAA is administered in a one-to-one setting with test examiners specifically trained to administer the alternate test. Students are provided with appropriate accommodations during the test administration as identified in their individualized education program (IEP). Parents, as members of the IEP team, participate in the decision to utilize the alternate assessment and select the accommodations for accessing the assessment and appropriate instruction. The participation in the alternate assessment is not limited to any specific disability category. Additionally, the parents are informed, via the IEP process, that participation in the alternate assessment based on alternate achievement standards will result in the student receiving a valid score and will not impact the student's ability to graduate.

Science

California is currently developing an alternate assessment for science, the CAA for science, which will be administered in grades five and eight, and once in high school beginning in 2016–17. The CAA for science is based on core content connectors linked to the CA NGSS. The assessment is being developed using feedback from California educators and recommendations from the same Assessment Design Team guiding the development of the CAST. The assessment is using an embedded performance task assessment model whereby state-developed performance tasks that are aligned with the core content connectors linked to the CA NGSS are sampled at particular intervals. The embedded performance tasks will be administered and recorded by the student's primary teacher and scored according to state-defined scoring criteria. At a minimum, the scoring criteria will include measures of completeness and accuracy.

The embedded performance assessments will:

- Provide an opportunity for students to demonstrate, in real time, concrete evidence of knowledge, skills, and abilities through performance tasks based

on state assessment academic objectives specified by the embedded performance task assessment blueprint

- Build on the principles of universal design for learning
- Offer the least restrictive environment possible for teachers/students to select/produce evidence in a variety of instructional settings, from inclusive general education to self-contained, special day class
- Generate data that can be used by educators to improve teaching and student learning outcomes
- Allow for a process that is minimally burdensome
- Support teachers in delivering challenging, yet developmentally appropriate, academic content to their students
- Provide meaningful results to parents

The CAA for science development schedule is outlined below:

- 2016–17: pilot test
- 2017–18: pilot test
- 2018–19: field test
- 2019–20: operational test

iv. *The uniform statewide assessment of English language proficiency, including reading, writing, speaking, and listing skills consistent with §200.6(f)(3); and*

California's Response

California is administering the California English Language Development Test (CELDT), which includes reading, writing, listening and speaking, to all English learners statewide in K–12. Because the CELDT is aligned to the 1999 English Language Development (ELD) Standards, California is currently developing the new English language proficiency assessment for California (ELPAC), which will be aligned to the 2012 California ELD Standards, and the summative assessment will be operational in spring 2018.

v. *Any approved locally selected nationally recognized high school assessments consistent with §200.3.*

California's Response

Currently, California does not have a process to review the technical quality, alignment, equivalency, and accommodations of nationally recognized assessments. California intends to monitor the use of nationally recognized high school assessments and the approval of that use by the U.S. Department of Education prior to determining if a process for such review of nationally recognized assessments is prudent.

Prompt: **State Assessment Requirements**

B. *Provide evidence at such time and in such manner specified by the Secretary that the State's assessments identified above in section 3.2.A. meet the requirements of section 1111(b)(2) of the ESEA.*

California's Response

California will provide the required evidence as part of the peer review process.

Prompt: **Advanced Mathematics Coursework**

C. *Describe the SEA's strategies to provide all students in the State the opportunity to be prepared for and to take advanced mathematics coursework in middle school consistent with section 1111(b)(2)(C) and §200.5.*

California's Response

California recognizes the need to allow all students access to rigorous standards and coursework. The State has adopted the California Common Core State Standards for Mathematics (CA CCSSM) and is a governing partner in the Smarter Balanced Assessment Consortium.

California has published the *Mathematics Framework for California Public Schools Kindergarten through Grade Twelve* (Mathematics Framework). This volume is a stakeholder's guide to implementation of the CA CCSSM and adoption of

instructional materials. The Mathematics Framework contains model courses, kindergarten to grade twelve, which list the standards that are expected to be taught in each course. It also contains examples of various course-taking pathways that allow a student to take advanced placement mathematics.

In addition, per *Education Code* Section 51224.7. (a), known as the Mathematics Placement Act of 2015 (http://www.cde.ca.gov/nr/el/le/yr13ltr0113a.asp), all local educational agencies that serve students in grade nine must adopt a ninth-grade mathematics placement policy that is transparent and applied equally to all students.

Prompt: **Universal Design for Learning**

D. *Describe the steps the SEA has taken to incorporate the principles of universal design for learning, to the extent feasible, in the development of its assessments, including any alternate assessments aligned with alternate academic achievement standards that the State administers consistent with sections 1111(b)(2)(B)(xiii) and 1111(b)(2)(D)(i)(IV) of the Act.*

California's Response

The CAASPP System is designed to include all public elementary, middle, and secondary school students, including students with disabilities and English learners. CAASPP item writers, inclusive of Smarter Balanced, are trained in universal design principles and take care to address construct-irrelevant barriers at the time of item development. Appropriate tools, supports, and accommodations are designed to remove construct-irrelevant barriers and provide a least restrictive environment for all examinees, allowing them the ability to demonstrate their knowledge and skills.

ELA and Mathematics

California joined the Smarter Balanced Assessment Consortium in part because of the extensive set of tools, designated supports, and accommodations that the assessments provide as well as the research-based approach to accessibility. The Smarter Balanced assessments for ELA and mathematics build on a framework of accessibility for all students, including but not limited to English learners and students with disabilities. The Smarter Balanced assessments include accessibility resources that address visual, auditory, language, and physical access barriers—allowing students to demonstrate what they know and can do. Accessibility resources include, but are not limited to, Braille, Spanish translations for mathematics, American Sign Language videos, and translation glossaries provided in

10 languages and several dialects, as well as translated test directions in 19 languages. A complete list of the Smarter Balanced universal tools, designated supports, and accommodations may be viewed on the CDE Web page at http://www.cde.ca.gov/ta/tg/ai/documents/caasppmatrix1.pdf.

Science
The CAST is a computer-based, next generation assessment that utilizes universal design principles and technology, where appropriate, to provide equitable access to the assessment. California is looking to the innovative and groundbreaking Smarter Balanced assessment as a model for the universal tools, designated supports, and accommodations to be provided on the CAST. The accessibility resources will address visual, auditory, language, and physical access barriers.

Alternate Assessments
The CAAs are aligned to core content connectors developed specifically to give equitable access to students with the most significant cognitive disabilities. In order to allow for the widest possible range of student participation, item writers follow the principles of universal design in the development and revision of test items. Elements of universal design principles that translate into assessments include, but are not limited to, allowing for multiple and varied methods of demonstrating knowledge and designing the test questions to be administered with a broad range of appropriate accommodations or designated supports. The CAAs are administered to students on a one-on-one basis by a test examiner in the student's language of instruction. Instructional supports that are used for the student in the classroom are allowed for the assessment as accommodations.

Prompt: **Appropriate Accommodations**

E. *Consistent with §200.6, describe how the SEA will ensure that the use of appropriate accommodations, if applicable, do not deny an English learner (a) the opportunity to participate in the assessment and (b) any of the benefits from participation in the assessment that are afforded to students who are not English Learners.*

California's Response

English learners in California are able to participate meaningfully in its ELA assessments; however, recently arrived English learners (i.e., in the United States for less than 12 months) are exempted from taking the Smarter Balanced assessment for ELA or the CAA for ELA. The Smarter Balanced ELA assessments provide English learners, as well as other students with a demonstrated need, access to universal tools and designated supports that do not interfere with the construct being measured. Such tools and supports include, as appropriate, English glossaries, text-to-speech, bilingual dictionary, and spell check.

The CAASPP System also provides for meaningful participation of English learners in mathematics and science assessments. To provide access to the Smarter Balanced mathematics assessments, English learners, as well as other students with a demonstrated need, are provided with translation supports in the following languages in addition to English: Arabic, Cantonese, Filipino (Ilokano and Tagalog), Korean, Mandarin, Punjabi (East and West), Russian, Spanish, Ukrainian, and Vietnamese. When available, the CAST will also provide translation supports, as relevant and appropriate to the constructs being measured in the assessment. English learners with the most significant disabilities may participate in the statewide assessment system by taking an alternate assessment (CAA for ELA, mathematics, or science) if so designated by the students' IEP team. California provides guidance to IEP teams regarding the decision to assess students using alternate achievement standards.

The accommodations deemed appropriate for English learners on California's state assessments do not deny any English learner the opportunity to participate in the assessment, but instead provide for meaningful access. To ensure that recently arrived English learners, exempted from participating in the Smarter Balanced ELA assessments, are not denied a benefit of participating in the statewide assessment (e.g., Early Assessment Program that qualifies students for entry-level, credit-bearing courses at participating colleges and universities), recently arrived English learners are not prohibited from taking the Smarter Balanced ELA assessments. (Note: Newly arrived English learners who take the Smarter Balanced ELA or the California Alternate Assessment for ELA will not be included for accountability for proficiency.)

Prompt: **Languages Other Than English**

F. *Describe how the SEA is complying with the requirements in §200.6(f)(1)(ii)(B)-(E) related to assessments in languages other than English:*

i. *Provide the SEA's definition for "languages other than English that are present to a significant extent in the participating student population," consistent with paragraph (f)(1)(iv) of §200.6, and identify the specific languages that meet that definition;*

California's Response

Pending final ESSA assessment regulations, California will define "languages other than English that are present to a significant extent in the participating student population" by utilizing a process in which the SBE will take action to approve a definition. The definition will be determined by considering which languages are the most populous, which languages are spoken by distinct groups of English learners (e.g., migratory students, not born in the United States), and any other criteria that may be present in the final set of ESSA regulations.

ii. *Identify any existing assessments in languages other than English, and specify for which grades and content areas those assessments are available;*

California's Response

California provides Spanish translations and language glossaries for the CAASPP Smarter Balanced mathematics assessment in grades three through eight and grade eleven. For the California Alternate Assessment in mathematics, eligible pupils shall have any instructional supports and/or accommodations, including the language of instruction, used in the pupil's daily instruction in accordance with the pupil's IEP.

iii. *Indicate the languages other than English that are present to a significant extent in the participating student population, as defined by the State, for which yearly student academic assessments are not available and are needed;*

California's Response

Pending the adoption of final ESSA assessment regulations, California will define "languages other than English that are present to a significant extent in the participating student population" by utilizing a process in which the SBE will take action to approve a definition. Once defined, the CDE will review its current student academic assessments to determine if additional assessments are needed.

iv. *Describe how the SEA will make every effort to develop assessments, at a minimum, in languages other than English that are present to a significant extent in the participating student population including by providing—*

a. *The State's plan and timeline for developing such assessments, including a description of how it met the requirements of paragraph (f)(1)(iv) of §200.6;*

California's Response

When consistent with the construct being measured, California has adopted the practice of providing language glossaries and Spanish stacked translations for newly developed assessments. The following table outlines the schedule for the tests being developed to align to the NGSS. Once operational, these new tests will provide language glossaries in ten languages as well as Spanish stacked translations.

Strategy	Timeline	Funding Sources
Development of the California Science Tests	Pilot test: 2016–17 Field test: 2017–18 Operational: 2018–19	State and Federal funds

b. *A description of the process the State used to gather meaningful input on assessments in languages other than English, collect and respond to public comment, and consult with educators, parents and families of English learners, and other stakeholders; and*

California's Response

In 2015, CAASPP Stakeholder meetings were held to gather meaningful input on the development of the assessments. The CDE also meets regularly with parent and family advocacy groups, as well as representatives of LEAs. Pending the adoption of final ESSA assessment regulations, further action may be needed.

c. *As applicable, an explanation of the reasons the State has not been able to complete the development of such assessments despite making every effort.*

California's Response

California has yet to identify languages other than English that are present to a significant extent in the participating student population.

Prompt: **Grants for State Assessments and Related Activities**

G. Describe how the State will use formula grant funds awarded under section 1201 of the ESEA to pay the costs of development of the high-quality State assessments and standards adopted under section 1111(b) of the ESEA or, if a State has developed those assessments, to administer those assessments or carry out other assessment activities consistent with section 1201(a) of the ESEA.

California's Response

Using funds awarded under Section 1201 of the ESEA, the CDE contracts for the development, administration, and support of the following assessments:

- ELA summative assessments
- Mathematics summative assessments
- Science summative assessments
- English Language Proficiency assessments

Additionally, the funding supports CDE staff charged with overseeing the above assessments.

Section 6: Supporting All Students Program-Specific Requirements

State Plan Requirement: **6.1 Well-Rounded and Supportive Education for Students**

Prompt: **Title IV, Part B: 21st Century Community Learning Centers**

*B. Each SEA must describe how it will use title IV, part A and **part B**, and other*

Federal funds to support the State-level strategies described in section 6.1.A and other State-level strategies, as applicable, and to ensure that, to the extent permitted under applicable law and regulations, the processes, procedures, and priorities used to award subgrants under an included program are consistent with the requirements of this section.

California's Response

California's expanded learning programs (ELPs) support local educational agencies (LEAs) and local communities by aligning ELPs with the regular day school for a well-rounded and supportive education for students. Over 4,500 ELPs funded with state and federal funds provide a safe and nurturing environment that support the developmental, social-emotional, and physical needs of all students, including English learners and children with disabilities.

ELPs offer youth opportunities for youth leadership, engaging youth leaders, as an example, in the reduction or elimination of incidents of bullying and harassment. ELPs are designed to promote student wellbeing through balanced nutrition, physical activity, and other enrichment activities supplementing the student's regular day school academic instruction.

LEAs must obtain parent and public input in developing, revising, and updating Local Control and Accountability Plans (LCAPs). Comparatively, ELPs also develop collaborative relationships among internal school and external stakeholders, including students, parents, families, governmental agencies, such as city and county parks and recreation departments, local law enforcement, community organizations, and the private sector to improve programs. LEAs may include ELPs in the LCAPs to expand student academic support.

ELPs recruit, train, and retain high quality staff and volunteers to provide academic and enrichment activities and support the high standards for academic improvement for all students.

The ongoing collaboration between the CDE, program practitioners, support providers, and K–12 educators has been vital throughout the state-wide expanded learning strategic planning process, including developing quality standards for ELPs and its current implementation.

California's quality standards for expanded learning, adopted by CDE in fall 2014, are divided into two categories: Point-of-Service Quality Standards and Programmatic Quality Standards. These quality standards are a conceptual

framework to guide expanded learning programs in developing program activities and designing academic support to students.

The Point-of-Service Quality Standards include *Safe and Supportive Environment* that supports the development, socio-emotional and physical needs of all students in a safe and easily accessible facility in alignment with the requirements of ESSA Section 4204(b)(2)(A)(i); *Active and Engaged Learning* that requires the program be carried out in alignment with the challenging State academic standards to meet the Section 4204(b)(2)(D)(ii) requirements; *Skill Building* that requires the program maintain high expectations for all students, intentionally links program goals and curricula with 21st century skills, and provides activities to help students achieve mastery aligning with the ESSA requirements in Section 4204(b)(2)(D)(ii) and any local academic standards; *Diversity, Access and Equity* that requires the program creates an environment in which students experience values that embrace diversity and equity regardless of race, color, religion, sex, age, income level, national origin, physical ability, sexual orientation, and/or gender identity and expression in alignment with the ESSA requirement in Section 4204(b)(2)(F) to target students who primarily attended schools eligible for schoolwide programs and the families of the students.

The Programmatic Quality Standards include *Collaborative Partnerships* that require the program intentionally builds and supports collaborative relationships among internal and external stakeholders, including families, schools and community, to achieve program goals to align with the Section 4204(b)(2)(D)(i)(ii). This aligns with the requirement of a public notice in Section 4204(b)(2)(L), and with the requirement to increase the level of state, local, and other nonfederal funds in alignment with Section 4204(b)(2)(G).

California funds five-year 21st Century Community Learning Center (21st CCLC) programs to establish or expand high quality before-and-after school programs for students that primarily attend low performing schools or schools identified by LEAs as in need of intervention. These programs serve economically disadvantaged students and their families.

California is currently developing its 21st Century Request for Applications (RFA) for funds allocated beginning in the 2017–18 fiscal year to align with the ESSA requirements. Consistent with the federal requirements, California will award 21st CCLC funds in a competitive grant application process.

Those entities eligible to apply for 21st CCLC funding will be public or private entities or a consortium of such entities that propose to serve students (and their

families) who primarily attend:

1. Schools eligible for schoolwide programs under Section 1114:

2. Schools implementing comprehensive or targeted support and improvement activities under Section 1111(d);

3. Schools determined by the LEA to be in need of intervention and support.

Applicants will be required to provide a local match. The applicant may not use matching funds from other federal or state funds. The amount of the match will be based on a sliding scale that takes into account the relative poverty of the population to be targeted by the eligible entity, and the ability of the eligible entity to obtain such matching. If an eligible entity is unable to provide a match, a justification will be required as to why they are unable to provide a match.

The 21st CCLC RFA will include a program quality evaluation rubric that is derived from the Quality Standards for Expanded Learning in California, as well as state and federal application requirements. An online application reader's conference will use impartial, qualified, and calibrated peer evaluators to determine grant application program quality. Grant applications that have been identified as high quality programs will then be assigned priority for funding based on state and federal requirements. The RFA will give priority funding to applications:

1. That propose to target services to students (and their families) who primarily attend schools that:

    a. Are implementing comprehensive support and improvement activities or targeted support and improvement activities under Section 1111(d) or other schools determined by the LEA to be in need of intervention and support to improve student academic achievement and other outcomes; and

    b. Enroll students who may be at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or who lack strong positive role models;

2. Are submitted jointly by eligible entities consisting of at least one:

    a. LEA receiving funds under Part A of Title I; and
    b. Another eligible entity;

The applicant will be given this priority if it demonstrates that it is unable to partner with a community-based organization in reasonable geographic proximity and of sufficient quality.

3. Demonstrate that the activities proposed in the application:

    a. Are, as of the date of the submission of the application, not accessible to students who would be served; or

    b. Would expand accessibility to high-quality services that may be available in the community.

4. Replace an expiring grant. (This is a general state funding priority requirement.)

5. Will provide year-round expanded learning programming. (This is a state middle and elementary funding priority requirement.)

6. Have programs that have previously received funding, but are not currently expiring. (This is a state high school funding priority requirement.)

7. Propose expansion of existing grants up to the per site maximum. (This is a state high school funding priority requirement.)

Priority will not be given to eligible entities that propose to use 21st CCLC funding to extend the regular school day.

These funding priorities will be additive. The proposed sites with the highest number of priorities will be funded first. High quality grant applications with an equal number of state and federal priorities will be selected for funding based on the highest percentage of school level poverty. All grantees will be required to sign assurances that they will comply with all ESSA and state requirements.

Applicants who wish to appeal a grant award decision or disqualification will be required to submit a letter of appeal to the CDE within 30 calendar days of the intent to award announcement or notification of disqualification. Appeals will be limited to the grounds that the CDE failed to correctly apply the standards for reviewing the application as specified in the RFA. Disagreement with the professional judgment of the application readers will not be considered to be acceptable grounds for appeal. The appellant will be required to file a full and complete written appeal, including

the issue(s) in dispute, the legal authority or other basis for the appeal position, the specific evidence being submitted on behalf of the applicant, and the remedy sought.

California's 21st CCLC program will have a minimum grant award per program site of $50,000 as required by federal law. In addition, grant awards are subject to state legislative cap amounts of $112,500 for programs serving elementary schools and $150,000 for programs serving middle or junior high schools. High school programs are similarly capped at $250,000 per school site. Elementary, middle and junior high school sites may be increased up to double amounts using a large school adjustment formula.

Currently all expiring 21st CCLC grantees have to re-apply for a new five-year grant. As allowed by ESSA, California will consider renewing sub-grants of existing grantees based on grantee performance during the preceding sub-grant period.

Description of Every Student Succeeds Act Required 21st Century Community Learning Center Program Evaluation

In 2015, California passed legislation requiring that a biennial report be provided to the Legislature related to the students attending, and the program quality of, the ELPs. The CDE intends to combine this state reporting requirement with federal evaluation requirements such that a statewide evaluation report on ELPs will be available every two years. To meet these requirements, the CDE plans on evaluating both a statewide representative sample of student data from a regularly administered survey and student administrative data reported to the CDE for all public school students.

Recently, the CDE has contracted with the originators of the California Healthy Kids Survey (CHKS) to insert questions into this self-report student level survey concerning ELP participation. Higher order data elements in the CHKS may include:

Independent Variables:

- ELP participation
- Time spent in an ELP

Potential Correlates:

- Grade level
- Gender
- Race/ethnicity

- Socio-economic status and parent education
- Language spoken most in home
- How well English is understood, spoken, and written
- Foster care
- Migrant status
- Homeless
- Sexual orientation
- Living arrangements
- Developmental supports provided by the school
- Mental health
- Military-connected

Outcome Variables:

- Regular day school attendance
- Grade point average
- Offense types at school
- Truancy
- Individual social-emotional strengths
- Learning engagement
- Pro-social behavior
- Perceived school safety
- Hours home alone after school

In addition to the above, the CDE will link student level ELP attendance reported each year with data elements already reported to the department to provide a separate longitudinal dataset for analyses. Since these CDE data are linked by unique student level identifiers, the proposed analyses will provide for tracking individual students over time. Relevant CDE data elements for these analyses may include:

Independent Variables:

- ELP participation
- Time spent in an ELP

Potential Correlates:

- Grade level
- Gender

- Race and ethnicity
- Socio-economic status and parent education
- Primary language
- English learner acquisition status
- Foster youth
- Migrant
- Homeless
- Special education

Outcome Variables:

- Regular day school attendance
- Grade point average
- Suspension/expulsions
- Drop outs
- High school students completing college preparatory courses
- Courses attempted, completed and repeated
- California English language development assessment scores
- English learner fluency re-designation
- State standardized academic assessments
- Performance on the Physical Fitness Test

When the biennial reports are completed and submitted to the Legislature, they will also be made available on the CDE's Web site, to the Advisory Committee on Before and After School Programs and at additional Web sites of partners providing technical assistance throughout the state.

State Plan Requirement: **6.3 Program-Specific Requirements**

Prompt: **A. Title I, Part A: Improving Basic Programs Operated by State and Local Educational Agencies: Schoolwide Program Waivers**

i. *Each SEA must describe the* ***process and criteria it will use to waive the 40 percent schoolwide poverty threshold*** *under section 1114(a)(1)(B) of the Act submitted by an LEA on behalf of a school, including how the SEA will ensure that the schoolwide program will best serve the needs of the lowest-achieving students in the school.*

California's Response

LEAs with schools who want to apply for a schoolwide program (SWP) waiver will have to complete a Title I, Part A - Notification of Authorization of Schoolwide Program (SWP) Report through the Consolidated Application and Reporting System (CARS).

SWP waivers may be approved by the State Educational Agency (SEA) if the school site council approves such a request and if the school meets one or more of the following criteria:

- ≥25 percent student low income
- Graduation rate is below state average
- School Site Council recommends that a SWP is the best way to serve the student population
- ≥30 percent English learner student population
- School resides in high crime or gang-impacted community
- School has been identified for comprehensive or targeted support
- School has been identified as the lowest 5 percent of low performing schools (The SEA will update the language once we have a final definition)

Prompt: **B. Title I, Part C: Education of Migratory Children**

i. *Describe how the SEA and its local operating agencies, which may include LEAs, will establish and implement a system for the proper identification and recruitment of eligible migratory children on a Statewide basis, including the identification and recruitment of preschool migratory children and migratory children who have dropped out of school, and how the State will verify and document the number of eligible migratory children aged 3 through 21 residing in the State on an annual basis.*

California's Response

The CDE has established and implemented a system for the proper identification and recruitment of eligible migratory children, including migratory children in preschool and who have dropped out of school through the use of local data collection software, COEStar, and Migrant Education funded subgrantee procedures, which are outlined in the State Identification and Recruitment Manual. An automated procedure in the COEStar Performance Reporter produces a table that contains a list of all students who might be eligible to be counted or served by the program. To verify residence in years two and three of eligibility, the CDE requires that subgrantees make contact with all families and youth in their geographic areas at least once each year (typically on the anniversary of their qualifying arrival date). The subgrantee must: document the nature of the contact (phone or in person), verify that children on the Certificate of Eligibility are still at the residence, verify if additional, age-eligible, children have joined the residence, and document if a worker has moved to seek or obtain employment. If a new qualifying move has been made, the recruiter must make a personal visit to the residence to complete a new Certificate of Eligibility. Children are not counted unless they have one or more of the following: valid qualifying move date, new residency date, or enrollment date (residency enrollment for non-attendees or a school enrollment for attendees) during the period in question.

To avoid reporting duplicates, the State's data collection system, Migrant Student Information Network (MSIN), performs a duplicate student test. The duplicate student test is an automated process that examines names, birth dates, sex, and parent names for possible duplicate records between or within regions. The results are compiled into lists that are presented to the regions' data stewards on a management Web site for resolution. The data stewards compare the records and make a determination if the students listed are the same or different. Once all involved data stewards have made a final determination, the records are either kept separately or merged together depending on the outcome of the determination. The potential duplicates that are presented to the data stewards for resolution are monitored by the CDE on the MSIN web site.

ii. *Describe how the SEA and its local operating agencies, which may include LEAs, will assess the unique educational needs of migratory children, including preschool migratory children and migratory children who have dropped out of school, and other needs that must be met in order for migratory children to participate effectively in school.*

California's Response

California assesses the unique educational needs of migratory children, including preschool migratory children and migratory children who have dropped out of school, through two different methods. First, the CDE requires that each subgrantee complete a local Comprehensive Needs Assessment (CNA). The CNA is conducted by an independent agency for each of the 20 Migrant Education Program (MEP) subgrantees and includes data collected from focus groups, including students and parents, staff surveys, and academic testing data for the region's migrant student population. The local CNA will provide both the MEP subgrantees and the CDE with an independent assessment and evaluation of regional migrant student and program needs that will provide specific recommendations and solutions for improving outcomes for California's migrant student population. Each local CNA will serve as the basis for program development and delivery in each respective service area. Additionally, each subgrantee completes an Individual Needs Assessment to identify individual student needs, including medical, social, and mental health needs, and develop a targeted intervention plan for each student ages 3–21 on an annual basis.

iii. *Describe how the SEA and its local operating agencies, which may include LEAs, will ensure that the unique educational needs of migratory children, including preschool migratory children and migratory children who have dropped out of school, and other needs that must be met in order for migratory children to participate effectively in school, are identified and addressed through the full range of services that are available for migratory children from appropriate local, State, and Federal educational programs.*

California's Response

To ensure that all educational needs of migratory children, including preschool migratory children and migratory children who have dropped out of school, that prohibit the full participation of migratory children in school are met, the CDE has implemented a three-part process: 1) identify needs via the local CNAs; 2) develop a State Services Delivery Plan (SSDP) based on the meta-analysis of the local CNAs, which will outline the statewide needs, objectives, and measurable outcomes; and 3) revise the regional application based on the SSDP. Furthermore, the CDE will require that all Title I, Part C subgrantees provide an annual update via the regional application. Starting in 2017–18, the regional application will be on a three-year cycle, and subgrantees will have to provide an annual update on three sections:

needs of migratory children, expected outcomes, and student performance. Subgrantees will revise the needs of migratory children in the regional application based on several data sources to ensure that all student needs are updated annually. Additionally, subgrantees will revise their direct services and expected outcomes based on student performance and needs of migratory students. To monitor direct services and ensure that the needs of migratory students are met, subgrantees will report out on student performance for each service provided during the school year. This information will contribute to continuous improvement of services based on student needs and provide information to the CDE to tailor technical assistance plans for individual subgrantees.

iv. *Describe how the State and its local operating agencies, which may include LEAs, will use funds received under Title I, Part C to promote interstate and intrastate coordination of services for migratory children, including how the State will provide for educational continuity through the timely transfer of pertinent school records, including information on health, when children move from one school to another, whether or not such move occurs during the regular school year.*

California's Response

Title I, Part C funded subgrantees utilize the Migrant Student Information Exchange (MSIX) and the MSIN to promote interstate and intrastate coordination of services for migratory children, including how the State will provide for educational continuity through the timely transfer of pertinent school records. MSIX is the national data collection system that ensures greater continuity of educational services for migratory children by providing a mechanism for all States to exchange educational related information on migratory children who move from one state to another. MSIN is the California state equivalent to MSIX and provides a mechanism for exchanging educational related information on migratory children who move within the state and assists the CDE funded subgrantees in locating migrant students throughout the state via the Migrant Student Locator. Both MSIX and MSIN help to improve the timeliness of school enrollments, improve the appropriateness of grade and course placements, and reduce incidences of unnecessary immunizations of migrant children. Lastly, the CDE and subgrantees collaborate with other states with whom we share migratory students to ensure students receive services as they migrate. The CDE and subgrantees participate in interstate organizational meetings with the Interstate Migrant Education Council and the National Association of State Directors of Migrant Education.

v. *Describe the unique educational needs of the State's migratory children, including preschool migratory children and migratory children who have dropped out of school, and other needs that must be met in order for migratory children to participate effectively in school, based on the State's most recent comprehensive needs assessment.*

California's Response

California is currently implementing a process to identify statewide needs of migratory children based on a meta-analysis of the 20 regional local CNAs. The draft meta-analysis will be ready in late September of 2016. Starting in December 2016, the CDE will convene a group of stakeholders to discuss and prioritize the needs of migratory children that must be addressed in order for migratory children to participate effectively in school. The Statewide CNA report will be available in May 2017 and California will have the updated State Services Delivery Plan ready in June of 2017.

vi. *Describe the current measurable program objectives and outcomes for Title I, part C, and the strategies the SEA will pursue on a statewide basis to achieve such objectives and outcomes.*

California's Response

California is currently implementing a process to identify statewide measureable program objectives and outcomes for migratory children based on a meta-analysis of the 20 regional local CNAs. The draft meta-analysis will be ready in late September of 2016. Starting in December 2016, the CDE will convene a group of stakeholders to discuss and prioritize the measureable program objectives and outcomes must be addressed in order for migratory children to participate effectively in school. The Statewide CNA report will be available in May 2017 and California will have the updated State Services Delivery Plan, including the statewide measurable outcomes, ready in June of 2017.

vii. *Describe how the SEA will ensure there is consultation with parents of migratory children, including parent advisory councils, at both the State and local level, in the planning and operation of Title I, Part C programs that span not less than one school year in duration, consistent with section 1304(c)(3) of the ESEA, as amended by ESSA.*

California's Response

California *Education Code*, Section 54444.2 and Section 54444.4(a) requires that parents of migratory children, including parent advisory councils, at both the local and State level be consulted in the planning and operation of the MEP. Per *EC* Section 54444.2, each subgrantee must actively "solicit parental involvement in the planning, operation, and evaluation of its programs through the establishment of, and consultation with, a parent advisory council at both the local and state level." The responsibilities of the parent advisory councils are identified in *EC* Section 54444.4(a), and include the following:

1. The establishment of migrant education program goals, objectives, and priorities.

2. The review of annual needs and year-end assessment, as well as program activities, for each school, and a review of individualized educational plans.
3. Advice on the selection, development, and reassignment of migrant education program staff.

4. Active involvement in the planning and negotiation of program applications and service agreements required under Section 54444.1.

5. All other responsibilities required under state and federal laws or regulations.

Additionally, in applying for migrant education funding, subgrantees must complete the Parent Advisory Council (PAC) section in which subgrantees identify ways in which parents are recruited and selected for membership in the PAC. Subgrantees must also describe how the PAC is involved in the review of the local CNA, planning, development of the regional application, implementation of services provided to students, and program evaluation. The subgrantees are required to identify any training that will be provided to the PAC to support quality implementation of the program. Once the regional application is completed, it is presented in its entirety to the PAC, and the officers of the PAC (or Regional Parent Advisory Council) then approve and sign the cover page of the regional application to confirm that the PAC was consulted. Additionally, the State Parent Advisory Council (SPAC) is comprised of one elected representative from each subgrantee. These parent representatives communicate information from the direct funded district or region as well as disseminate information from the SPAC to the local level.

i. *Describe the SEA's processes and procedures for ensuring that migratory children who meet the statutory definition of "priority for services" are given priority for Title I, Part C services, including:*

   a. *The specific measures and sources of data used to determine whether a migratory child meets each priority for services criteria;*

California's Response

The current process for identifying Priority for Services (PFS) children is conducted as an annual identification after the end of the Performance Period. This is done using the record of a move made during the regular school year within the Performance Period, in addition to assessment data for the Performance Period. After the child has been identified based on move and assessment scores (four months after the end of the period in which their move occurred), they are marked as PFS for that Performance Period, and are PFS in the following year if still present.

In 2016–17, the MSIN 6.0 system will function in real time for identifying children as PFS. All of the data required to make the PFS determination (moves and assessment scores) will be present within a single system. If the move is within the dates of the regular school year and the child has a Statewide Student Identifier number, then their most current state assessment scores can be evaluated to immediately identify them as PFS. This immediate identification would allow regions to target services sooner, allow for faster reporting to MSIX, and allow for faster EDFacts file creation.

   b. *The delegation of responsibilities for documenting priority for services determinations and the provision of services to migratory children determined to be priority for services; and*

California's Response

The CDE will have the responsibility for documenting the determination of PFS. PFS determination will be made on a daily basis through the MSIN 6.0 system. Subgrantees (Regional offices, LEAs that have MOUs or District Service Agreements [DSAs]) will be responsible for provisioning services appropriate to the child's need.

   c. *The timeline for making priority for services determinations, and communicating such information to title I, part C service providers.*

California's Response

The determination process will be immediate; children will be evaluated by the State's criteria as soon as the COE documenting the move during the Performance Period is verified. Then subgrantees are notified within 24 hours of the determination. Children identified as PFS will be monitored to ensure services are delivered.

Prompt: **C. Title III, Part A: Language Instruction for English Learners and Immigrant Students**

i. *Describe the SEA's standardized entrance and exit procedures for English learners consistent with section 3113(b)(2), as amended by ESSA. These procedures must include valid, reliable, and objective criteria that are applied consistently across the State. At a minimum, the standardized exit procedures must:*

   a. *Include a score of proficient on the state's annual English language proficiency assessment;*

   b. *Be the same as used for exiting students from the English learner subgroup for Title I reporting and accountability purposes;*

   c. *Not include performance on an academic content assessment; and*

   d. *Be consistent with Federal civil rights obligations.*

California's Response

The statewide California entrance procedures ensure that all students who may be English learners are assessed for such status using a valid and reliable instrument within 30 days after enrollment in a school in the state. California will replace the California English Language Development Test (CELDT) with the English Language Proficiency Assessments for California (ELPAC) as the state's English language proficiency (ELP) assessment in the 2018–19 school year.

Pursuant to *Education Code (EC)* Section 313, the current standardized reclassification procedures for English learners are as follows and in accordance with the *California Code of Regulations,* Title 5, Section 11303:

1. Assessment of English language proficiency using the state test of English language development; and

2. Teacher evaluation inclusive of a review of the student's curriculum mastery; and

3. Parent opinion and consultation, inclusive of a review of student data, and at which time the parent is provided opportunity to opine and question; and

4. Comparison of student performance in basic skills against an empirically established range of performance in basic skills based on the performance of English proficient students of the same age.

The CDE has submitted a proposal to the State Legislature to remove Item 4 for the 2018–19 school year once the ELPAC is fully operational.

California ensures that standardized procedures are used for exiting students from the English learner subgroup as are used for Title I reporting and accountability purposes. The ELPAC summative assessment will occur as an operational assessment statewide in spring 2018. To ensure the exit from EL status is valid and reliable, a cut-score validation study will be conducted based on data received from the ELPAC summative assessment.

Prompt: **D. Title V, Part B, Subpart 2: Rural and Low-Income School Program**

i. Provide the SEA's specific measurable program objectives and outcomes related to activities under the Rural and Low-Income School Program, if applicable.

California's Response

Rural and Low-Income School (RLIS) Program Objectives will include, but will not be limited to:

- Ensuring that all eligible LEAs are aware of, and have the ability to apply for and receive RLIS funding;

- Ensuring that RLIS LEAs report annually on allowable uses of funds through the Consolidated Application Reporting System; and

- Providing technical assistance on the application and authorized uses of funds, including Alternative Uses of Funds Authority (Rural Education Achievement Program [REAP]-Flex) to allow eligible LEAs to combine REAP funding with other specified Federal programs to carry out local activities, to those LEAs awarded funds.

Prompt: **E. McKinney-Vento Education for Homeless Children and Youths Program**

i. Describe the procedures the SEA will use to identify homeless children and youths in the State and assess their needs.

California's Response

Over 1.4 million children and youths experience homelessness in a year on a national level. California enrolled almost 240,000 homeless children and youths last year. Due to the lack of shelter, most of these students share housing with friends or relatives, stay in motels or other temporary facilities, or live on the streets, in abandoned cars, and in woods and campgrounds. School is often the only place they feel safe and secure. Homeless children, youths, and their families, face so many barriers to education such as enrollment requirements, transportation, accessibility, and even school supplies. It is critical and essential for the CDE as well as LEAs to implement the requirements of the McKinney-Vento Homeless Education Act under the Every Student Succeeds Act. The CDE has developed activities and actions that will assist LEAs with these requirements.

The California Longitudinal Pupil Achievement Data System (CALPADS) is used to maintain individual-level data including student demographics, course data, discipline, assessment, staff assignments, and other data for state and federal reporting. CALPADS requires every LEA to identify and track the number of homeless students, by grade level. LEAs identify and track these students using a variety of ways including, but not limited to, self-identification, questions on registration forms, data queries, in-take questionnaires, etc. LEAs use the following categories to determine if a student is homeless:

- 100 – Temporary Shelters.
- 110 – Hotels/Motels.
- 120 – Temporarily Doubled-Up.

- 130 – Temporarily Unsheltered.

These categories are based on the requirements outlined in the Consolidated State Performance Report that is submitted to the U.S. Department of Education annually. In addition to this process, the CDE will:

- Review and revise the current California homeless educational rights poster to reflect new ESSA requirements; make the posters accessible through the CDE's Resources for Homeless Children and Youths Web site; and disseminate hard copy posters to LEAs. (January 2017)

- Continue to collect the number of LEAs that post and disseminate public notice of the educational rights of homeless children and youths through the Homeless Education Implementation and Policy page in the Consolidated Application and Reporting System (CARS). Offer technical assistance to those LEAs that indicate that they do not post and disseminate public notice. (Annually)

- Develop, disseminate, and encourage LEAs to use an intake template/tool to identify and assess the needs of homeless children and youths. (June 2017)

- Measure the use of such an intake template/tool by the LEAs through the Homeless Education Implementation and Policy page in the CARS. (Annually)

- Offer technical assistance to those LEAs that report they do not use such a template or do not post public notice. (Annually and ongoing)

- Continue to collect the number of homeless children and youths, by grade level and by nighttime residency, enrolled in each LEA through the California Longitudinal Pupil Achievement Data System (CALPADS), and offer technical assistance to those LEAs that report "zero" enrolled. (Annually)

- Encourage LEAs to implement case management for homeless children and youths, analyze their homeless data to determine needs, and collaborate/coordinate with various agencies to meet their homeless children and youths' needs. (Ongoing)

- Continue to offer professional development for school attendance review board (SARB) meetings/trainings due to attendance issues/concerns. (Ongoing)

- Encourage homeless liaisons to attend and participate in SARB meetings at the district level. (Ongoing)

- Include the different definitions of homelessness (U.S. Department of Education and U.S. Department of Housing and Urban Development) in technical assistance opportunities. (Ongoing)

- Develop and disseminate a training module for LEA-level registrars, attendance clerks, and school counselors to assist with identification. (June 2017)

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ii. *Describe the SEA's programs for school personnel (including liaisons designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Act, principals and other school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel) to heighten the awareness of such school personnel of the specific needs of homeless children and youths, including such children and youths who are runaway and homeless youths.*

California's Response

The CDE will:

- Continue to collect and post a database of homeless liaisons and their contact information through the CDE's Resources for Homeless Children and Youths Web site. (Annually)

- Continue to collect the number of LEA liaisons participating in homeless education professional development through the Homeless Education Implementation and Policy page in the CARS. (Annually)

- Offer technical assistance to those LEAs and their liaisons that report that they have not participated in homeless education professional development. (Annually)

- Add an additional question to the Homeless Education Implementation and Policy page in the CARS regarding which of these stakeholders have been trained. (April 2017)

- Review and revise the current California homeless educational rights poster to reflect new ESSA requirements; make the posters accessible through the CDE's Resources for Homeless Children and Youths Web site; and disseminate hard copy posters to LEAs. (January 2017)

- Develop, disseminate, and post various training modules on various homeless education topics for principals, teachers, liaisons, health care providers, outside agencies, registrars, etc. These training modules will include all Education for Homeless Children and Youth (EHCY) provisions under ESSA, such as an overview of EHCY, definitions, identification, enrollment, transportation, collaboration, dispute resolution, unaccompanied youths, preschool-age students, Title I, Part A reservation funds, etc. (June 2017)

- Continue to provide homeless education training to LEAs throughout the state. (Ongoing)

iii. Describe the SEA's procedures to ensure that disputes regarding the educational placement of homeless children and youths are promptly resolved.

California's Response

Currently, the CDE has a dispute resolution process that has been in existence since 2004 and was revised in 2007 under the direction of the U.S. Department of Education. The process is posted on the CDE's Resources for Homeless Children and Youths Web site at http://www.cde.ca.gov/sp/hs/cy/disputeres.asp. The process indicates the necessary steps to follow when an LEA and homeless parent/guardian or youths are in a dispute regarding school selection and enrollment.

- The disputing school must refer the student, parent, or guardian to the LEA's homeless liaison to carry out the dispute resolution process as expeditiously as possible. The homeless liaison must ensure that the dispute resolution process is also followed for unaccompanied youths.

- A written explanation of the disputing school's decision regarding school selection or enrollment must be provided if a parent, guardian, or unaccompanied youths disputes such a school selection or enrollment decision, including the right to appeal [PL 107-110, §722(g)(3)(E)(ii)]. The written explanation shall be complete, as brief as possible, simply stated, and provided in a language that the parent, guardian, or unaccompanied youths can understand.

- If the dispute remains unresolved at the district level or is appealed, then the district homeless liaison shall forward all written documentation and related paperwork to the homeless liaison at the COE. The COE's homeless liaison will review these materials and determine the school selection or enrollment decision within five (5) working days of receipt of the materials. The COE homeless liaison will notify the LEA and parent of the decision. Please see the contact information for COE's homeless liaisons. All homeless liaisons' contact information can be accessed on the CDE's Resources for Homeless Children and Youths Web site at http://www.cde.ca.gov/sp/hs/.

- If the dispute remains unresolved or is appealed, the COE homeless liaison shall forward all written documentation and related paperwork to the State Homeless Coordinator. Upon the review of the LEA, COE, and parent information, the CDE will notify the parent of the final school selection or enrollment decision within ten (10) working days of receipt of materials.

- LEAs must enroll students experiencing homelessness immediately. If, after enrollment, it is determined that a student is not homeless, as defined in the law, school districts should follow the policies that are in place to address other forms of fraud. Written notice should be given to the parent, guardian, or youths, including his or her right to appeal the decision.

The CDE will:

- Review and revise the current CDE dispute resolution process to include more specific language regarding timelines, roles of all stakeholders, student-centered factors/best interest, and eligibility. The CDE would like to add a deadline for homeless parents/guardians/youths to appeal the decision to the next level, if they are not satisfied with the LEA or COE's decision. In the past, there has been some confusion with the role of the COE as it relates to the appeal process. The CDE would like to make those roles more transparent. Finally, it is important to add examples of student-centered factors in the dispute resolution process. These factors include, but are not limited to, impact of mobility on achievement, education, health, age, time of year, and safety of the student. (January 2017)

- Decrease in the number of formal disputes. (Annually)

- Provide professional development and technical assistance to LEAs regarding dispute resolution process. (Annually)

- Continue to collect the number of LEAs that have an approved homeless education board policy, which would include the dispute resolution process and offer technical assistance to those LEAs that do not have an approved homeless education board policy. (Annually)

- Continue to offer technical assistance to those LEAs that do not have an approved homeless education board policy or a dispute resolution process in place. (Ongoing)

- Continue to monitor LEAs for homeless education compliance through the Federal Program Monitoring (FPM) process. (Annually)

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iv. Describe the SEA's procedures to ensure that that youths described in section 725(2) of the McKinney-Vento Act and youths separated from the public school are identified and accorded equal access to appropriate secondary education and support services, including by identifying and removing barriers that prevent youths described in this paragraph from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school polices.

California's Response

The CDE will:

- Continue to implement California Assembly Bill (AB) 1806 and AB 1166 which allows homeless students, if eligible, to complete school district's graduation requirements within a fifth year of high school or to complete state graduation requirements. (Ongoing)

- Continue to collect of the number of LEA liaisons participating in homeless education professional development through the Homeless Education Implementation and Policy page in the CARS. (Annually)

- Encourage LEAs to implement case management for homeless children and youths. (Ongoing)

- Train LEAs how to analyze their homeless data, such as dropout rates and graduation rates, to determine homeless students' needs, and how to collaborate/coordinate with various agencies to meet those needs. (Ongoing)

- Offer technical assistance to showcase model LEA programs that are successful with the implementation of both the federal and state laws regarding their collaboration with higher education. (Ongoing)

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v. Describe the SEA's procedures to ensure that homeless children and youths:

a. Have access to public preschool programs, administered by the SEA or by LEA, as provided to other children in the State;

b. Who meet the relevant eligibility criteria, do not face barriers to accessing academic and extracurricular activities under ; and

c. Who meet the relevant eligibility criteria, are able to participate in Federal, State, and local nutrition programs.

California's Response

The CDE will:

- Continue coordination and collaboration with Head Start, Early Head Start, and the Interagency Coordinated Council. (Ongoing)

- Establish coordination with First 5 California, which funds programs that educate various stakeholders about the critical role of a child's first five years of life. (September 2017)

- Offer professional development/technical assistance to LEAs, as well as to preschool programs, regarding homeless education and preschool collaboration. There will be an emphasis on identification, enrollment, and transportation. (Ongoing)

- Add a question on the Homeless Education Implementation and Policy page in the CARS regarding how many preschoolers were enrolled by an LEA- or SEA-ran preschool program. (April 2017)

- Encourage LEAs and preschool programs to establish a case management process to meet the needs of homeless preschoolers. (Ongoing)

The CDE will:

- Continue the implementation of California's Senate Bill (SB) 177, the Homeless Youths Education Success Act, which requires a homeless child or youth to be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Ongoing)

- Train LEAs how to analyze their homeless academic data to determine homeless students' needs, and how to collaborate/coordinate with various agencies to meet those needs. (Ongoing)

The Direct Certification and Certification of Homeless, Migrant, and Runaway's rule amended the regulations affecting the determination of children's eligibility for free meals under the National School Lunch Program and the School Breakfast Program by direct certification and categorical eligibility. The Child Nutrition and Women, Infants, and Children (WIC) Reauthorization Act of 2004 (Reauthorization Act) amended the Richard B. Russell National School Lunch Act to require LEAs to conduct direct certification in conjunction with the Supplemental Nutrition Assistance Program (SNAP). Under the direct certification process, an LEA obtains documentation of a child's receipt of SNAP benefits from the State or local SNAP office. This rule also incorporates provisions from the Reauthorization Act concerning the certification of certain children who are homeless, runaway, or migratory. This rule affects State agencies administering SNAP and the Child Nutrition Programs; local offices administering SNAP; local program operators that administer the School Nutrition Programs; and low income households with school age children. The rule is intended to improve school meal program access for low-income children, reduce paperwork for households and program administrators, and improve the integrity of the free and reduced price meal certification process.

The CDE will:

- Continue to coordinate, collaborate, and monitor LEAs to ensure that homeless children and youths receive the services that they are eligible for, including school meal programs. (Ongoing)

- Compile free or reduced price meal programs by each LEA and compare it to the number of homeless children and youths in the LEA. Share this information with LEAs. (December 2017)

- Develop and disseminate a school nutrition training module for school nutritional staff, school counselors, and other pertinent stakeholders to encourage LEAs to add an "automatic eligible school nutrition" indicator on school nutrition forms, identification intake forms, and other registration forms (June 2017)

vi. *Describe the SEA's strategies to address problems with respect to the education of homeless children and youths, including problems resulting from enrollment delays and retention, consistent with section 722(g)(1)(H) and (I) of the McKinney-Vento Act.*

California's Response

The CDE will:

- Continue to coordinate, collaborate, and monitor LEAs to ensure that homeless children and youths are immediately enrolled in school and participate fully. (Ongoing)

- Offer technical assistance to showcase model LEA programs that are successful with the implementation of the state and federal laws. (Ongoing)

- Continue to monitor LEAs for homeless education compliance through the Federal Program Monitoring (FPM) process. (Annually)

- Review the current California homeless educational rights poster, revise the poster to reflect new ESSA requirements, make the posters accessible through the Web site, and disseminate to LEAs. (January 2017)

- Develop, disseminate, and post various training modules on various homeless education topics. (June 2017)

- Continue to provide homeless education training to LEAs throughout the state. (Ongoing)

- Encourage LEAs to implement case management for homeless children and youths, analyze their homeless data to determine needs, and

collaborate/coordinate with various agencies to meet their homeless children and youths' needs. These agencies can include, but are not limited to, mental health, counseling, housing, medical, vision, dental, basic needs, transportation, etc. (Ongoing)

- The U.S. Department of Education and U.S. Department of Housing and Urban Development (HUD) have different definitions for homelessness and under the new provisions, trained liaisons may affirm that a homeless child, youth, or immediate family is eligible for such HUD program or service. The CDE will include the different definitions of homelessness in technical assistance opportunities. (Ongoing)

- Develop and disseminate a training module for LEA-level registrars, attendance clerks, and school counselors to assist with identification. (June 2017)

ESSA State Plan Development: Communications, Outreach, and Consultation with Stakeholders: September–October 2016

States are required to consult with diverse stakeholders at multiple points during the design, development, and implementation of their ESSA state plans. The California Department of Education (CDE) is committed to ensuring a transparent transition to the new law and developing an ESSA Consolidated State Plan (State Plan) that is informed by the voices of diverse Californians. A summary of communications, outreach, and consultation activities conducted by CDE staff in September and October 2016 is provided below.

Date: September 1, 2016
Meeting: Migrant Education Program Directors Meeting
Participants: Migrant Education Program Directors and CDE staff
Details:

CDE staff presented an overview of the ESSA, changes in place for 2016–17, federal guidance and regulations, State Plan requirements, and the process and timeline to develop California's ESSA State Plan. CDE staff also presented detailed information regarding the requirements for Title I, Part C: Education of Migratory Children. Participants were asked to provide comments regarding what they believed to be the most important elements to include in the State Plan.

Date: September 16, 2016
Meeting: State and Federal Program Directors Meeting
Participants: State and Federal Program Directors and CDE staff
Details:

CDE staff provided an update to the program directors regarding the development of the ESSA State Plan, including information regarding federal regulations, the draft plan development timeline, and opportunities afforded by ESSA to support state priorities. The directors were also asked to provide information and feedback around how local educational agencies are currently spending Title I funds, whether they support the inclusion of the Title I three percent set-aside for direct students services in California's State Plan, and whether they support the inclusion of the Title II three percent set-aside for principal and school leaders supports in California's State Plan.

Date: September 16, 2016
Meeting: Bilingual Coordinators Network Meeting
Participants: Bilingual Coordinators and CDE staff
Details:

CDE staff presented an update on the transition to ESSA, including an update on ESSA regulations and guidance, changes for the 2016–17 school year, the draft ESSA State Plan development timeline, the California Practitioners Advisory Group meetings, Phase I and II of ESSA stakeholder engagement, and the agenda item regarding ESSA presented at the September State Board of Education (SBE) meeting.

Date: September 19, 2016
Meeting: Early Education and ESSA meeting
Participants: Early education advocates and CDE staff
Details:

Early education advocates, including First 5 California and Early Edge California, convened a meeting with CDE staff to discuss ESSA State Plan development and useful ways for the CDE and the early education community to work together in the State Plan development process.

Date: September 19, 2016
Meeting: Cross-State Agency Meeting
Participants: Representatives from the SBE, CDE, Commission on Teacher Credentialing, California Subject Matter Project, California Collaborative on Education Excellence, and California County Superintendents Educational Services Association
Details:

CDE staff convened a meeting with statewide agencies to discuss important opportunities afforded by the ESSA and gather input regarding ESSA use of funds to support state priorities.

Date: September 23, 2016
Meeting: California Federation of Teachers (CFT) Early Childhood/TK–12 Division Council
Participants: CFT Early Childhood/TK–12 Division Council members and CDE staff
Details:

CDE staff provided an overview of the ESSA, changes for the 2016–17 school year, and the process and procedures to develop the ESSA State Plan, including information regarding federal regulations, the draft plan development timeline, State Plan requirements, opportunities to participate, and communication structures. Participants were asked to provide input regarding what they felt were the most important elements to include in the ESSA State Plan.

Date: September 26, 2016

Meeting: Marin County of Education
Participants: Marin County Office of Education and district administrators and staff, CDE staff, and SBE staff
Details:

CDE staff provided an overview of the ESSA, changes for the 2016–17 school year, and the process and procedures to develop the ESSA State Plan, including information regarding federal regulations, the draft plan development timeline, State Plan requirements, opportunities to participate, and communication structures. Participants were asked to provide input regarding what they felt were the most important elements to include in the ESSA State Plan.

Date: September 29, 2016
Meeting: California Practitioners Advisory Group (CPAG) Meeting
Participants: CPAG members, SBE members, CDE staff, SBE staff, and the public
Details:

CDE staff presented an update on the ESSA including ESSA regulations and guidance, ESSA Phase I stakeholder engagement, the September SBE agenda item related to the ESSA, an update to the State Plan development timeline, and ESSA-related agenda items for future CPAG meetings.

Date: October 4, 2016
Meeting: Small School Districts Association, Siskiyou County
Participants: Small School Districts Association members and CDE staff
Details:

CDE staff provided an overview of the ESSA, changes for the 2016–17 school year, and the process and procedures to develop the ESSA State Plan, including information regarding federal regulations, the draft plan development timeline, State Plan requirements, opportunities to participate, and communication structures. Participants were asked to provide input regarding what they felt were the most important elements to include in the ESSA State Plan.

Date: October 5, 2016
Meeting: Riverside County Office of Education
Participants: Riverside County Office of Education and district administrators and staff, CDE staff, and SBE staff
Details:

CDE staff provided an overview of the ESSA, changes for the 2016–17 school year, and the process and procedures to develop the ESSA State Plan, including information

regarding federal regulations, the draft plan development timeline, State Plan requirements, opportunities to participate, and communication structures. Participants were asked to provide input regarding what they felt were the most important elements to include in the ESSA State Plan.

Date: October 12, 2016
Meeting: California Credential Analysts and Counselors Conference
Participants: Conference participants and CDE staff
Details:

CDE staff provided an overview of the ESSA, an update on the process and timeline to develop the ESSA State Plan, and opportunities to participate in the public comment period.

Date: October 13, 2016
Meeting: California Practitioners Advisory Group Meeting
Participants: CPAG members, SBE members, CDE staff, SBE staff, and the public
Details:

CDE staff presented the first draft of the California ESSA State Plan and gathered feedback from CPAG members.

Date: October 13, 2016
Meeting: California Association of Administrators of State and Federal Education Programs Professional Development Institute
Participants: Institute participants and CDE staff
Details:

CDE staff provided an overview of the first draft of the California ESSA State Plan and opportunities to provide feedback. Additionally, CDE staff provided an update on the next steps for plan development, public comment, and State adoption of the plan.

Date: October 18, 2016
Meeting: Association of California School Administrators (ACSA) Webinar
Participants: ACSA members, CDE staff
Details:

CDE staff provided an overview of the ESSA, an update on the process and timeline to develop the ESSA State Plan, and opportunities to participate in the public comment period.

Date: October 20, 2016
Meeting: Small School Districts Association, Merced County
Participants: Small School Districts Association members and CDE staff
Details:

CDE staff provided an overview of the ESSA and the process and procedures to develop the ESSA State Plan, including information regarding federal regulations, the plan development timeline, State Plan requirements, opportunities to participate, and communication structures.

Other Communication Channels
Interest in California's ESSA communication channels continues to grow. Below is a table displaying the total number of Web page views for the CDE ESSA Web pages since their inception in March 2016.

March	April	May	June	July	August	September
2,715	5,376	7,803	12,259	8,963	9,888	9,169

Below is a table displaying the number of CDE ESSA listserv messages and the number of subscribers to the CDE ESSA listserv since its inception in April 2016.

	April	May	June	July	August	September
Listserv Messages	4	6	5	4	3	7
Subscribers	299	562	931	1,061	1,144	1,253

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT	
California Assessment of Student Performance and Progress: Determination of the Release of Up to 10 Percent Withheld for the 2015–16 Educational Testing Service Contract.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

The California Assessment of Student Performance and Progress (CAASPP) contract with Educational Testing Service (ETS), approved by the State Board of Education (SBE), specifies that on or before the annual November SBE meeting, the California Department of Education (CDE) shall present to the SBE a recommendation regarding the performance of ETS in complying with the terms and conditions of the contract for the prior school year test administration.

Per California *Education Code* (*EC*) Section 60643, the CDE must withhold 10 percent from progress payments invoiced for each component task. The CAASPP contract establishes the process and criteria by which the CDE recommends, and the SBE approves, the annual release of the 10 percent withheld from progress payments.

The CAASPP contract component task completion criteria are provided in Attachment 1, and the approved contract provisions regarding the annual determination of successful completion of component tasks are outlined in Attachment 2.

RECOMMENDATION

The CDE recommends releasing a total of $8,369,960.24 from funds withheld during the 2015–16 test administration. The CDE further recommends not releasing $271,952.56 to the contractor specific to component Tasks 3 and 9. The amounts per task are listed in Attachment 3.

BRIEF HISTORY OF KEY ISSUES

The CDE has reviewed and determined that ETS has satisfactorily performed contract component Tasks 1, 2, 4, 5, 6, 7, and 8 for both the CAASPP computer-based assessments and the paper-pencil tests during the 2015–16 test administration to date, pending completion of all contract requirements through December 2016, and,

therefore, is recommending approval of the 10 percent release for those tasks. The contract task descriptions are listed in Attachment 3.

The CDE has reviewed and determined that ETS did not satisfactorily perform a portion of the contract component tasks 3 and 9, as outlined below. The CDE and ETS have met to resolve errors in the 2015–16 test administration and ETS has put into action corrections that are intended to ensure success in the future.

The CDE recommends release of $7.767,760.90 of the 10 percent withhold for Tasks 1, 2, 4, 5, 6, 7, and 8 related to Comprehensive Plan and Schedule of Deliverables, Program Support Services, Test Security, Accessibility and Accommodations, Assessment Development, Test Administration, and Scoring and Analysis, respectively.

The CDE recommends the release of $602,199.34 of the 10 percent withhold for Tasks 3 and 9 related to the Technology Services and Reporting Results, respectively. The CDE recommends the non-release of $271,952.56 of the 10 percent withhold for Tasks 3 and 9.

Task 3: Technology Services

The CDE recommends the non-release of $110,082.26 of the 10 percent withhold for Task 3 due to ETS not satisfactorily conducting requirements management as stipulated in the contract. Specifically there is insufficient traceability, inadequate impact analysis, 3 of the 10 plans within the Project Management Plan were incomplete and delivered late, and the CDE is provided with inadequate access to the requirements management tool. The executed process for updating requirements did not follow the prescribed process as defined in the Requirements Management Plan which led to non-fully vetted or approved requirements. Inadequate requirements management directly impacts the many systems local educational agencies (LEAs) use for test administration.

Task 9: Reporting Results

The CDE recommends the non-release of $161,870.30 of the 10 percent withhold for Task 9 due to ETS not satisfactorily providing accurate and complete reports of test results to LEAs and not satisfactorily meeting all reporting requirements, as specified in the contract. The demographic snapshot process used to capture student demographic data failed and ETS did not inform the CDE in a timely manner as stipulated in the contract. The failure impacted the file produced for public Web reporting. Additionally, ETS terminated the reminder notification during the testing window that notifies LEAs to select certain condition codes and necessary Spanish student score reports. ETS did not inform the CDE in a timely manner as stipulated in the contract. Further, the barcode technology used to print addresses on student score reports was not updated prior to printing and LEAs had to adjust their mailing process, costing them time and resources.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In May 2015, the SBE designated ETS as the CAASPP contractor for the 2015–16, 2016–17, and 2017–18 test administrations.

FISCAL ANALYSIS (AS APPROPRIATE)

The funds to be released were withheld during 2015–16 from invoices paid with existing CAASPP System contract funding, shown in Attachment 3. The CDE recommends the release of $8,369,960.24. The CDE recommends not releasing $271,952.56. Any portion of the funds withheld during 2015–16, will revert back to the state General Fund and cannot be used for any other purpose. The reversion date for fiscal year 2015–16 funding is June 30, 2018. The amounts per task are listed in Attachment 3.

ATTACHMENT(S)

Attachment 1: California Assessment of Student Performance and Progress Completion Criteria (3 Pages)

Attachment 2: California Assessment of Student Performance and Progress Process for Determination of Successful Completion of Component Tasks (2 Pages)

Attachment 3: California Assessment of Student Performance and Progress Contract 2015–16 Test Administration Component Task Budget (1 Page)

Educational Testing Service
CDE Agreement # CN150012
Exhibit E

California Assessment of Student Performance and Progress Completion Criteria

The criteria by which the California Department of Education (CDE) will recommend and the State Board of Education (SBE) will determine the successful completion of each separate and distinct component task for payment of the final 10 percent is set forth in the following table for each test administration covered in Exhibit A, Scope of Work (SOW) of the Agreement.

If it is determined by the CDE that a certified deliverable submitted to the CDE by the contractor does not meet all of the criteria in Exhibit E, the CDE reserves the right to use this information as part of the criteria by which the CDE will recommend, and the SBE will determine, successful completion of each separate and distinct component task for payment of the final 10 percent for the each applicable test administration as set forth in the attached California Assessment of Student Performance and Progress (CAASPP) Completion Criteria.

CRITERIA FOR SUCCESSFUL COMPLETION OF COMPONENT TASKS

Component Task	Criteria
Task 1: Comprehensive Plan and Schedule of Deliverables	• The contractor provided all reports, plans and schedules required in the task as specified in the SOW. • All materials, documents, and/or deliverables developed in conjunction with this contract were submitted to the CDE for approval. • The contractor provided the local educational agency Coordinators with all data, forms, and agreements as outlined in the SOW. • The contractor provided and maintained a secure Web-based CAASPP administration management system as specified in the SOW • The contractor delivered all electronic data files and documentation as specified in the SOW.
Task 2: Program Support Services	• The contractor provided all trainings, focus groups, workshops, and webcasts as specified in the SOW. • The California Technical Assistance Center provided assistance to local educational agencies as specified, and within the response times specified, in the SOW. • The CDE received electronic files and other reports as specified in the SOW.

Component Task	Criteria
Task 3: Technology Services	• The Assessment Delivery System meets all system requirements as specified in the SOW. • The contractor provided a single sign-on as detailed in the SOW. • Contractor provided and maintained a Project Management Plan as detailed in the SOW • The Assessment Delivery System supported up to 500,000 concurrent users as specified in the SOW. • The Assessment Delivery system supported at least 99.982 percent availability as specified in the SOW.
Task 4: Test Security	• All test items, test materials, electronic files, data, (including student-identifiable data) were developed, used, transferred, delivered, and maintained in a secure manner as specified in the SOW. • The contractor completed all monitoring (including but not limited to on-site visits, social media monitoring, inventorying of materials) of schools before, during, and after testing as specified in the SOW. • The contractor conducted security breach investigations as specified in the SOW. • The contractor provided the CDE with summary reports of the results of each security breach investigation.
Task 5: Accessibility and Accommodations	• The contractor provided all universal tools, designated supports, and accommodations as required in the SOW. • All items developed (as specified in Task 6) include all the embedded accessibility supports, functionality, and render within the test delivery system as specified in the SOW.
Task 6: Assessment Development	• The contractor developed for all grades and subjects the number and types of items specified in the scope work. • The contractor pilot tested or field tested the minimum required number of items as specified in the SOW. • The contractor provided blueprints for new assessments as specified in the scope work. • A review of the scaling and equating processes showed items to meet or exceed industry standard. • The performance level settings generated results for all content areas and performance levels were reported to local educational agencies and the CDE.

Component Task	Criteria
Task 7: Test Administration	• All test materials required in the SOW were produced on time and in sufficient quantities. • All test materials were delivered to and retrieved from local educational agencies as specified in the SOW. • The contractor hosted the Assessment Delivery System as specified in the SOW. • The hosting systems (Test Operations Management System (TOMS), Appeals, and Assessment Delivery System) were operational and functioned as specified in the SOW, including the authentication of users. • Smarter Balanced Interim Assessments were hosted and scoring provided as specified in the SOW.
Task 8: Scoring and Analysis	• All tests were correctly processed and scored within timelines specified in the SOW. • All data analyses were completed as specified in the SOW. • The contractor delivered all electronic data files and documentation as specified in the SOW.
Task 9: Reporting Results	• The contractor provided accurate and complete reports of test results to local educational agencies that met all reporting requirements as specified in the SOW. • The contractor provided accurate and complete reports of test results for the public reporting Web site that met all reporting requirements as specified in the SOW. • The contractor met all reporting requirements to the CDE as specified in the SOW. • The annual technical reports were received by the CDE as specified in the SOW.

California Assessment of Student Performance and Progress
Process for Determination of Successful Completion of Component Tasks

California *Education Code* (*EC*) Section 60643 requires:

- The California Department of Education (CDE) to withhold no less than 10 percent of the amount budgeted for each separate and distinct component task provided for in the California Assessment of Student Performance and Progress (CAASPP) contract pending final completion of all component tasks.

- The CAASPP contract to establish the process and criteria by which the successful completion of each component task will be recommended by the CDE and approved by the State Board of Education (SBE).

The approved CAASPP contract is the result of a collaborative process involving SBE staff, the CDE, and Educational Testing Service. It includes the following contract provisions regarding the annual determination of successful completion of component tasks:

CN150012, Exhibit B, Section IX, Process for Release and Payment of Withhold:

Pursuant to *EC* 60643, the following establishes the process and criteria by which the successful completion of each component task shall be recommended by the CDE and approved by the SBE.

A. Process

1. SBE Determination: During the term of the Agreement, based on the criteria set forth below, the SBE will determine at its November Board Meeting, or the next meeting thereafter if a November meeting is not held, whether the contractor has successfully completed each component task for the prior fiscal year. If the SBE determines the contractor has not successfully completed each component task for the prior fiscal year, it shall, within 10 days of its determination, notify the contractor and the CDE in writing which component tasks the SBE has determined that the contractor has failed to successfully complete. The contractor shall have 10 days from receipt of the notice to respond in writing, and the response shall be promptly delivered to the CDE Contract Monitor.

   At the following SBE meeting, the CDE and the contractor will have an opportunity to discuss the issues before the SBE. The SBE will, at the same meeting, make its final determination, based on the criteria set forth below, as to whether the contractor has successfully completed each task or component of a task for the prior fiscal year and releases the withholding for those component tasks.

2. Release: Once the SBE has determined that the contractor has successfully completed a component task, the 10 percent withheld from invoices for the

component task for the prior fiscal year may be released by the CDE. The contractor must submit an invoice to CDE for the withheld amounts for each component task which SBE authorized release. The contractor must identify the prior invoice from which the money was withheld and the applicable component task in its invoice for the released withholding.

B. Criteria: The criteria by which CDE will recommend and the SBE will determine successful completion of each component task for payment of the final 10 percent will be set forth in Exhibit E.

California Assessment of Student Performance and Progress Contract
2015–16 Test Administration Component Task Budget

The California Department of Education recommends releasing a total of $8,369,960.24 to Educational Testing Service from funds withheld during the 2015–16 test administration.

Component Task Scope of Work A	Total 2015–16 Test Administration Budget	Amount Paid/ To Be Paid from Progress Payments*	10 Percent Withheld (Pending Release)	Recommended (Release)	Recommended Withhold (Non-Release)
Task 1: Comprehensive Plan & Schedule of Deliverables	$4,731,355	$4,258,219.50	$473,135.50	$473,135.50	
Task 2: Program Support Services	$8,339,094	$7,505,184.60	$833,909.40	$833,909.40	
Task 3: Technology Services	$5,504,113	$4,953,701.70	$550,411.30	$440,329.04	$110,082.26
Task 4: Test Security	$99,832	$89,848.80	$9,983.20	$9,983.20	
Task 5: Accessibility and Accommodations	$171,457	$154,311.30	$17,145.70	$17,145.70	
Task 6: Assessment Development	$6,380,062	$5,742,055.80	$638,006.20	$638,006.20	
Task 7: Test Administration	$31,877,640	$28,689,876.00	$3,187,764.00	$3,187,764.00	
Task 8: Scoring and Analysis	$26,078,169	$23,470,352.10	$2,607,816.90	$2,607,816.90	
Task 9: Reporting Results	$3,237,406	$2,913,665.40	$323,740.60	$161,870.30	$161,870.30
Totals:	$86,419,128	$77,777,215.20	$8,641,912.80	$8,369,960.24	$271,952.56

*Pending completion of all contract component tasks for the 2015–16 test administration through December 2016.

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT	
English Language Proficiency Assessments for California: Approve Commencement of a 15-Day Public Comment Period for Proposed Amendments to *California Code of Regulations*, Title 5, Sections 11517.6 through 11519.5.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

The California Department of Education (CDE) is responsible for the oversight of a state test to measure eligible students' English language proficiency (ELP) that is aligned with State Board of Education (SBE)-adopted standards (as set forth in California *Education Code* [*EC*] sections 313 and 60810). In November 2012, the SBE adopted the 2012 English Language Development (ELD) Standards. As a result, the CDE is in the process of developing the English Language Proficiency Assessments for California (ELPAC) to replace the California English Language Development Test (CELDT).

In May 2016, the SBE approved the commencement of the rulemaking process for the ELPAC regulations. At the conclusion of the 45-day public comment period, a public hearing was held on July 11, 2016. There were no attendees at the public hearing although written comments were received from three individuals. The comments and the CDE's responses to them are presented in the attached Final Statement of Reasons. The proposed changes to the ELPAC regulations are noted in the attached 15-day Notice of Modifications and the proposed regulations.

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 January 2017 meeting agenda for action

- Authorize the CDE to take any necessary action to respond to any direction or concern expressed by the OAL during its review of the rulemaking file

BRIEF HISTORY OF KEY ISSUES

California's existing ELP assessment, the CELDT, is aligned with the 1999 ELD Standards. In November 2012, the SBE adopted new ELD Standards, which initiated a need for the development of a new state test that is aligned with the 2012 ELD Standards to replace the CELDT. During the 2013 Legislative session, *EC* sections 313 and 60810 were amended, requiring changes to California's assessment of ELP (Senate Bill [SB] 201, Statutes of 2013, sections 3 and 6). *EC* Section 60810, subdivisions (d) and (f), requires two separate assessments, one for the initial identification of a pupil as an English learner (EL), and another for the annual summative assessment to measure an EL's progress in learning English (SB 201, Section 6). *EC* Section 313, subdivision (d)(2), requires the annual summative assessment window to be a four-month period after January 1 determined by the State Superintendent of Public Instruction (SSPI), with the approval of the SBE (SB 201, Section 3). Per *EC* Section 60810, subdivision (h), local educational agencies will administer the ELPAC initial and summative assessments only after the SBE adopts the ELPAC assessments and the SSPI reports to the Legislature that the assessments are operationally ready for their first administration (SB 201, Section 6). The proposed ELPAC regulations include definitions, requirements, responsibilities, and guidelines for the administration, test security, and reporting of the ELPAC.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

May 2016: The CDE recommended and the SBE approved the commencement of the rulemaking process for the ELPAC regulations (http://www.cde.ca.gov/be/ag/ag/yr16/documents/may16item01.doc)

January 2016: The CDE submitted an Agenda Item to the SBE for action with the recommendations for approval of the general performance level descriptors for the ELPAC (http://www.cde.ca.gov/be/ag/ag/yr16/documents/jan16item08.doc)

November 2015: The CDE submitted an Agenda Item to the SBE for action with the recommendations for approval of the proposed task types and test blueprints for the ELPAC (http://www.cde.ca.gov/be/ag/ag/yr15/documents/nov15item12.doc)

October 2015: The CDE submitted an Information Memorandum to the SBE with an update on the activities for the transition to the ELPAC, including the development of

test blueprints (http://www.cde.ca.gov/be/pn/im/documents/memodsibadad-oct15item01.doc)

June 2015: The SBE was provided with an Information Memorandum by the CDE with an update on the ELPAC including, but not limited to, the award of the contract (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-adad-jun15item01.doc)

April 2015: The SBE was provided with an Information Memorandum by the CDE with a description of the ELPAC Request for Proposals (RFP) process (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-adad-apr15item01.doc)

November 2014: The release of the ELPAC RFP was approved by the SBE in accordance with the schedule and process described in the item (http://www.cde.ca.gov/be/ag/ag/yr14/documents/nov14item05.doc)

FISCAL ANALYSIS (AS APPROPRIATE)

An Economic and Fiscal Impact Statement is provided as Attachment 4.

ATTACHMENT(S)

Attachment 1: 15-Day Notice of Modifications (3 Pages)

Attachment 2: Proposed Regulations (23 Pages)

Attachment 3: Final Statement of Reasons (4 Pages)

Attachment 4: Economic and Fiscal Impact Statement (STD. 399) will be provided as an Item addendum (5 Pages)

CALIFORNIA DEPARTMENT OF EDUCATION
TOM TORLAKSON, State Superintendent of Public Instruction
916-319-0800

CALIFORNIA STATE BOARD OF EDUCATION
MICHAEL W. KIRST, President
916-319-0827

1430 N Street Sacramento, CA 95814-5901

November 4, 2016

15-DAY NOTICE OF MODIFICATIONS TO TEXT OF PROPOSED REGULATIONS REGARDING PROCEDURES FOR THE ENGLISH LANGUAGE PROFICIENCY ASSESSMENTS FOR CALIFORNIA (ELPAC)

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 July 11, 2016.

Changes to the text:

General changes were made to the regulations to include grammatical edits, and renumbering and/or relettering to reflect deletions or additions.

Section 11517.6 is added to clarify that the regulations apply to the ELPAC, and not to the California English Language Development Test (CELDT), in order to avoid confusion among local education agencies (LEAs) and the public as to whether any provisions of the ELPAC regulations apply to the CELDT, and also to clarify that the regulations are operative when the Superintendent of Public Instruction reports to the Legislature that the ELPAC assessments are ready for administration as specified in Education Code section 60810(h)(2) (SB 201, section 6).

Section 11518(e) is added to define “core curriculum.”

Section 11518(ab) is amended to clarify that the parent, guardian, or sibling of a pupil is not eligible to be that pupil’s scribe during the administration of the ELPAC.

Section 11518.5(a) is amended to clarify the purpose of the parent or guardian survey is to identify whether a pupil’s primary or native language is a language other than English and, therefore, the pupil’s English language proficiency should be assessed using the initial assessment.

Section 11518.5(c) is amended to clarify it by deleting redundant and unnecessary language.

Section 11518.5 is amended to combine subdivisions (d) and (e) and include the following within a 30-day period: testing with the initial assessment, local scoring of the initial assessment in accordance with the test contractor’s direction, and notification of

results to parents/guardians. This amendment is necessary to address some of the recommendations made by the California Teachers Association (CTA).

Section 11518.20(a) is amended to specify the written notice of assessment is required at least ten calendar days prior to the administration of the initial assessment.

Section 11518.20(b) is amended to clarify that the results of the administration of the ELPAC to a pupil who is not eligible for the assessment (as set forth in section 11518(w) or (x)) shall not be maintained as a pupil record.

Section 11518.45(b)(8) is amended to add “and scoring of the initial and summative” to the annual training requirements. This addition is necessary because the initial assessment is locally scored by the LEA.

Section 11518.45(b)(16) is amended to simplify the return of the test materials according to the test contractor’s directions.

Section 11518.45(b)(17) is amended to clarify that test materials administered to pupils who are not eligible for the assessment as set forth in section 11518(w) or (x) shall be securely destroyed.

Section 11518.55(e)(8) is amended to delete “(e.g., voice inflection, interpreting, explaining, or paraphrasing the test items or prompts),” “(e.g., pointing or nodding head) to the correct answer,” and the word “anything.” These deletions are necessary to address some of the recommendations made by the CTA and to prevent an LEA from misinterpreting the examples listed as an exhaustive list of possible behaviors.

Section 11518.70 is amended to add “and scoring of the initial and summative” to be consistent with the amendments to section 11518.45(b)(8). In addition, the section is amended to add a specific requirement to include information on assessment resources (universal tools, designated supports, and accommodations) in the annual training of ELPAC examiners, trainers, and other personnel. This addition is necessary to address part of the recommendation made by the CTA, and ensure that this material is covered to some extent during all annual trainings.

Section 11519.5 is clarified to be consistent with the requirement specified in Section 11518.5(d) that answer documents for the initial assessment are locally scored by the LEA, and not the test contractor.

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 November 5, 2016, and November 21, 2016, inclusive. All written comments must be submitted to the

Regulations Coordinator via facsimile at 916-319-0155, e-mail at regcomments@cde.ca.gov, or mailed and received at the following address by close of business at 5:00 p.m. on November 21, 2016, and addressed to:

Patricia Alverson, Regulations Coordinator
Legal and Audits 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 November 21, 2016, which pertain to the indicated changes will be reviewed and responded to by CDE staff as part of the compilation of the rulemaking file. Written comments received by 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.

- The State Board of Education has illustrated changes to the original text in the following manner: text originally proposed to be added is underlined; text proposed to be deleted is displayed in ~~strikeout~~.
- The 15-day text proposed to be added is in "**bold underline**", deleted text is displayed in "~~**bold strikeout**~~".

Title 5. EDUCATION
Division 1. California Department of Education

Chapter 11. Special Programs

Subchapter 7.6. English Language Proficiency Assessments for California (ELPAC)

Article 1. General

§ 11517.6. Operation.

Subchapter 7.6, "English Language Proficiency Assessments for California (ELPAC)," applies to the initial and summative assessments required by Education Code sections 313 and 60810, ~~and~~ which are referred to as the ELPAC. This subchapter shall become operative on the date the Superintendent of Public Instruction reports to the policy committees of the Legislature pursuant to Education Code section 60810(h)(2) that the assessments are ready for administration.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 313 and 60810, Education Code.

§ 11518. Definitions.

The following definitions apply to the ~~**assessments required by Education Code sections 313 and 60810 referred to as the English Language Proficiency Assessments for California (**~~ELPAC~~)**:

(a) "Accommodations" means resources documented in a pupil's individualized education program (IEP) or Section 504 Plan that an eligible pupil regularly uses in the classroom for instruction and/or assessment(s) and that are 1) either utilized in the assessment environment or 2) consist of changes in procedures or materials that increase equitable access ~~**during**~~ **to** the assessment. Accommodations may not fundamentally alter the comparability of test scores.

(b) “Administration” means an eligible pupil's attempt to take any part of the ELPAC initial or summative assessment.

(c) “Alternate assessment” is an alternate means, identified **in** an eligible pupil’s IEP or Section 504 Plan, to measure English language proficiency.

(d) “Annual summative assessment window” begins on February 1 and ends on May 31 **of each school year**.

(e) “Core curriculum” means a broad course of study, as described in Education Code sections 52060 and 52066, and incorporated by reference to Education Code Section 52060, in Education Code Section 47605, as applicable to the local educational agency (LEA).

(f)~~**(e)**~~ “Designated supports” are resources that an eligible pupil regularly uses in the classroom for instruction and/or assessment(s) and that are available for use by any pupil for whom a need has been indicated, prior to assessment administration, by an educator or a team of educators (with parent/guardian and pupil input, as appropriate) or specified in the pupil’s IEP or Section 504 Plan.

(g)~~**(f)**~~ “Domain” means listening, reading, speaking, or writing, as described in Education Code section 60810.

(h)~~**(g)**~~ “ELPAC initial assessment criterion” means a performance-level cut score on the initial assessment that is at or above the State Board of Education (SBE)-approved definition of English language proficient.

(i)~~**(h)**~~ “ELPAC trainer” means an employee or contractor of a**n** ~~**local educational agency (**~~LEA~~)~~ or nonpublic school (NPS) responsible for the annual training of ELPAC test examiners.

(j)~~**(i)**~~ “Excessive materials” means the difference between the total number of paper tests scored and 90 percent of the paper tests ordered annually by the LEA.

(k)~~**(j)**~~ “Grade” means the grade in which a pupil is enrolled at the time of testing, or if enrolled in an ungraded program, the grade to which the LEA assigns the pupil for assessment purposes.

(l)~~**(k)**~~ “Initial assessment” means the ELPAC assessment ~~**which**~~ **that** is locally scored and is used to determine the English language proficiency of eligible pupils**,** as specified in section 11518~~**(v)**~~**(w)** or section 11518.20.

(m)~~**(l)**~~ “Initial assessment window” begins on July 1 and ends on June 30 of each school year.

(n)~~**(m)**~~ “Initial California enrollment” means the first day on which a pupil is in attendance in a California public school.

(o)~~**(n)**~~ “Local educational agency (LEA)” means an elementary, high school, and unified school district, county office of education, any charter school that for assessment purposes does not elect to be part of the school district or county office of education that granted the charter, and any charter school chartered by the SBE.

(p)~~**(o)**~~ “LEA ELPAC coordinator” means an employee of an LEA who is designated by the LEA superintendent to oversee the administration of the ELPAC assessments.

(q)~~**(p)**~~ “LEA superintendent” for purposes of these regulations includes an administrator of a charter school that is an LEA as defined by subdivision ~~**(n)**~~**(o)**.

(r)~~**(q)**~~ “Nonpublic schools (NPS)” means nonpublic, nonsectarian schools as described in Education Code section 56034.

(s)~~**(r)**~~ “Personally identifiable information” includes a pupil’s name and/or any other direct personal identifiers, and indirect identifiers, such as the pupil’s address and personal characteristics, and other information that makes a pupil’s identity traceable through the use of a single or multiple data source(s), including publicly available information.

(t)~~**(s)**~~ “Primary or native language” means the language used by a pupil, as identified in accordance with the survey conducted pursuant to section 11518.5(a).

(u)~~**(t)**~~ “Proctor” means an employee or contractor of an LEA or NPS who signs the ELPAC Test Security Affidavit and completes training designed to prepare him or her to assist the test examiner in the administration of the ELPAC.

(v)~~**(u)**~~ “Pupil” refers to a student enrolled in a California public school or NPS.

(w)~~**(v)**~~ “Pupil eligible for the initial assessment” means: (1) a pupil whose primary or native language is a language other than English as determined by the survey conducted pursuant to section 11518.5**(a)**, or who is identified for administration of the initial ELPAC assessment pursuant to section 11518.20(a); (2) who has not previously been classified as an English learner (EL) by a California public school; and (3) who has

no record of results from an administration of the California English Language Development Test (CELDT), or the ELPAC initial or summative assessment.

(x)~~(w)~~ "Pupil eligible for the summative assessment" means a pupil who is classified as an EL in accordance with these regulations.

(y)~~(x)~~ "Pupil with a disability" means a pupil who has an IEP in accordance with Education Code section 56345 or a Section 504 Plan in accordance with the provisions of Section 504 of the Rehabilitation Act of 1973 (20 U.S.C. section 794).

(z)~~(y)~~ "Record of results" includes:

(1) Pupil test results on the initial and/or summative assessment; **and**

(2) Parent or guardian notification letter of pupil results~~;~~**.**

(aa)~~(z)~~ "Resource" refers to a universal tool, designated support, accommodation, or an unlisted resource approved pursuant to section 11518.35. Resources (including approved unlisted resources) do not change the construct of the assessment.

(ab)~~(aa)~~ "Scribe" means an employee or contractor of an LEA or NPS which is responsible to implement a pupil's IEP, who signs an ELPAC Test Security Affidavit, and completes training to transcribe a pupil's responses to the format required by the ELPAC assessment(s). A ~~**pupil's**~~ parent, guardian, or sibling **of a pupil** is not eligible to be **that** pupil's scribe.

(ac)~~(ab)~~ "Site ELPAC coordinator" means an employee of an LEA designated by the LEA, or a person designated by an NPS, to oversee the administration of ELPAC assessments ~~**at**~~**for** each test site.

(ad)~~(ac)~~ "Summative assessment" means the annual administration of the ELPAC assessment to identify a pupil's level of English language proficiency and assess a pupil's progression in acquiring skills of listening, reading, speaking, and writing.

(ae)~~(ad)~~ "Test contractor" means the contractor responsible for the development and administration of the ELPAC pursuant to Education Code section 60810.

(af)~~(ae)~~ "Test examiner" means an employee or contractor of an LEA or NPS who signs the ELPAC Test Security Affidavit, who is proficient in English and has complete command of pronunciation, intonation, and fluency, and who certifies that he or she has completed training in administration of the ELPAC.

(ag)~~(af)~~ "Test materials" include, but are not limited to, administration manuals,

administrative materials, test books, practice tests, scratch paper, answer books and test answer documents, answer keys, scoring rubrics, and any of the materials developed and provided by the test contractor.

(ah)~~(ag)~~ "Universal tools" means resources available to all pupils who are administered the ELPAC assessments.

(ai)~~(ah)~~ "Unlisted resource" means an instructional support that a pupil regularly uses in daily instruction and/or assessment that has not been previously identified as a universal tool, designated support, or accommodation.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313 and 60810, Education Code.

Article 2. Administration for Pupils Other than Pupils with a Disability

§ 11518.5. Initial Assessment.

(a) At or before the time of a pupil's initial California enrollment, an LEA shall conduct, in writing, a parent or guardian survey to identify **whether** the primary or native language of their pupil **is a language other than English**.

(b) If a parent or guardian survey response indicates English as the pupil's primary or native language, the pupil shall be classified English Only (EO).

(c) If a parent or guardian survey response indicates a primary or native language other than English, ~~**as identified by the survey described in subdivision (a),**~~ and the LEA determines the pupil is eligible for the initial assessment, the LEA shall promptly notify the parent or guardian in writing**,** prior to the ~~**assessment**~~ administration **of the** ~~**assessment,**~~ that the LEA will administer the ELPAC initial assessment to the pupil in accordance with subdivision (d).

(d) The LEA shall administer **the initial assessment,** ~~**and**~~ locally produce the official score for **the initial assessment in accordance to the directions by the test contractor, and notify the parent or guardian, in writing, of the results of** the ELPAC initial assessment within ~~**20**~~ **30** calendar days after the pupil's date of initial California enrollment, or, if administered prior to the pupil's initial date of California enrollment, up to 60 calendar days prior to such enrollment, but not before July 1 of the school year of the pupil's initial enrollment. ~~**(e) The LEA shall notify the parent or guardian, in writing, of the results within ten calendar days of the completion of**~~

~~**its scoring of the initial assessment, including whether or not the pupil met the ELPAC initial assessment criterion for proficiency.**~~ The notice shall include **whether or not the pupil met the ELPAC initial assessment criterion for proficiency and** the LEA's contact information for use if the pupil's parent or guardian has questions or concerns regarding the pupil's classification.

(e)~~**(f)**~~ If the pupil does not meet the ELPAC initial assessment criterion for proficiency, the LEA shall classify the pupil as an EL.

(f)~~**(g)**~~ If the pupil meets the ELPAC initial assessment criterion for proficiency, the LEA shall classify the pupil as Initial Fluent English Proficient (IFEP).

(g)~~**(h)**~~ A pupil shall be administered the initial assessment only once over the course of the pupil's enrollment in the California public school system, as verified by the LEA through a review of the California Longitudinal Pupil Achievement Data System (CALPADS) data prior to administering the initial assessment to a pupil.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313, 60810 and 60900, Education Code; and 20 U.S.C. Sections 6311, 6312, 6821, 6823, 6825**, and** 6826 **and 7801**~~**; Public Law No. 114-95, Section 8002**~~.

§ 11518.10. Notice.

All notices referenced in these regulations that are required to be sent from an LEA to a pupil's parent or guardian shall comply with the translation requirements of Education Code section 48985, as applicable.

NOTE: Authority cited: Section 33031, Education Code. Reference: Section 48985, Education Code; and 20 U.S.C. Section 6312.

§ 11518.15. Summative Assessment.

(a) An LEA shall administer the ELPAC summative assessment to all eligible pupils during the annual summative assessment window.

(b) The LEA shall notify each pupil's parent or guardian of the pupil's test contractor-scored summative assessment results within 30 calendar days following receipt of the test results from the test contractor.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313,

60810 and 60900, Education Code; 20 U.S.C. Sections 6311, 6312, 6823, 6825 and 6826.

§ 11518.20. Correction of Classification Errors.

(a) If a pupil is classified as EO pursuant to section 11518.5(b), but the LEA has indication that the pupil's primary or native language is not English and the pupil is unable to perform ordinary classroom work in English, the LEA may collect and review evidence as described in subdivision (d)(3) and (d)(4). Based upon ~~its initial~~ **this** review, the LEA shall determine whether the pupil shall be administered the initial assessment in order to determine the pupil's classification. **At least 10 calendar days p**~~P~~rior to administration of the initial assessment, the LEA shall notify the pupil's parent or guardian in writing~~, as described in section 11518.5(c)~~, that the pupil will be assessed. If the LEA administers the initial assessment and if the pupil does not meet the ELPAC initial assessment criterion for proficiency, the LEA shall classify the pupil as an EL. The LEA shall notify the pupil's parent or guardian in writing of the results of its review, including the evidence which led to the determination and the results of the initial assessment, as applicable, within 14 calendar days of its determination. The pupil's parent or guardian shall be entitled to request that the LEA review its determination following the procedure described in subdivision (c).

(b) If an LEA administers an initial or summative assessment to a pupil who is not eligible for the assessment as set forth in section 11518~~(v)~~**(w)** or ~~(w)~~**(x)**, the pupil's classification shall remain unchanged~~,~~ regardless of the assessment results, and the LEA shall not maintain any **such results as a** pupil record~~s of any such assessment administered in error~~, including in CALPADS.

(c) Following the administration of the initial assessment to a pupil, but before the administration of the summative assessment to that pupil, upon request from the pupil's parent or guardian or a certificated employee of the LEA, an LEA shall collect and review evidence, as described in subdivision (d), about the pupil's English language proficiency. Based upon its review of the evidence, the LEA shall determine whether the pupil's classification should remain unchanged or be changed, consistent with the results of that review. The LEA shall notify the pupil's parent or guardian in writing of the

results of the review within 14 calendar days of its determination. This review shall occur only once over the course of the pupil's enrollment in the California public school system.

(d) Evidence about the English language proficiency of a pupil for purposes of subdivision (c) shall include:

(1) The results of the survey administered pursuant to section 11518.5(a);

(2) The results of the assessment of the pupil's proficiency in English, using an objective assessment instrument, including, but not limited to, the initial assessment;

(3) Parent or guardian opinion and consultation results; and

(4) Evidence of the pupil's performance in the core curriculum and English language development, as applicable, obtained from the pupil's classroom and other certificated staff with direct responsibility for teacher or placement decisions.

(e) During the time evidence is being collected and reviewed, the pupil shall retain his or her original classification.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313, 60810 and 60900, Education Code; and 20 U.S.C. Sections 6311, 6312, 6821, 6823, 6825**, ~~and~~** 6826 **and 7801~~; Public Law No. 114-95, Section 8002~~**.

Article 3. Administration, Pupils with Disabilities.

§ 11518.25. Pupils with Disabilities.

(a) Except as otherwise provided in this Article, all provisions of Article 2 shall apply to pupils with disabilities.

(b) When administering an initial or summative assessment to a pupil with a disability, the LEA shall provide the accommodations specified in section 11518.35 in accordance with the pupil's IEP or Section 504 Plan.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313, 37200, 60810 and 60900, Education Code; and 20 U.S.C. Sections 1412, 6311, 6312, 6821, 6823, 6825 and 6826.

§ 11518.30. Local Alternate English Language Proficiency Assessments.

A pupil with a disability who is unable to participate in the initial or summative

assessment, or a section of either test with resources, shall be **locally** administered an alternate assessment(s) for English language proficiency, as specified in the pupil's IEP or Section 504 Plan.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313 and 60810, Education Code; and 20 U.S.C. Sections 1412, 6311, 6821, 6823, 6825 and 6826.

Article 4. ELPAC Resources

§ 11518.35. Use of Universal Tools, Designated Supports, and Accommodations.

(a) An LEA may provide all pupils with one or more of the following universal tools on the ELPAC for any of the domains of listening, reading, speaking, and writing:

(1) Breaks, including testing over more than one day, between the test contractor-identified test sections;

(2) Scratch paper;

(3) Oral clarification of test directions by the test examiner in English;

(4) Sufficient time to complete the test.

(b) An LEA shall permit eligible pupils one or more of the following designated supports on the ELPAC for the domains of listening, reading, speaking, and writing, only as described below, if specified in the pupil's IEP or Section 504 Plan, or for which need is indicated as described in section 11518~~**(e)**~~**(f)**:

(1) Color overlay;

(2) Covered overlay, masks, or other means to maintain visual attention to the test consistent with the test contractor's test directions;

(3) Magnification;

(4) Audio or oral presentation of test directions in English;

(5) Adjustments to setting, including most beneficial time of day, special lighting or acoustics, special or adaptive furniture, audio amplification equipment; and testing the pupil in a separate room provided that the pupil is directly supervised by an employee of the school district or nonpublic school who has signed the ELPAC Test Security Affidavit;

(6) Noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling

headphones);

(7) Manually Coded English or American Sign Language (ASL) to present test directions for administration (does not apply to test questions).

(c) An LEA shall permit eligible pupils with a disability to take the ELPAC for the domains of listening, reading, speaking, and writing, only as described below, with the **following** accommodations ~~**described below**~~ if specified in the pupil's IEP or Section 504 Plan:

(1) Braille test materials provided by the test contractor;

(2) Audio or oral presentation of test questions for the writing section in English;

(3) For test questions which assess the domains of listening, reading, or writing, transfer of pupil responses marked in the test booklet to the answer document by a scribe who has signed an ELPAC Test Security Affidavit;

(4) Responses dictated to a scribe for selected response items, including multiple-choice items;

(5) For test questions which assess the domain of writing, dictation by the pupil of responses, including all spelling and language conventions, to a scribe, audio recorder, or speech to text converter;

(6) For test questions which assess the domain of writing, use of word processing software with the spell and grammar check tools turned off;

(7) For test questions which assess the domain of writing, presentation of test questions using Manually Coded English or ASL;

(8) Large print versions reformatted from regular print version;

(9) Test questions enlarged through electronic means;

(10) Supervised breaks within a section of the test;

(11) For test questions which assess the domain of writing, use of an assistive device that does not interfere with the independent work of the pupil;

(12) Testing at home or in the hospital by a test examiner.

(d) An LEA may submit a ~~**written**~~ request to the ~~**California Department of Education (**~~CDE~~)~~ on behalf of a pupil with a disability, prior to administering an initial or summative assessment, to obtain approval to use an unlisted resource.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313

and 60810, Education Code; and 20 U.S.C. Sections 1412, 6311, 6312, 6821, 6823, 6825 and 6826.

Article 5. LEA Responsibilities

§ 11518.45. LEA ELPAC Coordinator.

(a) No later than April 1 of each year, each LEA superintendent shall designate an LEA ELPAC coordinator for the following school year. An LEA superintendent shall notify the test contractor of the identity and contact information for the LEA ELPAC coordinator. The LEA ELPAC coordinator shall be available throughout the school year and shall serve as the LEA representative and the liaison between the LEA and the CDE and the LEA and test contractor for all matters related to the ELPAC. Should the LEA ELPAC coordinator be unavailable for any matter related to the ELPAC, the LEA superintendent or his or her designee shall serve in the place of the LEA ELPAC coordinator.

(b) The LEA ELPAC coordinator shall complete all duties in accordance with instructions from the test contractor. The LEA ELPAC coordinator's responsibilities include, but are not limited to:

(1) Determining LEA and individual school test material needs in conjunction with the test contractor.

(2) Ordering materials only for those test examiners who certify they are trained to administer the ELPAC.

(3) Ensuring delivery, acquisition, and distribution of test materials to individual schools and sites.

(4) Maintaining security over the test materials and personally identifiable information using the procedure set forth in section 11518.55. The LEA ELPAC coordinator shall sign the ELPAC Test Security Agreement and the ELPAC Test Security Affidavit, as set forth in section 11518.55, and annually submit a copy of both to the test contractor prior to receipt of test materials. The LEA shall retain all ELPAC Test Security Agreements and ELPAC Test Security Affidavits from each school site at the LEA office for no less than 12 months from the date the materials were signed.

(5) Conducting an inventory of test materials immediately upon receipt from the test contractor.

(6) Following completion of the inventory, ensuring that the test materials are retained in a secure, locked location, in the secure boxes in which they were received from the test contractor, until the time they are delivered to the test sites.

(7) Training site ELPAC coordinators annually to oversee test administration and security at each test site.

(8) Ensuring that all ELPAC test examiners and all other personnel involved in the direct administration **and scoring** of the **initial and summative** assessment**s** are trained annually, in accordance with instructions from the test contractor.

(9) Assisting the test contractor with the resolution of any discrepancies in pupil test information and/or test materials including, but not limited to, pre-identification files and all errors or discrepancies in pupil-level data files required to comply with section 11518.50.

(10) Overseeing the collection of all pupil demographic data in accordance with section 11518.80.

(11) Responding to correspondence and inquiries from the test contractor and the CDE in a timely manner.

(12) Overseeing the administration of the ELPAC to eligible pupils.

(13) Immediately notifying the test contractor of any security breaches or testing irregularities that occur in the LEA before, during, or after the administration of the ELPAC in accordance with instructions from the test contractor.

(14) Ensuring all test materials are received from school test sites in sufficient time to satisfy the requirements of subdivision (b)(16).

(15) Ensuring all test materials received from school test sites have been placed in a secure location upon receipt of those test materials.

(16) Ensuring all test materials to be scored by the test contractor are inventoried, packaged, and labeled in accordance with instructions from the test contractor.

~~**Scorable test**~~**Test** materials ~~**for both the initial and summative assessment**~~ shall be returned to the test contractor ~~**at the date**~~ **at the time and in the manner** specified ~~**monthly**~~ by the test contractor**,** ~~**but no later than ten working days after the close of**~~

~~**the initial or annual summative assessment windows.**~~

(17) Overseeing the collection and return, or collection and secure destruction, of all test materials that do not require scoring by the test contractor, in accordance with the directions of and time periods specified by the test contractor. **Test materials that were administered to pupils who are not eligible for the assessment as set forth in section 11518(w) or (x) shall also be securely destroyed.**

(18) Upon receiving summary reports and files from the test contractor, reviewing the files and reports for completeness and accuracy and notifying the test contractor and the CDE of any errors, discrepancies, or incomplete information as directed by the test contractor.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313 and 60810, Education Code; and 20 U.S.C. Sections 1412, 6311, 6312, 6821, 6823, 6825 and 6826.

§ 11518.50. Site ELPAC Coordinator.

(a) Annually, each LEA superintendent, or his or her designee, and NPS shall designate a site ELPAC coordinator for each test site. The site ELPAC coordinator, or the site principal or his or her designee, shall be available to the LEA ELPAC coordinator for the purpose of resolving any discrepancies, inconsistencies in test materials or reports, and/or other issues that arise as a result of the annual administration of the ELPAC at the site.

(b) The site ELPAC coordinator shall complete all duties in accordance with instructions from the test contractor. The site ELPAC coordinator's responsibilities include, but are not limited to, all of the following:

(1) Determining site test material needs and communicating the site needs to the LEA ELPAC coordinator.

(2) Arranging for test administration at the site.

(3) Annually completing the ELPAC Test Security Agreement and ELPAC Test Security Affidavit prior to the receipt of test materials.

(4) Providing test materials only to those persons who have been trained to administer the ELPAC, have executed ELPAC Test Security Affidavits, and who are

administering the ELPAC.

(5) Overseeing test security requirements, including the collection and delivery of all completed ELPAC Test Security Affidavit forms to the LEA office from the test examiners and other site personnel involved with testing.

(6) Submitting signed ELPAC Test Security Affidavits to the LEA ELPAC coordinator to be retained for no less than 12 months from the date the materials were signed.

(7) Maintaining security over the test materials and test data as required by section 11518.55.

(8) Overseeing the acquisition of test materials from the LEA ELPAC coordinator and the distribution of test materials to the test examiner(s) on the date of testing in accordance with instructions from the test contractor.

(9) Overseeing the administration of the ELPAC to eligible pupils at the test site.

(10) Immediately notifying the LEA ELPAC coordinator of any security breaches or testing irregularities that occur before, during, or after the administration of the ELPAC that violate the terms of the ELPAC Test Security Affidavit in section 11518.55, in accordance with instructions from the test contractor.

(11) Collecting and returning all testing materials to the LEA ELPAC coordinator after testing has concluded, in accordance with instructions from the test contractor.

(12) Assisting the LEA ELPAC coordinator and the test contractor in the resolution of any discrepancies between the numbers of tests received from the LEA ELPAC coordinator and the number of tests collected and returned to the LEA ELPAC coordinator after testing has concluded.

(13) Overseeing the collection and accuracy of all pupil demographic data required by section 11518.80.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313 and 60810, Education Code; and 20 U.S.C. Sections 1412, 6311, 6312, 6821, 6823, 6825 and 6826.

§ 11518.55. ELPAC Test Security Agreement and ELPAC Test Security Affidavit.

(a) Access to the test materials is limited to eligible pupils being administered the ELPAC and individuals directly responsible for administration of an ELPAC test who have signed the ELPAC Test Security Agreement and ELPAC Test Security Affidavit, as applicable.

(b) All LEA ELPAC coordinators and site ELPAC coordinators shall annually sign the ELPAC Test Security Agreement set forth in subdivision (c) before receiving any ELPAC test materials.

(c) The ELPAC Test Security Agreement shall be as follows:

ELPAC TEST SECURITY AGREEMENT

I acknowledge by my signature on this form that the English Language Proficiency Assessments for California (ELPAC) initial and summative assessments pursuant to Education Code section 60810 are secure tests and agree to each of the following conditions to ensure test security:

(1) I will take all necessary precautions to safeguard all test materials by limiting access to only persons within the local educational agency (LEA) who are responsible for, and have professional interest in, the tests' security.

(2) I shall have all persons who have access to the test(s) and test materials for the purpose of administration read and sign the ELPAC Test Security Affidavit.

(3) Except during the administration of the tests, I will keep the test materials in a securely locked room which can be accessed only with a key or key card and, when possible, in a locked storage cabinet within that room.

(4) As a site ELPAC coordinator, I will collect and return all test materials to the LEA ELPAC coordinator.

(5) As an LEA ELPAC coordinator, I will securely destroy all test materials that do not require scoring by the test contractor, in accordance with the directions of and time periods specified by the test contractor.

(6) I will deliver test materials only to those persons who have executed ELPAC Test Security Affidavits.

By signing my name to this document, I am assuring that I have completely read and will abide by the above conditions.

Signed: _____

Print Name: _____

Title: _____

LEA: _____

Date: _____

(d) Test examiners, proctors, scribes, LEA ELPAC coordinators, site ELPAC coordinators, ELPAC trainers, and any person having access for the purpose of administering the test(s) shall sign the ELPAC Test Security Affidavit set forth in subdivision (e) before receiving any test materials.

(e) The ELPAC Test Security Affidavit shall be as follows:

ELPAC TEST SECURITY AFFIDAVIT

I acknowledge that I will have access to one or more of the English Language Proficiency Assessments for California (ELPAC) initial and summative assessments pursuant to Education Code section 60810, for the purpose of administering the test(s) to eligible pupils. I understand that these materials are highly secure and may be under copyright restrictions, and it is my responsibility to protect their security as follows:

(1) I will not divulge the contents of the test materials to any other person through verbal, written, or any other means of communication. This includes, but is not limited to, sharing or posting test content via the Internet or by e-mail without the expressed prior written permission of the **California Department of Education (**CDE**)** and test contractor.

(2) I will not copy or take a photo of any part of the test materials. This includes, but is not limited to, photocopying (including enlarging) and recording without the expressed prior written permission from the CDE and test contractor.

(3) I will keep all test materials secure prior to and following the distribution of the test(s).

(4) I will permit eligible pupils access to test materials only during testing periods. I will permit only eligible pupils who are testing, and individuals participating in the test administration who have signed an ELPAC Test Security Affidavit, to be in the room when and where the ELPAC **assessments** are being administered.

(5) I will not allow any pupils to use any electronic devices that allow them to access outside information, communicate with any other pupils, or photograph or copy test

content. This includes, but is not limited to, cell phones, personal digital assistants, tablets, laptops, cameras, and electronic translation devices.

(6) When acting as a test examiner, I will: (a) collect and account for all test materials following each testing session; (b) not permit any pupils to remove any test materials by any means from the room(s) where testing takes place; and (c) count all test books and answer documents before allowing any pupil to leave the testing room.

(7) I will not review any test questions, passages, or other test items independently or with any pupils or any other person at any time, including before, during, or following testing. I understand that this includes any discussion between **local educational agency (**LEA**)** staff for training or professional development, whether it be in a one-on-one or in a staff meeting setting.

(8) I will not, for any test, develop scoring keys, review any pupil responses, or prepare answer documents. I understand that this includes coaching pupils or providing any other type of assistance to any pupils that may affect their responses. This includes, but is not limited to, both verbal cues ~~**(e.g., voice inflection, interpreting, explaining, or paraphrasing the test items or prompts)**~~ and nonverbal cues ~~**(e.g., pointing or nodding head) to the correct answer (anything**~~ that may indicate correct or incorrect answers~~)~~, or completing or changing any pupils' answers.

(9) I will return all test materials to the designated site ELPAC coordinator in accordance with his or her instructions.

(10) When acting as a test examiner or proctor, I will actively supervise all pupils throughout the testing session to ensure that they are working on the correct test section or part, marking their answers in the correct section of their answer documents, following instructions, and are accessing only authorized materials (non-embedded universal tools, designated supports, or accommodations) for the test being administered.

(11) I will administer the ELPAC in accordance with the directions for test administration and test administration manuals prepared by the test contractor, or any additional guidance provided by the test contractor. I understand that the unauthorized copying, sharing, or reusing of any test books (test books may be appropriately reused in accordance with the test contractor's terms and conditions), test question, or answer

document by any means is prohibited. This includes, but is not limited to, photocopying, recording, e-mailing, messaging (instant, text, or multimedia messaging service, or digital application), using a camera/camera phone, and/or sharing or posting test content via the Internet without the expressed prior written permission from the CDE and test contractor.

(12) I have been trained to carry out my responsibilities in the administration of the ELPAC.

By signing my name to this document, I assure that I have completely read this affidavit and will abide by the above requirements and have received all training necessary for the administration of the ELPAC.

Signed: _____

Print Name: _____

Position: _____

School: _____

LEA: _____

Date: _____

(f) To maintain the security of the ELPAC, all LEA ELPAC coordinators and site ELPAC coordinators shall immediately, within 24 hours, notify the test contractor of any security breaches or testing irregularities occurring before, during, and/or after any ELPAC test administration(s).

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313 and 60810, Education Code; and 20 U.S.C. Sections 1412, 6311, 6312, 6821 and 6823.

§ 11518.60. Security and Transportation of Test Materials Delivered to LEA.

(a) The security of the test materials that have been duly delivered to the LEA by the test contractor is the sole responsibility of the LEA until all test materials have been inventoried, accounted for, and delivered to the common or private carrier designated by the test contractor.

(b) Secure transportation within an LEA is the responsibility of the LEA once materials have been duly delivered to the LEA by the test contractor.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313

and 60810, Education Code; and 20 U.S.C. Sections 1412, 6311, 6312, 6821, 6823, 6825 and 6826.

§ 11518.65. LEA Compliance with Test Contractor Requirements.

(a) In order for the state to meet its obligations in the development, administration, and security of valid and reliable tests, and the reporting of accurate test results, LEAs shall:

(1) Administer the initial and summative assessment in accordance with the test contractor's directions; and

(2) Abide by any and all instructions provided by the test contractor, including instructions for scoring the initial assessment, whether written or oral, that are presented during an annual training or provided for in the administration of the ELPAC.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313 and 60810, Education Code; and 20 U.S.C. Sections 1412, 6311, 6312, 6821 and 6823.

§ 11518.70. Test Examiner Training.

Each LEA shall ensure all its test examiners, ELPAC trainers, and all other personnel involved in the direct administration **and scoring** of the **initial and summative** assessment**s** participate in annual training**, including training on ELPAC resources as described in section 11518.35,** provided by the test contractor for the administration of the ELPAC.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313 and 60810, Education Code; and 20 U.S.C. Sections 1412, 6311, 6312, 6821 and 6823.

§ 11518.75. Excessive Material Orders.

(a) For both the initial and summative assessments, each LEA is responsible for the cost of excessive materials ordered annually by the LEA.

(1) In no event shall the cost to the LEA for excessive materials exceed the amount per test booklet and accompanying material that is paid to the test contractor by the CDE as part of the contract with the test contractor for the applicable year.

(b) An LEA shall not be responsible for the cost of test materials lost through no fault of the LEA.

(c) An LEA shall reimburse the test contractor within 60 calendar days of the LEA's receipt of the test contractor's notice of excessive materials charges.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 313 and 60810, Education Code; and 20 U.S.C. Sections 6311, 6312, 6821 and 6823.

§ 11518.80. Data Elements for Test Registration, Analysis of Pupil Proficiency, and State and Federal Reporting.

(a) In order to assess all eligible pupils pursuant to Education Code section 60810 and meet state and federal accountability and reporting obligations, each LEA shall provide any and all program and demographic pupil data requested by the CDE for inclusion in CALPADS.

(b) In addition to the demographic and program data required to be reported in subdivision (a) above, each LEA shall report to the test contractor the following information, as applicable:

(1) Pupil's full name;

(2) Pupil's date of birth;

(3) County-District-School code;

(4) Date testing completed;

(5) Pupil's grade level at time of test administration;

(6) Pupil's gender;

(7) Pupil's program participation;

(8) Pupil's most recent prior CELDT or ELPAC scale scores;

(9) Pupil's grade level from the most recent prior CELDT or ELPAC administration;

(10) Pupil's use of accommodation(s);

(11) Pupil's use of alternate assessment(s); and

(12) Pupil's Statewide Student Identifier.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 313, 60810 and 60812, Education Code; and 20 U.S.C. Sections 1412, 6311, 6312, 6821, 6823, 6825, 6826, 6841 and 6843.

§ 11518.85. LEA Record of Results.

(a) An LEA shall maintain a record of each eligible pupil's most recent participation in an administration of the ELPAC. This record shall include the following information for each eligible pupil:

(1) ELPAC administered (specify initial or summative);

(2) Pupil's name;

(3) Pupil's grade;

(4) Date on which the administration of the ELPAC test was completed; and

(5) ELPAC test results.

(b) If a pupil transfers from one LEA to another, the pupil's record of results, as well as the information specified in subdivision (a), shall be transferred by the sending LEA within 10 calendar days from the date of a request from the receiving LEA where the pupil subsequently enrolls.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 313, 60810 and 60812, Education Code; and 20 U.S.C. Sections 1412, 6311, 6312, 6821, 6823, 6825, 6826, 6841 and 6843.

Article 6. Apportionment

§ 11519. Apportionment to the LEA.

The amount of funding to be apportioned to an LEA for the costs of administering the ELPAC shall be the amount(s) established by the SBE pursuant to Education Code section 60810 to enable each LEA to meet the requirements of ELPAC administration to pupils in kindergarten through grade twelve, inclusive, in the LEA, and shall be determined by multiplying the amount per administration established by the SBE by the number of initial and summative assessments administered to eligible pupils in the LEA during the previous school year as set forth in the apportionment information report certified by the LEA superintendent pursuant to section 11519.5.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 313 and 60810, Education Code.

§ 11519.5. Apportionment Information Report.

(a) Annually, the CDE shall make available to each LEA an apportionment information report which shall include the following information provided to the test contractor for those tests administered during the previous fiscal year (July 1 through June 30):

(1) Initial assessment: The number of eligible pupils assessed on the ELPAC initial assessment within the initial assessment window as indicated by the number of answer documents ~~**submitted to and**~~ scored by the ~~**test contractor**~~**LEA** for each administration.

(2) Summative assessment: The number of eligible pupils assessed on the ELPAC summative assessment within the annual summative assessment window as indicated by the number of answer documents submitted to and scored by the test contractor for each administration.

(b) The CDE shall distribute the apportionment information reports to LEAs no later than December 1 annually.

(c) To be eligible for an apportionment payment for the ELPAC, LEAs shall annually meet the following conditions:

(1) The LEA shall have returned to the contractor and/or locally destroyed in a secure manner all secure test materials, and

(2) The LEA superintendent shall have certified the accuracy of the apportionment information report for the administration of the initial and summative assessments during the prior fiscal year (July 1 through June 30), which is either:

(A) Postmarked or transmitted electronically in a manner prescribed by the test contractor and/or the CDE by March 1 of the subsequent fiscal year, or

(B) If postmarked or transmitted in any manner after March 1 of the subsequent fiscal year, the apportionment information report shall be accompanied by a waiver request as provided by Education Code section 33050.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 313 and 60810, Education Code.

10-19-16 [California Department of Education]

FINAL STATEMENT OF REASONS
ELPAC

UPDATE OF INITIAL STATEMENT OF REASONS

The original proposed text was made available for public comment for at least 45 days from May 27, 2016 through July 11, 2016. Three individuals provided written comments during the 45-day comment period.

A public hearing was held at 9:30 a.m. on July 11, 2016, at the California Department of Education (CDE). One individual attended the public hearing, and no individuals made comments.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD OF MAY 27, 2016 THROUGH JULY 11, 2016.

Eric C. Heins, CTA President, California Teachers Association
Comment #1: Commenter suggests revisions to section 11518.5. "The initial assessment time frame should be changed from 20 to 30 days. Our concern is that there may be parents who cannot read in their native language or in English, and may need additional time for a translation of the initial assessment notification."
Reject in Part: The proposed regulations were structured with a 20-day period for administration and scoring of the initial assessment, and a 10-day period for the notification of results to parents/guardians. Rather than expanding the 20-day period to 30 days, the adjustments below (i.e., Accept in Part) were made to allow more flexibility to local educational agencies (LEAs) in scheduling and administering the initial assessment.
Accept in Part: The proposed regulations are amended to include the following within a 30-day period: testing with the ELPAC initial assessment, local scoring of the initial assessment using the local scoring tool, and notification of results to parents/guardians.

Comment #2: Commenter suggests revisions to section 11518.55(e)(8). "We find the terms in parenthesis unnecessary and limiting as they are not the only examples of verbal and nonverbal cues. We recommend having no examples or a more extensive list if any examples are included. We were also confused by the comments in the following parenthesis: "(anything that may indicate correct or incorrect answers)."
Accept: No limitation is implied; therefore, the proposed regulations are amended to delete the examples from this section. The text of the sentence including the language the commenter cites as confusing is modified to clarify that the verbal and nonverbal cues addressed by the regulation are those that may indicate correct or incorrect answers.

Comment #3: Commenter suggests revisions to section 11518.70. "Historically, test administrators of previous English Language Proficiency exams have not been familiar with the supports needed for students with IEPs. This has led to inconsistent performance and IEP compliance for English Learners. For these reasons, we would like to include an annual training for test administrators on all accommodations and designated student supports."

Accept in Part: Section 11518.70 is amended to state "including training on ELPAC resources, as described in section 11518.35."
Reject in Part: Rather than adding a requirement that all accommodations and designated supports be part of the annual training, the proposed regulations are amended to say "ELPAC resources," which also includes universal tools. The term "all" was not included because not all test examiners will need to be extensively familiar with each available resource.

Shelly Spiegel Coleman, Executive Director, Californians Together
Comment #1: Commenter suggests revisions to section 11518.5. "Our major concern is that regulations state that the home language survey will determine a pupil's primary or native language. (See page 2, lines 32&33; page 3, lines 5-11 and page 4, lines 21-23). An LEA cannot just depend on a parent's statement regarding their child's primary or native language. Absent a primary language screener, it is difficult to accurately identify a student's primary or native language. It is recommended that language be inserted in the regulations establishing a primary language screener."
Accept in Part: Section 11518.5(a) is amended to clarify the purpose of the parent or guardian survey is to identify whether the primary or native language of his/her pupil is a language other than English.
Reject in Part: The CDE will not mandate LEAs to utilize a primary language screener in these regulations because this would be beyond the scope of the statute. Additionally, these regulations provide direction to LEAs in administering the ELPAC, an assessment which occurs after the administration of a language survey; they do not govern the interpretation of survey results, which occurs at the local level. Therefore, concerns over the results of the survey shall not be addressed in these regulations and are more appropriately addressed through non-binding program guidance from the CDE to LEAs. Furthermore, pupil misclassification that occurs as a result of the language survey may be remedied through the Correction of Classification Errors process (section 11518.20). However, the LEA is not restricted from voluntarily using the screener to assist, for example, in identifying pupils who should be administered the initial assessment or to identify appropriate services for an English learner.

Douglas J. McRae, Educational Measurement Specialist (Retired)
Comment #1: Commenter suggests revisions to section 11518(d). "The draft ELPAC regulations provide an ELPAC summative assessment window that heavily overlaps with the CAASPP summative testing window…Sec 11518 (d) in the Definitions section should read 'Annual summative assessment window begins on the instructional day at 50 percent of each school's instructional calendar and ends on the instructional day at 65 percent of that school's instructional calendar.' "
Reject: Education Code section 313(d)(2), the result of Senate Bill 201, outlines the ELPAC testing window. Specifically, it states that "the summative assessment shall be conducted annually during a four-month period after January 1."

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:

General changes were made to the regulations to include grammatical edits, and renumbering and/or relettering to reflect deletions or additions.

Section 11517.6 is added to clarify that the regulations apply to the ELPAC, and not to the California English Language Development Test (CELDT), in order to avoid confusion among LEAs and the public as to whether any provisions of the ELPAC regulations apply to the CELDT, and also to clarify that the regulations are operative when the State Superintendent of Public Instruction reports to the Legislature that the ELPAC assessments are ready for administration as specified in Education Code section 60810(h)(2) (SB 201, section 6).

Section 11518(e) is added to define "core curriculum."

Section 11518(ab) is amended to clarify that the parent, guardian, or sibling of a pupil is not eligible to be that pupil's scribe during the administration of the ELPAC.

Section 11518.5(a) is amended to clarify the purpose of the parent or guardian survey is to identify whether the primary or native language of his/her pupil is a language other than English. This amendment is necessary to address a comment by Californians Together.

Section 11518.5(c) is amended to clarify it by deleting redundant and unnecessary language.

Section 11518.5 is amended to combine subdivisions (d) and (e) and include the following within a 30-day period: testing with the initial assessment, local scoring of the initial assessment using the local scoring tool, and notification of results to parents/guardians. This amendment is necessary to address some of the recommendations made by the California Teachers Association (CTA).

In the NOTE section for sections 11518.5 and 11518.20, Public Law No. 114-95, Section 8002 has been deleted because it is no longer applicable.

Section 11518.20(a) is amended to specify the written notice of assessment is required at least the ten calendar days prior to the administration of the initial assessment.

Section 11518.20(b) is amended to clarify that the results of the administration of the ELPAC to a pupil who is not eligible for the assessment (as set forth in section 11518(w) or (x)) shall not be maintained in the pupil's record.

Section 11518.45(b)(8) is amended to add "and scoring of the initial and summative" to the annual training requirements. This addition is necessary because of the addition of LEAs locally scoring the initial assessment.

Section 11518.45(b)(16) is amended to simplify the return of the test materials according to the test contractor's directions.

Section 11518.45(b)(17) is amended to clarify that test materials administered to pupils who are not eligible for the assessment as set forth in section 11518(w) or (x) shall be securely destroyed.

Section 11518.55(e)(8) is amended to delete "(e.g., voice inflection, interpreting, explaining, or paraphrasing the test items or prompts)," "(e.g., pointing or nodding head) to the correct answer," and the word "anything." These deletions are necessary to address some of the recommendations made by the CTA and to prevent an LEA from misinterpreting the examples listed as an exhaustive list of possible behaviors.

Section 11518.70 is amended to add "and scoring of the initial and summative' to be consistent with the amendments to section 11518.45(b)(8). In addition, the section is amended to add a specific requirement to include information on assessment resources (universal tools, designated supports, and accommodations) in the annual training of ELPAC examiners, trainers, and other personnel. This addition is necessary to address part of the recommendation made by the CTA, and ensure that this material is covered to some extent during all annual trainings.

Section 11519.5 is clarified to be consistent with the requirement specified in Section 11518.5(d) that answer documents for the initial assessments are locally scored by the LEA, and not the test contractor.

ALTERNATIVES DETERMINATION

The State Board of Education (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. There were no alternatives proposed to the SBE.

LOCAL MANDATE DETERMINATION

The proposed regulations do not impose any mandate on local agencies or school districts.

10-19-16 [California Department of Education]

This is the official scanned version of Item 07 Attachment 4 from the California State Board of Education (SBE) Meeting Agenda for November 2016 posted at http://www.cde.ca.gov/be/ag/ag/yr16/agenda201611.asp

An accessible version of the contents of this document is located at http://www.cde.ca.gov/be/ag/ag/yr16/nov16item07a4aav.asp

The scanned document starts following this initial page.

ECONOMIC IMPACT STATEMENT

DEPARTMENT NAME	CONTACT PERSON	EMAIL ADDRESS	
Education	Linda Hakala	lhakala@cde.ca.gov	319-0658

DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400	NOTICE FILE NUMBER
English Language Proficiency Assessments for California (ELPAC) (dated 03-01-16)	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 clarify statute 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 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 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 through12 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: _____

9/29/2016

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 clarify statute and provide specificity. Funding for the administration of the ELPAC is appropriated through the annual Budget Act.

9/29/2016

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 provide clarity and consistency of administration of the ELPAC.

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
Linda Hakala	March 8, 2016

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
	3/16/16

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
	28 JUN 16

AAV of Item 07 Attachment 4

This page is the Accessible Alternative Version (AAV) of Item 01 Attachment 4 from the California State Board of Education (SBE) Meeting Agenda for November 2016. The scanned Item 07 Attachment 4 version is considered to be the official version of the document.

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

Telephone Number: 916-319-0658

Descriptive Title From Notice Register Or From 400: English Language Proficiency Assessments for California (ELPAC) (dated March 1, 2016)

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 clarify statute and would not impose additional private sector costs.*

Fiscal Impact Statement

Section A. FISCAL EFFECT ON LOCAL GOVERNMENT (Indicate appropriate boxes1 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 clarify statute and provide specificity. Funding for the administration of the ELPAC is appropriated through the annual Budget Act.*

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 provide clarity and consistency of administration of the ELPAC.*

Section C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS (Indicate appropriate boxes1 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 March 8, 2016

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 March 10, 2016

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: Contains signature dated June 28, 2016

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

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

SUMMARY OF THE ISSUE(S)

1. SBE Draft Preliminary Report of Actions/Minutes for the September 8-9, 2016 meeting

2. SBE Screening Committee recommendations regarding appointments to the California Practitioners Advisory Group, the Child Nutrition Advisory Council, and the Advisory Commission on Charter Schools

3. Board member liaison reports

RECOMMENDATION

The SBE staff recommends that the SBE:

1. Approve the Preliminary Report of Actions/Minutes for the September 8-9, 2016 meeting. (Attachment 1)

2. Consider the SBE Screening recommendations for appointments to the California Practitioners Advisory Group, the Child Nutrition Advisory Council, and the Advisory Commission on Charter Schools. (Attachment 2)

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 September 8-9, 2016 meeting (21 Pages) may be viewed at the following link: http://www.cde.ca.gov/be/mt/ms/.

Attachment 2: State Board of Education Screening Committee Recommendations for Appointments to the California Practitioners Advisory Group, the Child Nutrition Advisory Council, and the Advisory Commission on Charter Schools. This attachment will be provided as an Item Addendum.

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT	
Science Framework for California Public Schools: Kindergarten Through Grade Twelve, 2016 Revision: Public Hearing and Adoption.	☒ Action ☒ Information ☒ Public Hearing

SUMMARY OF THE ISSUE(S)

Pursuant to Senate Bill (SB) 652 (Chapter 148, Statutes of 2015), the State Board of Education (SBE) shall consider the adoption of a revised curriculum framework and evaluation criteria for instructional materials in science on or before January 31, 2017. California *Education Code (EC)* Section 60204 calls for the Instructional Quality Commission (IQC) to recommend curriculum frameworks to the SBE. On June 20, 2016, the IQC voted unanimously to recommend that the SBE adopt the draft *Science Framework for California Public Schools, Kindergarten Through Grade Twelve* (*CA Science Framework*). On September 22, 2016, the IQC made recommendations for the State Board of Education Policy on the Teaching of Natural Sciences, Chapters 1–4 and 6–11, Appendices 1–5, Glossary, and Resources. On October 14, 2016, during an IQC Teleconference Meeting, the IQC made recommendations for Chapter 5. The IQC forwarded all recommendations to the SBE. The SBE must hold a public hearing before taking action on the draft *CA Science Framework*.

RECOMMENDATION

The California Department of Education (CDE) and the IQC recommend that the SBE hold a public hearing and adopt the draft *CA Science Framework* with the IQC-recommended edits from the second 60-day public review period. The draft *CA Science Framework* is available on the CDE Science Framework Web page at http://www.cde.ca.gov/ci/sc/cf/scifw2nd60daypubreview.asp.

BRIEF HISTORY OF KEY ISSUES

Framework Components

The draft *CA Science Framework* provides guidance on the implementation of the California Next Generation Science Standards (CA NGSS) to teachers, administrators, parents/guardians, and other educational stakeholders. It also provides guidance for the integration of the CA NGSS and the California Common Core State Standards for

English Language Arts and Literacy in History–Social Studies, Science, and Technical Subjects, the California Common Core State Standards for Mathematics, and the California English Language Development Standards. In addition, California's Environmental Principles and Concepts have been incorporated throughout the draft framework.

The grade-level and grade-span chapters emphasize the key instructional shifts as well as the three-dimensional learning that is emphasized in the CA NGSS. These instructional shifts provide a strong foundation to the organization and content of the framework. New features of the *CA Science Framework* include the use of snapshots and vignettes in all chapters to demonstrate the implementation of standards in the classroom.

Chapters on access and equity, assessment, learning in the 21st century, and implementing high-quality science instruction provide further guidance on meeting the instructional needs of all students. The draft *CA Science Framework* makes note of the important roles that teacher leaders, administrators, college and university personnel, community members, and families must play to help all students succeed.

The draft *CA Science Framework* meets the SBE's guidelines, responds to input from the field, and fully supports the design of the CA NGSS. Written with science classroom teachers in mind, the draft *CA Science Framework* will be an important tool in the implementation of the CA NGSS and preparing California's students for college, career, and citizenship.

Framework Development Process

The development of a curriculum framework is a multi-step process with many opportunities for public involvement. In January and February 2014, five regional focus groups were convened to receive input from the field on how to revise the *CA Science Framework*. The comments received at the focus group meetings informed the SBE-adopted "Curriculum Framework and Evaluation Criteria Committee Guidelines" for the 2016 Revision of the *Science Framework for California Public Schools, Kindergarten Through Grade Twelve,* which was the guiding document for the work of the Science Curriculum Framework and Evaluation Criteria Committee (Science CFCC). The guidelines are available on the CDE Science Curriculum Revision Guidelines Web page at http://www.cde.ca.gov/ci/sc/cf/sciguidelines2014fwrev.asp. The Science CFCC met six times from September 2014 through May 2015 and developed an initial draft *CA Science Framework*.

In September 2015, the IQC reviewed and edited the Science CFCC's initial draft *CA Science Framework* and approved it for posting and distribution for the first of two 60-day public review and comment periods. The draft *CA Science Framework* was posted from November 17, 2015, through January 19, 2016, with an online survey to facilitate public comment. In February and March 2016, the IQC considered public comments from the online survey, individuals, and organizations. On June 20, 2016, the IQC made further edits to the draft *CA Science Framework* based on the comments received. At that meeting, the IQC took action to (1) recommend that the SBE adopt the draft *CA Science Framework* and (2) post and distribute the draft *CA Science*

Framework for the second required 60-day public review and comment period from June 28, 2016, to August 29, 2016.

During the second 60-day field review, the CDE received over 900 comments on the draft *CA Science Framework*. On September 22, 2016, the Science Subject Matter Committee of the IQC considered every comment and then forwarded their recommendations to the full IQC. The IQC took action on the recommendations for: The State Board of Education Policy on the Teaching of Natural Sciences, Chapters 1–4 and 6–11, Appendices 1–5, Glossary, and Resources. However, due to extensive public comment received from the second 60-day review on Chapter 5, the IQC requested that the primary writer make major revisions to Chapter 5. On October 14, 2016, during an IQC Teleconference Meeting, the IQC reviewed the writer's edits to Chapter 5. Meeting locations were publicly posted, and the IQC provided time during the meeting for public comment on the revisions to Chapter 5. The IQC took action on the recommendations for Chapter 5. The IQC forwarded all recommendations to the SBE.

The IQC is formally recommending that the SBE adopt the draft *CA Science Framework,* including the additional changes recommended by the IQC on September 22, 2016, and October 14, 2016. The SBE will have to convene a public hearing on the draft *CA Science Framework* before taking action on the recommendation. Once the SBE takes action, the SBE and CDE staff will make necessary editorial changes as the document is professionally edited and prepared for publication.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

November 2015: The SBE approved a revised Schedule of Significant Events for the 2016 Revision of the *CA Science Framework* per SB 652.

August 2015: Governor Brown signed SB 652, 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, 2017. This extended the deadline to complete the *CA Science Framework*.

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 *CA Science Framework*.

January 2014: The SBE approved the timeline and Science CFCC application form for the 2016 revision of the *CA 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 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 *California Code of Regulations, Title 5* (*5 CCR)* sections governing the curriculum framework and instructional materials adoption process.

FISCAL ANALYSIS (AS APPROPRIATE)

The cost to revise the *CA Science Framework* is anticipated to be a total of $350,000 over three budget years, 2014–2015, 2015–16, and 2016–2017. 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 *CA 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 *CA Science Framework* will be paid by State General Fund dollars.

ATTACHMENT(S)

Attachment 1: Chart of Public Input on draft *CA Science Framework* (organized by chapter) with noted approved action by the IQC on September 22, 2016, and October 14, 2016 (331 pages)

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The "IQC Recommendations" column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

#	Chap(s)	Source	Line	Page	Comments	Att. #	IQC Recommendations
1	General	CDE Staff			Create consistent format for all vignettes and snapshots and provide a description of both in Chapter 1 Overview.		Recommend
1001 Add.	Gen	CSTA, Lisa Hegdahl			As professional development providers and curriculum developers will likely read multiple chapters, all snapshots and vignettes should have a consistent format which, at minimum, include: Introduction: An introduction that states that the instructional segment illustrated in the snapshot or vignette is only one variation of the many possible combinations of the DCIs, SEPs, and CCCs. Suggested text: The vignette (snapshot) that follows is an example of how the three dimensions of NGSS can be combined together to create sense making opportunities for students. Educators are encouraged to organize the disciplinary core ideas, crosscutting concepts, and science and engineering practices in ways that make sense to them, the students they teach, and the unique communities they serve.	128	Discuss with Attachment A, Comment/Edit #1. Recommend: All Snapshots and Vignettes will have consistent formatting in the final version of the CA Science Framework. However, Snapshots will not include introductions or debriefs.

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

1002 Add.	General	CSTA, Lisa Hegdahl			Integration: In grade level chapters where the core ideas are meant to be integrated, such as Chapter 5: Grades Six Through Eight, Preferred Integrated Model, it is essential that every snapshot and vignette illustrate integration of at least two core ideas. If the snapshot or vignette does not illustrate an example of an integrated lesson sequence as on page 152 of Grade Eight, Snapshot: Gravity and the Flashing Laser Lanterns, it should be made crystal clear that the snapshot, or vignette, is not integrated, despite its inclusion in a chapter intended to illustrate integration. Suggested text: The snapshot that follows is a small portion of a larger lesson sequence. While the snapshot on its own does not illustrate integration of two or more core ideas (Life Science, Physical Science, or Earth and Space Science), all larger lesson sequences within a 6-- 8 Integrated course model should exhibit that integration.	128	Discuss with Attachment A, Comment/Edit #1. Do Not Recommend Discussion: The title of the vignette or snapshot will identify the domain(s) covered. For Example: Preferred Integrated Grade Six Vignette: Interactions of Earth Systems Cause Weather (Earth and Space Science, Physical Science) Snapshots and vignettes in Chapter 5B will be integrated with at least 2 core ideas and will come from different disciplines.

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

1003 Add.	General	CSTA, Lisa Hegdahl			Debrief: A detailed debrief that explicitly points out the specific components of the lesson sequence where students made sense of phenomenon using all three dimensions of NGSS. (CSTA voiced the importance of bringing phenomena to the forefront in grade level chapters in our January 19 letter to the CDE.) For example, while the vignette debrief below (High School Living Earth Vignette: Analyzing the Past, Present, and Future of Marine Mammal Evolution, page 91, line 1807 from Chapter 6C High School Three Course Model) explicitly points out the cross cutting concepts and science and engineering practices, missing are the mentions of the disciplinary core ideas and the corresponding phenomena. While those can be found in the vignette introductory chart beginning on page 76, it is essential that users of the Framework be able to make connections to the components of NGSS within the context of the actual lesson, i.e. the debrief. If a vignette illustrates core idea integration, which all integrated grade levels should, the integration should be pointed out as well.	128	Discuss with Attachment A, Comment/Edit #1. Discussion: All Snapshots and Vignettes will have consistent formatting in the final version of the CA Science Framework. However, Snapshots will not include introductions or debriefs. Vignettes will include identification of SEPs, DCIs, CCCs.

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

1004 Add.		CSTA, Lisa Hegdahl			(Example of a Debrief) Original text from the draft Framework: As the culmination of the entire course, this vignette shows how the biosphere, geosphere, and anthrosphere interact. A major focus of the vignette is on having students analyze [SEP-- 4] different data sets and notice that they exhibit similar patterns [CCC-- 1]. These correlations should invite students to ask questions [SEP-- 1] about possible cause and effect relationships [CCC-- 2]. The evolution of marine mammals presents sequences of complex chains of cause and effect relationships, so the vignette relies on concept maps as pictorial models [SEP-- 2] to represent them. Students use these models to help structure arguments [SEP-- 7] such as the debate on Day 8 and the assessment on Day 9. Suggested edits: As the culmination of the entire course, this vignette uses the phenomenon of unusual changes in climate to show how the biosphere, geosphere, and anthrosphere interact [DCI: ESS2.D: Weather and Climate]. A major focus of the vignette is on having students analyze [SEP-- 4] different data sets and notice that they exhibit similar patterns [CCC-- 1]. These correlations should invite students to ask questions [SEP-- 1] about possible cause and effect relationships [CCC-- 2]. The evolution of marine mammals presents sequences of complex chains of cause and effect relationships	128	Discuss with Attachment A, Comment/Edit #1. Discussion: Recommend calling out phenomenon and labeling the DCIs in the vignette debriefs. Snapshots and vignettes will all call out/clarify the phenomenon.

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

					[DCI: LS4.C: Adaptation], so the vignette relies on concept maps as pictorial models [SEP-- 2] to represent them. Students use these models to help structure arguments [SEP-- 7] such as the debate on Day 8 and the assessment on Day 9.		

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The "IQC Recommendations" column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

1006 Add.	General	CSTA, Lisa Hegdahl			In addition to concerns with the snapshots and vignettes, reviewers found inconsistencies in the use of scientific terms. For example, the use of the terms 'mass' and 'weight' are used arbitrarily within the same sentence and paragraph as shown in Chapter 4: Grades Three Through Five, page 117, lines 2693-- 2710: Clearly there are major changes inside some of the bags, but does the weight of the bag change? Students can measure the mass of the bags before, during, and after each reaction (5-- PS1-- 2). Even in bags that fizz and puff up with gas, the weight does not change. Students can compare high quality 'brand name' plastic zip bags with cheaper versions and see that some bags leak gas more than others (causing the mass to slowly drop as the fizzing progresses). This observation leads to an important and often unexpected discovery: gas has mass. Students can confirm this idea by comparing the weight of an empty balloon to the mass of one blown up with air (hanging the bags on opposite ends of a meter stick, which when hung by a string from the center can be used as a balance). They can also confirm this by placing an empty cup on a balance, mixing chemicals that fizz in the cup, and watching the weight of the cup decrease as the reaction progresses. If they repeat this same reaction in a well-- sealed bag, they will see that the mass stays constant.	128	Recommend Throughout the CA Science Framework scientific terms will be labeled consistently and defined by the CA NGSS and grade-level appropriateness

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1010 Add.	General	CSTA, Lisa Hegdahl			Model sound pedagogical practices such as providing students with rich experiences where they develop their own conceptual frameworks before they are frontloaded vocabulary or content. The framework should be showcasing examples where students engage in SEPs and CCCs to build understanding of science and engineering content and make sense of phenomena and design solutions.	128	General Comment
1011 Add.	General	CSTA, Lisa Hegdahl			As we move towards the final steps of adoption of the new CA Science Framework, CSTA is ready and eager to assist the CDE address these and other concerns. The Science Framework for California Public Schools: Kindergarten through Grade Twelve will be an invaluable resource for teachers, coaches, professional development providers, and publishers across California. We appreciate the opportunity to contribute to its completion.	128	General Comment

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3	General	Public Comment, Joan Fox			Definitely not user friendly. There is the note that, of course, this does not tell teachers how or what to teach. It is a complicated mess that does not provide a road map. I have been to multiple trainings that have revealed that everything is not included. I am supposed to teach photosynthesis, for example, but cells are part of the 6th grade standards. Clearly I have to go back and at least review plant cells and organelles. I fear the roll out will be as botched as Common Core Math.	4	General Comment
4	General	Public Comment, Annie Kohut Frankel			Please change the web link for CEEIN to ceein.org. The site rotates state government host but this domain name will always point to the correct location of the website. Please change the web link for California Coastal Commission to coastforyou.org, which takes the user directly to the education section of the website.	8	Recommend
5	General	Public Comment, Nghi H. Nguyen			I send attached an math article, titled: "The Transposing Method in solving algebraic equations and inequalities", that proposes an excellent step to improve math skills of Americans students. I hope this math article will be used as instructional resources for math teaching at Pre-Algebra and Algebra I levels.	11a	Do Not Recommend: Does Not Apply to the Science Framework

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6	General	Public Comment, David Hillman			This month I learned from a retired teacher that the California Science curriculum is called the Framework, and that you want public input and revisions before its second review is completed in 2016. The Framework may last a generation before the next review, so I hope my studies will not go to waste but receive fair consideration. My daughter is a public school student here. My familiarity with scientists and research comes from a long career of running experiments in biochemistry, cell biology, animal physiology, gene expression and DNA sequencing.	114	General Comment

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7	General	Public Comment, Lance Atkinson			As a high school teacher, I find that the science framework proposed makes little change to the existing challenges that the old CA Standards provided. The 1995 adopted standards were isolated to specific knowledge based performance and not the ability to apply the knowledge to engineering or scientific discovery. The NGSS attempt to rectify that by providing performance expectations for students to be able to do by the end of high school. However, the current proposal does not address the fact that high school students test better in isolation when subjects are taught in chunks. The current proposal is forcing students to cover Life Science standards with some Earth Science standards in the first year but not testing them for another two years. Those standards will have been lost by then. The four course model is the existing model we have now but it would provide no opportunity for students to take advanced classes (AP courses). Unless districts and students are forced to take all four courses, there will be PE's left out. The three course model is asking much from science educators. Whereas we are already required to address standards and DCI's while integrating other sciences, the	14	General Comment

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8	General	Public Comment, Lance Atkinson			proposed model asks teachers to attempt to cover more PE's with less time. As the state is aware, class sizes in CA are at capacity and to ask educators to cover more PE's with less time is a set up for failure. And, as stated previously, student test performances will steeply decline.	14 cont.	General Comment
9	General	Public Comment, Lance Atkinson			Although it can be argued that some topics can be integrated, i.e. Ecosystems, Earth systems, energy transfer and ecology, other topics are isolated topics, i.e. Genetics, Endo/Exothermic reactions, Coulomb's Law. Yet, some ideas continue to arise throughout the science curriculum.	14 cont.	General Comment
10	General	Public Comment, Nghi H Nguyen			Responding to an announcement on the SJ Mercury News dated June 30, 2016, I send attached a math article titled:" The new AC Method to factor trinomials" that I am the author. I expect that this article would be used as instructional resources for high school math teaching.	15a	Do Not Recommend: Does Not Apply to the Science Framework

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11	General	Public Comment, Nghi H Nguyen			I send attached a math article titled: "Solving quadratic equations by the formula in graphic form" that I am the author. This to respond to an announcement, posted on the SJ Mercury News, dated June 30, 2016. I expect this math article would be accepted and used as instructional resources for high school math teaching.	16a	Do Not Recommend: Does Not Apply to the Science Framework
12	General	Public Comment, Nghi H Nguyen			I send attached the math article titled: "The quadratic function and the quadratic formula in intercept form" that I am the author. I also sent you another math article titled:" Solving quadratic equations by the formula in graphic form" These 2 articles explain the same formula with 2 different names. It is up to state educators to select the best name.	17a	Do Not Recommend: Does Not Apply to the Science Framework
13	General	Public Comment, Valerie Lopez			I have been in the planning stages for my next school year stumbled on this document. I have found many useful cross-curricular ideas, but would love to see some arts integration also. Wishful thinking?	19	Do Not Recommend: This would take a major revision.

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14	General	Public Comment, Tina Burr			While teaching Physical Science this past school year, I found my students were not prepared for solving problems concerning rate or anything involving slope. I found that I needed to teach my students how to manipulate formulas that in years past, were taught in the 7th grade. I was told that was due to the new Common Core Math Standards. If this is true, how do we address the issue..	5	General Comment

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15	General	Public Comment, Suzy Woodley			I teach 7th and 8th grade science and have taught tk to 6th grade stem prep for one year. I have taught for 10 years. I have been using the NGSS standards for the last 2 years. 1. I would cut 25% to 50% of the standards, especially for middle school. If you expect in depth determination, student choice, differentiation, high quality work instead of regurgitation on content matter. Then there is way too much information to cover in 180 days and 50 minutes a day, with 35 students per class. 2. I do not like many of the "so called" hands on activities in the framework for middle school. They just seem like paper pushing activities instead of actual exploratory hands on activities. It feels like much of the original intent was removed do to the cost of actually supporting exploratory activities. 3.The NGSS will be just another pendulum swing in what people feel as "standards" change will improve education of their students. So unless an intense amount of funding is increased for science education, curriculum design, decreased class size (to support the more exploratory/ differentiated/questioning. student-centered.	21	Do Not Recommend: This would take a major revision.

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15 cont.	General	Public Comment, Suzy Woodley			Team idea of the standards) and funding for field trips, gardens and hands-on materials (consumables and new reusable equipment, and teacher training I don't see this as really being successful based on its intent or having any great impact. 4. These standards should have come out before common core math and language arts.	21 cont.	Do Not Recommend: This would take a major revision.

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15 cont.	General	Public Comment, Suzy Woodley			Teachers in elementary are overwhelmed with this entire "new" curriculum. So the material is still being taught segmented. Language arts time, math time... etc. Instead of "learning time". Schools are calling "stem prep" as science time. Which is about an hour a week for a student to get science instead of using the material to integrate all content: math, language arts, history etc. 5. There is a major issue with schools having 6th grade in elementary school instead of in a middle school. Many teachers lack any type of science training (look back at credential program: It is all about language arts, math, ELA topics all separated out and very limited inquiry and exploratory hands-on activity design). So until something changes at the credential level these standards will have little impact. The depth will not be there for middle school and teachers will have to teach even less of the middle school material as it will not have been deeply covered in elementary.	21 cont.	Do Not Recommend: This would take a major revision.

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16	General	Public Comment, Nghi H Nguyen			Responding to an announcement posted on the San Jose Mercury News, dated June 30, 2016, I send attached a math article titled: "Solving quadratic equations by the new Transforming Method" that I am the author. I hope this math article will be used as instructional materials for teaching math at high schools. I am willing to contribute something in the effort to improve math skills of high schools students.	20a	Do Not Recommend: Does Not Apply to the Science Framework
17	General	Public Comment, Bsels			Much to like about the new science standards - disciplinary integration, inquiry and statistical skills, how humans affect natural processes, etc. Here's a related course proposal that helps teens acquire and weigh information they can use to make decisions about their own behavior: http://loudounnow.com/2016/07/22/op-ed-engaging-teens-to-confront-social-and-health-challenges/	33	General Comment

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18	General	Public Comment, Teresa “Tree” Lees			I want to advocate for keeping the EEI curriculum in the Science Framework as a solid example of the Environmental Principles and Concepts as well as a correlated to NGSS. The Education and the Environment Initiative (EEI) Curriculum integrates education about the environment into core subjects already taught in our K–12 school system – Science and History-Social Science. Through engagement with EEI, your students' mastery of the academic content standards will go hand-in-hand with increased environmental literacy. www.californiaeei.org The high educational quality of the EEI Curriculum is ensured through: Alignment of the EEI Curriculum and the foundational Environmental Principles & Concepts to California's academic content standards. Review by technical experts and education professionals. Field and pilot testing in California schools. Approval by the State Board of Education. Coordination and collaboration between the California Environmental Protection Agency, the California Department of Education, the State Board of Education, and the California Natural Resources Agency.	43	General Comment

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18 cont.	General	Public Comment, Teresa “Tree” Lees (Cont.)			Coordination and collaboration between the California Environmental Protection Agency, the California Department of Education, the State Board of Education, and the California Natural Resources Agency.	43	General Comment
19	General	Public Comment, Christie Pearce			Please see the attached notes from Orange County Department of Education’s public framework review yesterday. Thank you for letting us be a part of this important process!	44	General Comment: See Attachment 44 for 10 pages of line edits. (Edits are distributed throughout these edits)
20	General	Public Comment Tracy Tegtmeier			I am a NSTA/NG Fellow and just spent 3 weeks on STEM lessons and extern program with engineers. The engineering standards really need to have the work “failure” in them as being a natural part of testing/learning. The interns and engineers all indicated that kids don’t know how to fail and therefor they have to teach the engineers how to fail well. Failing is a natural part of learning and we have been part of the “failure is not an option” movement for way to long with huge consequences. This was the most significant thing I saw because when students hit the failure, if they can’t fail well they quit.	76	Recommend: Add "The idea of failure is embedded within the engineering design process articulated in the CA NGSS in the "Optimize" stage when students progressively improve their designs.” and add a citation to Dweck’s Mindset book.

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21	General	Public Comment, Joanne Michael			Make active links to connect directly to the different grade levels	75a	Do Not Recommend
22	General	Public Comment, Joanne Michael			Is there something that visually shows the cascading of complexity of concepts K-12 (vertical articulation) in order to backwards concept map curriculum	75a	General Comment: No action required see Appendix 2.
23	General	Public Comment, Joanne Michael			Looking at all 3 strands (particularly DCI), what are the main overarching concepts? When should they be carrying out own experiments? Investigating? Culminating projects?	75a	General Comment: No action required see Appendix 2. and should be in future instructional materials adoption.
24	General	Public Comment, Joanne Michael			After standards are broken down (rationale given, etc.), within rationale, there are opportunities to integrate other concepts (ELD, Math, etc.)- could those opportunities be moved to after the rationale is completed for each section? More user-friendly for classroom teachers. Possibly put in the margins- “see math connection” rather than a separate box, to encourage the teachers to read the entire rationale.	75a	Do Not Recommend: This would take a major revision and will be a part of final formatting of published document.

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25	General	Public Comment, Joanne Michael			Could table 1-7 from chapter 1 be at the forefront of each grade level band chapter? Reinforce the idea of “now we are…less than” concept.	75a	Do Not Recommend: This would take a major revision.
26	General	Public Comment, Joanne Michael			We love the vignettes! Keep them- if anything, add more! If space is an issue, put them all in the back as an appendix or reference.	75a	General Comment
27	General	Public Comment, Sue Heraper			SBE Policy on the Teaching of Natural Science Policy statement is interesting about what is inside and outside the domain of science. Like having a list of related documents at the end of the section.	84	General Comment

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28	General	Public Comment, Lawrence Flammer			As a high school biology teacher for 38 years, I tended to focus on evolution and the nature of science (NOS) throughout my course. Even though those areas are of critical importance, surveys and studies clearly show that there is poor public understanding of these topics. For various reasons, they tend to be inadequately taught, leading to the many misconceptions exhibited by the public. Therefore, after retiring in 1997, I gathered a collection of interactive classroom lessons for effectively teaching those topics, developed and classroom-tested during several years of the NSF-funded Evolution/Nature of Science summer institutes for exemplary science teachers across the country. To provide easy and no-cost access for all teachers to those lessons, I created the ENSI website, which I have maintained ever since. The site has been well-received and much appreciated by teachers across the country.	86	General Comment

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28 cont.	General	Public Comment, Lawrence Flammer			The NGSS, and the forthcoming California Framework for the CA NGSS, have included many of the critically important aspects of evolution and NOS, so we have an exceptional opportunity to correct this problem. I'd like to share my deep involvement with teaching those topics with those who are developing the new standards and framework for California. I have communicated my concerns about many of the specifics to the national effort as the national Framework and standards were being developed. Many of those points were incorporated. I have also submitted my specific concerns and suggestions to earlier CA public hearings and to the first draft of the CA Framework, and was very pleased to see that many of my suggestions were included in the second draft. I thank you for that.	86	General Comment

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28 cont.	General	Public Comment, Lawrence Flammer			Now I have examined those topics for middle school and high school in the second draft, and my suggested revisions are attached. I hope and trust that you and your colleagues will do all you can to make the suggested changes. Since many teachers tend to rely heavily on text material, it's critical that the many important points about evolution and NOS be accurately represented and be clearly available to text writers. In addition to specific page#/line# items pointed out, I have also included on those pages some suggestions for several points not clearly emphasized or included so far in the CA Framework. SPECIAL NOTICE: after completing my initial reviews and suggested revisions, I noticed that new draft pages had been made available replacing the drafts available at the beginning of this review period. I noticed that the page numbers and line numbers had shifted in later downloads. Therefore, I went over my original suggestions to show the newer page numbers and line numbers (included in my Draft 2b files). If other teachers downloaded the initial drafts, and missed those changes, it could make for some confusion in the reading of those suggested revisions.	86	General Comment

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29	General	Public Comment, Geoff Annette			I must say I am disappointed about the way the NGSS is being rolled out. I think it is unreasonable to ask teachers to create materials. I have been teaching for 23 years. When I first started the CA state standards did not exist. When they were implemented we had to create our own curriculum. Three years later we adopted a textbook series. At this point all we had created was thrown out. I am reluctant to do that again. I do like the engineering component. I find that exciting. I do not understand why so many of the areas of study were changed from each grade level. I do not agree with integrating curriculum in the middle school years. It seems like elementary school science just continues through middle school. I think it allows more depth of study to have 6th be earth, 7th be life, and 8th be physical. This was how my children learned and it has really helped them to do well in high school science. All three of my children have an affinity with science particularly life science. I currently teach 5th grade, but have also taught grades: 3, 6, 7, and 8. If we are going to implement these standards, please provide us with up to date curriculum that is ready to roll out to the children!	90	General Comment

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30	General	Public Comment, Anne Campbell			I would like to suggest one way to enhance the framework and that would be to include a strong statement of support for the importance of Outdoor Education. As San Mateo County Superintendent I have seen first hand the power of Outdoor Education in the lives of our students and teachers. The San Mateo County Office of Education offers a robust, week-long residential camp experience for our fifth and sixth graders. Every year over 5,000 students and hundreds of teachers attend a science-packed week at Camp Jones Gulch. The experiences they have are engaging, impactful, and help make science come alive in a real world setting. When they return to their classrooms, teachers continue to integrate the lessons from the week at Outdoor Education into their science lessons all year long. I know that Jerry Lieberman, Celeste Royer, and Craig Strang have crafted draft language that highlights the inclusion of Outdoor Education in the new framework. I am in complete support of their proposal. Again, thank you for this opportunity for input. I look forward to the proposed California Science Framework being adopted and put into use in classrooms throughout CA.	92	See Lieberman's Comment, Attachment #94

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31	General	Public Comment, James Brescia			I would like to suggest one way to enhance the framework and that would be to include a strong statement of support for the importance of Outdoor Education. As San Luis Obispo County Superintendent I have seen first-hand the power of Outdoor Education in the lives of our students and teachers. The San Luis Obispo County Office of Education offers a robust residential camp experience for student across the central coast. Every year over 10,000 students and hundreds of teachers attend science-packed experiences at our outdoor school, Rancho El Chorro. These educational opportunities are engaging, impactful, and help make science come alive in a real world setting. When they return to their classrooms, teachers continue to integrate the lessons from Outdoor Education into their science lessons all year long. Jerry Lieberman, Celeste Royer, and Craig Strang have crafted draft language that highlights the inclusion of Outdoor Education in the new framework. I am in full support of their proposal. Once again I thank you for this opportunity to provide input. I look forward to the proposed California Science Framework being adopted and put into use throughout California.	100	See Lieberman's Comment, Attachment #94

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32	General	Public Comment, Daphne Chase	Gen.		I'm very encouraged by the direction the new science framework and standards are taking our students. The lessons are far more engaging and tap into the students' natural curiosity. I'm currently working with another teacher in our district to develop some 5E lessons to help our teachers bridge from the previous standards to the new standards and we found the draft of the framework invaluable in writing these lesson plans. The framework is very well written. The vignettes provide a solid structure for teachers who are nervous about delving into the inquiry based science methodology. Looking forward to reading the final draft. Keep up the good work!	101	General Comment

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33	General	Public Comment, Gerardo Salazar (Part 1 of 2)	Gen.		The impact of science in the environment has been seen and felt by many our students in the Los Angeles Unified School District. The massive Aliso Viejo Gas Leak in the community of Porter Ranch caused the evacuation of more than 1,000 students in three of our schools and the relocation of hundreds of our families. Less known but equally destructive is the Exide Battery Plant that leaked arsenic, lead and other pollutants in three of our enrollment cities affecting more than eight schools in high poverty, high density communities. Awareness of science and the environment has become a priority for our schools and families as they are in the center of these disasters. In response to the adversity endured by students, we extended opportunities for 4th and 5th graders to participate in our five day residential education programs at our two outdoor education centers. Middle school students were invited to our two-and-a-half weekend program. Participants conducted studies in our mountain riparian and coastal ecosystems, recording data on nitrates, dissolved oxygen, Ph and other indicators of a healthy or threatened ecosystem. These real world field studies provided a platform for deep understanding to make science relevant and meaningful.	104	See Lieberman's Comment, Attachment #94

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33 cont.	General	Public Comment, Gerardo Salazar (Part 2 of 2)	Gen.		Being away from home in a structured environment where science and environment projects take center stage is profound. Students walked away with the understanding that awareness is only the first step. In order to advocate for their right to clean air, soil and water; they must do so from a place of knowledge and use evidence to support their arguments. The long-term effect in the classroom was evident as children prepared and presented models as their semester long units of study culminated. Some models and environmental studies were presented to city officials, schools board members and their respective communities. This example is the norm, not the exception for the 23,000 students that participate in our programs. I enthusiastically support the proposal for the inclusion of Outdoor Education in the new Framework.	104	See Lieberman's Comment, Attachment #94

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34	General	Public Comment, Slee, Elisa J.	Gen.		After the first draft, I was able to attend a review session at OCDE. This time I was not able to attend a public review session but I did spend time reviewing this draft on my own. First of all, I want to say that I am very impressed at the refinements made since the first draft. I love the overview and the section on what is three dimensional learning. I also found the addition of the photos and overviews by topical area for each grade level to be very helpful in understanding the shifts. The progressions are excellent. Thank you for all of your hard work. After 18 years with the old CA Science Framework, I am very excited about this new framework. I have been looking at the NGSS since it was in the draft stage. At the time it was adopted by CA, I was working as a Science TOSA and watched teachers as they tried to make sense of the NGSS. I feel strongly that what you have done will enable the teachers in CA to implement NGSS fully.	118	General Comment

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35	General	Public Comment, Carol Perkins	Gen.		I am a dental hygienist and voluntary taught for over 20 years in all types of California schools. I think the word "Supertaster" should be included in your discussion on the 5 senses **on page 245 9.b.** (*Dept. note: this refers to old 2004 framework*) and in a healthy diet section. I have taught C.A.T.S. (Children Against Tobacco and Smoking which is now Red Ribbon Week). I believe this concept, "Supertaster" would help kids learn not to take drugs or drink alcohol. I see article in www.RDH.mag and help write a 2 unit CE course in CREST P & G website www.dentalcare.com and YouTubes. Attachments: Jellybean experiment, links to Supertaster articles and videos	116	General Comment, do not recommend, not applicable to the CA NGSS.
36	iii	Public Comment, Fidela Robertson			**First paragraph:** The domain of the natural sciences is the natural world. Science is limited by its tools—observable facts and testable hypotheses. **Comment:** I would not call observable facts and testable hypotheses tools. I would change the second sentence to read: The application of scientific inquiry is limited to the natural world.	88	Do Not Recommend

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37	1	Public Comment, Melissa Moser			I sure wish it included local environments in third grade. Requiring material to be focused on environmental education of local endangered species and local habitat. I believe that that CA environmental literacy blueprint should be intertwined. It is nor specific enough, so teachers know to focus on local habitat, local declining species, local pollution, etc. We have real environmental problems that need to be addressed. It needs to be specific for teachers. Also, many teachers don't understand climate change. Teacher education needs to be provided and climate information should be included earlier.	2	General Comment

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38	1	Public Comment, Mulholland-Beahrs	Gen.		Dear California Science Framework Review Committee, We are the directors of two environmental education collaborative in California, with the combined membership of over 70 organizations, including National, State and Regional Parks, land trusts, universities, nonprofit organizations, museums and more. Our members are committed to ensuring the next generation is environmentally literate and we applaud references in the California Science Framework to environmental education. There is a growing volume of research that supports field based learning in both formal and informal contexts. Gerald Lieberman offers a compelling case to implementing environment based education programs in Education and the Environment: Creating Standards Based Programs in Schools and Districts . Over several independent studies, students in schools and classrooms that implemented environment based educational programs “performed better on standardized measures of academic achievements—particularly in language, arts, science, and history/social science—than their peers in traditional classrooms” (47).	58b	General Comment: see edits related to 58b throughout this attachment.

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38 cont.	1	Public Comment, Mulholland-Beahrs	Gen.		Students who are exposed to and engage with “real-world problems have the chance to refine their scientific observation skills as well as their ability to collect and analyze data and formulate rational conclusions” (54). Improving the presence and quality of outdoor education curricula and promoting environmental literacy among students dually promotes greater success on standardized assessments and will further shape our students into informed, global citizens. Given this evidence, we strongly urge you to make the following slight changes to the June 2016 version of the California Science Framework:	58b	General Comment: See edits related to 58b throughout this attachment..
39	1	Public Comment, Joanne Michael	Gen.		Different types of heading for the different sections? Bold? Underline? Due to amount of words- let it “scream at us”	75a	Recommend-format change

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40	1	Public Comment, Joanne Michael	Gen.		One of the main things across all groups that we felt was imperative to be highlighted (or repeated in multiple places within the framework) was the table 1-2 in chapter 1 (where it compares "more of this-less of that"). Every educator really appreciated it, and for classroom teachers (particularly elementary), that was the single most powerful piece of information in the entire document! :)	75	Do Not Recommend: Would lengthen the Science Framework.
41	1	Public Comment, Joanne Michael	Gen.		Make more references to the glossary within the document (possibly active-link? Anchors?)	75a	Do Not Recommend

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42	1	Public Comment, Sue Heraper	Gen.		Like the dimensions, and the expansion to other imensions, including 21st century skills. Like the combination of science and engineering; it would be useful to explicitly define each and differentiate between them a bit earlier in the document. Maybe a simple statement of pure science and applied science, or in terms of “science and its impact on humans” vs. “human’s use of science”. Engineering is more than problemsolving/ design process, for no other reason than sometimes engineering processes can be a positive action (not just a reaction to a need/difficulty, but rather one that also arises from pure curiosity “ I wonder if I can float a Lego piece on a leaf so that it moves down a creek” see Chapter 3 line 85).	84	General Comment

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43	1	Public Comment, Naomi Eason	Gen.		The Importance of all teachers using the California ELD Standards, including those that teach science. While chapters 8 and 9 address EL’s access to a robust science curriculum in detail, its inclusion in chapter 1 rightly emphasizes the consistent integration of linguistic access and English language development into science (and mathematics) instruction. Moreover, CSBA appreciates the asset-based approach (302-304 and 1550-1559) towards students who bring a range of cultural and linguistic backgrounds, English language proficiency, and prior educational experiences.	124	General Comment-no changes

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44	1	Public Comment, Fidela Robertson	53	2	**Original Text:** The goal of the California Next General Science Standards (*CA NGSS)* is to prepare California students to be future citizens and future scientists, which leads to a specific vision about science education: **Comment:** Whether students are taught science via NGSS or not, they will be future citizens; not all students will become scientists. I would change this sentence to read: The goal of the California Next Generation Science Standards (CA NGSS) is to prepare California students with a deep understanding of the nature of science and fundamental principles of science. A scientifically literate citizenry, will impact policy decisions and laws through intelligent dialog between citizens and lawmakers, and within the assembly chambers, locally and nationally. There is a greater likelihood that decisions will be based on sound science and systems thinking.	88	Do Not Recommend Discussion: IQC appreciated the original text that was direct and to the point.
45	1	Public Comment, Joan Commons	130	6	Overview line 130 Please change 'unconscious' to 'internalized habit of mind'	22	Do Not Recommend

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46	1	Public Comment, Joanne Michael	162-163	7	The teacher’s role is to provide students with the materials (DCIs), the tools and how to use them (SEPs) and the vision of interconnectedness (CCCs). Very basic- but solid- overview of NGSS for classroom teacher	75a	General Comment
47	1	Public Comment, Hope Oliver	173	7	Table 1-1 I suggest changing the wording as follows: (current) Planning and Carrying Out Investigations, to (suggested) Planning and Conducting Investigations. Note: Performing may be considered, as well. I just feel that Carrying Out is awkward to say, and also semantically unclear to non-English speaking learners. Please stick with an effective verb.	27	Do Not Recommend: Not the language of the CA NGSS.
48	1	Public Comment, Joanne Michael	173	7	Table 1-1 Could this be earlier in the document?	75a	Do Not Recommend

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49	1	Public Comment, Fidela Robertson	175	8	**Line 175 Key Instructional Shifts for CA NGSS** This topic is condensed in a chart which gives detailed examples of the shift. I find this very helpful. This topic ends with line 200. After Line 175, there are 6 subtopics. I have listed the Line number and heading below. The first 4 subtopics are offering further explanation of the 3D model of NGSS; however, the last two don't flow from what preceded the text. I am very familiar with Fran Pavley's work on Environmental Principles and Concepts (2004). For 12 years, those principles have been our "best kept secret". By placing Line 287 and what follows in that paragraph in this part of the document, I think it will get lost. (By the way, I found out about these principles at a Generation Earth workshop.)	88	Do Not Recommend
50	1	Public Comment, Naomi Eason	188-189	8	Add "**all**" to the statement: "In particular, the aim is to prepare **all** students graduating from high school to be critical consumers of information…"	124	Recommend
51	1	Public Comment, Joanne Michael	199	9	Table 1-2 Wonderful for classroom teachers- could this be bolded? High-lit?	75a	Recommend-format change

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

52	1	Public Comment, Naomi Eason	199	9	Under the “More of this” column in Table 1-2, amend the following statements: “Students engage in the CA NGSS practices to build deeper understanding of science and engineering content and make sense of phenomena and design solutions” to “Students engage in the CA NGSS practices to build deeper understanding of science and engineering content, **make sense of phenomena and design solutions, and have frequent opportunities to apply scientific vocabulary and discourse structures in the context of practice.**”	124	Do Not Recommend
53	1	Public Comment, Naomi Eason	199	9	“Connection of the practices to the goals of literacy in science (purposeful reading and writing to strengthen science understanding)” to “Connection of the practices to the goals of literacy in science (purposeful reading, writing, **speaking, and listening** to strengthen science understanding).”	124	Recommend

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54	1	Public Comment, Joanne Michael	201	10	Phenomena is a big part of NGSS; yet it seems to not be emphasized in this section. Elaboration would be helpful- develop a stronger emphasis on instruction.	75a	Recommend Discussion: Snapshots and vignettes will include phenomena. In chapter 1 writer will add to paragraph to better define the three different types of phenomena and why it is essential.
55	1	Public Comment, Fidela Robertson	205	10	“designed system” I would change to **humanly-designed system**	88	Do Not Recommend

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56	1	Public Comment, Fidela Robertson (Part 2 of 2)	201-287	10-14	Line 201 Phenomena-driven Three Dimensional Learning Line 212 Coherent Instruction across the Curriculum Line 222 Developmental progression in all three dimensions Line 248 Integration between science and engineering and other disciplines Line 271 Learning Relevant to Student Experience and Community Needs Line 287 Explicit focus on Environmental Principles and Concepts I would suggest linking the Environmental Principles and Concepts to the Disciplinary Core Ideas of Life Science, Earth Science and Engineering, Technology and Applications of Science. They need to be made explicit.	88	Do Not Recommend: The writer has already linked the EP&Cs through out the framework.

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57	1	Public Comment, Fidela Robertson	260, 261	12	The last sentence is vague. Is it saying that math and language arts teachers would naturally devote time to science teaching? If so, I don't think enough explanation has been given to draw that conclusion. It sounds nice, but in reality, I don't think it would happen to the extent one would want it to happen. This would require more than NGSS CCSS. Something more realistic would be These synergies offer opportunities for teachers at all grades to **design cross-curricular lessons built on a science theme.**	88	Recommend
58	1	Public Comment, Naomi Eason	275-276	13	Amend "Students are more likely to meet this goal when science instruction centers around the needs of students and communities" to "Students are more likely to meet this goal when science instruction centers **on the interests and needs of students and communities, as well as the contributions of scientists and engineers that reflect California's diverse population.**"	124	Recommend
59	1	Public Comment, Joanne Michael	287-298	14	Possibly an appendix as opposed to the introduction, or it's own section? Can easily be overlooked in the midst of everything else. Need more guidance	75a	Do Not Recommend: Based on past ICQ action and previous public comment.

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60	1	Public Comment, Mulholland-Beahrs		15	Incorporate the Blueprint for Environmental Literacy: For the first revision cycle of the Science Framework (November 2015), Chapter One’s sections on the California Environmental Principles & Concepts, including Table14 on page 15 and A Blueprint for Environmental Literacy were strong and explicit . However, in the June 2016 version, this section has been significantly reduced. We strongly urge the committee to bring back the reference to A Blueprint for Environmental Literacy . Instead of the 1.5 pages in the November 2015 version, we encourage you to incorporate this small segment into the final revision:	58b	Do Not Recommend: Based on past ICQ action and previous public comment.

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60 cont.	1	Public Comment, Mulholland-Beahrs		15	“In 2015, building on the Environmental Principles & Concepts (EP&Cs) and the continuing need for Californians to make wise environmental choices essential to a sustainable and healthy life, State Superintendent Torlakson’s Environmental Literacy Task Force released A Blueprint for Environmental Literacy: Educating Every Student In, About, For the Environment. The central approach for achieving environmental literacy proposed by the report is to integrate environmental literacy efforts into K—12 education so that all teachers are given the opportunity to use the environment as context for teaching their core subjects. The complete report with specific examples is available at: http://www.cde.ca.gov/pd/ca/sc/environliteracybluep rint.asp .”	58b	Do Not Recommend: Based on past ICQ action and previous public comment.

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61	1	Public Comment, Naomi Eason	307-308	16	Amend "…receive appropriate support for language and skill development that may be lacking in their background" to "receive appropriate support for language and skill development that will **ensure full access to the science curriculum, regardless of their background.**"	124	Recommend: Line 235: Change to read, "It is therefore important that science be taught consistently at all grade levels to all students, which requires investment by both teachers and administrators" Line 307: Change to read, "(3) receive appropriate support for language and skills development."
62	1	Public Comment, Joanne Michael	354-359	18	All scientists who helped with the discovery get the credit- we should be gender and culture-cognizant of all those who helped in the discoveries.	75a	General Comment-no recommended change.
63	1	Public Comment, Naomi Eason	414-415	20	Amend "Students need the time and curricular 'space' to ask questions…" to "Students need the time, linguistic support and curricular 'space' to ask questions…"	124	Do Not Recommend.
64	1	Public Comment, Sue Heraper	428	20	Like the expert vs. novice model	84	General Comment

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65	1	Public Comment, Naomi Eason	408-452	20-21	In the section on asking questions and defining problems, we recommend acknowledging the role of cultural and gender norms of communication and that teachers provide support to students of all backgrounds in developing confidence asking questions and defining problems. This is addressed somewhat in chapter 8, lines 43-45, but should also be addressed in chapter 1.	124	Do Not Recommend
66	1	Public Comment, Sue Heraper	485	23	Like the discussion and examples of models	84	General Comment
67	1	Public Comment, Jan Robertson	485	25	Table 16 **Original Text:** One moves to catch a ball based on a mental model that predicts how the ball will travel. **Recommended text:** One **reacts** and moves…..	28	Do Not Recommend
68	1	Public Comment, Deborah Zierten	565	28	"Another goal of having students engage in investigation and reflect upon their experience is to deepen their understanding of its role in science. As **active global citizens, their experiences doing investigations improves their capacity to make connections from class to real-world contexts, both in the field and in the classroom.**"	53b,56a, 57a, 65b, 65b, 125	Recommend: "To make these connections more powerful, investigations should be rooted in real world data or experiences and not limited to table top experiments."

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69	1	Public Comment, Sue Heraper	924	40	Italic ize Structure and function.	84	Recommend - Format change
70	1	Public Comment, Sue Heraper	926	41	It alicize Stability and change.	84	Recommend-Format change
71	1	Public Comment, Joan Commons	1004	43	line 1004, thank you for CCCs and questions with SEPs	22 cont.	General Comment
72	1	Public Comment, Craig Strang	1367	57	**Original text:** "environmental literacy can be developed through investigations on campus, in the local community, at nature centers and outdoor schools, as well as in the rich and diverse natural landscapes found throughout CA..." **Recommended text:** "environmental literacy can be developed through investigations on campus, in the local community, **on the schoolyard**, at nature centers and outdoor schools, as well as in the rich and diverse natural landscapes found throughout CA..."	47b,53b, 56a, 57a, 125	Recommend

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73	1	Public Comment, Naomi Eason	1506-1507	62	That language demands are far broader than “definitions of vocabulary or reading about science-related topics” (1506-1507). Simply teaching academic vocabulary of science is insufficient support for linguistically diverse students. The Framework encourages teachers to provide frequent opportunities for students to apply scientific discourse beyond memorizing terminology. Amend “The language demands are only partly related to definitions of vocabulary or reading about science-related topics. Those tasks alone do not constitute three-dimensional science learning.” to “The language demands are only partly related to definitions of vocabulary or reading about science-related topics. Those tasks alone are insufficient for three-dimensional science learning, and teachers should provide frequent, ongoing opportunities to engage in scientific discourse.”	124	Recommend: "The language demands are far broader than just definitions of vocabulary or reading about science-related topics." Add" These interpretive language tasks alone do not support linguistically diverse students. Teachers should also provide students ongoing opportunities to engage in scientific discourse."
74	1	Public Comment, Sue Heraper	1689	70	and this section: refer to California’s Model Library Standards, at least in relation to information, media and technology skills.	84	Do Not Recommend: Chart is addressing P21 Skills and the CA NGSS

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75	1	Public Comment, Joanne Michael	1709	72	Table 1-12 Very helpful to share with teachers- would be more effective after table 1-1	75a	Do Not Recommend: Would require major restructuring of the chapter.
76	2, General	Public Comment, Lari Powell			Honestly, this is so teacher friendly and clear, I can’t recommend changes. As a TK-5 educator, that doesn’t have the luxury of a single focus on TK, I loved the matrix alignment linking the Preschool Foundations to the CA NGSS pages. I spent a lot of time on that last year and this will add so much efficiency and clarity for TK teachers!!	37b	General Comment

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77	2	Public Comment, Joanne Ensign			My school district, San Diego Unified School District, ask us to read and review our grade level chapter. I just would like to say as TK teacher I thought your work was wonderfully represented. I appreciated the strong focus on developmentally appropriate practices. I liked the link between TK and Kindergarten as I often end up teaching a combination class and that information was very helpful. I was most excited about the natural Phenomena aspect of science instruction. Working with young learners I often feel tied down to the curriculum and appreciate the opportunity to study like scientists at every turn. I want the learning to be driven by the students curiosity and not mandated by my assigned curriculum. I do understand that I may at time have to guide the children to that curiosity. I also very much appreciated what I perceive as a better possibility to integrate across content. When I integrate the curriculum I am able to better repeat and utilize the oral language growth, because students are using the same new words throughout the day instead of only solids at math, and then different terminology at science.	6	General Comment

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77 cont.		Public Comment, Joanne Ensign			If I integrate then we can write about shapes, read about shapes, identify shapes and then build ramps and structures with shapes and predict which shapes will react in certain ways. The opportunity for repetition is key in oral language development. Strong oral language leads to strong literacy. Strong literacy skills - save the world! I'm looking forward to working with the new standards! I much appreciate your efforts to include and consider child development first and foremost.		General Comment
78	2	Public Comment, Joan Commons			Chapter 2, TK Thank you for the overview at the beginning of each chapter, easy to find parts Thank you for references to appendices page 2-7 thank you for the table with SEPs at K-2 level; including math concepts (lines 194-6) page 2-10 Table 2-2, thank you for the 49 month and 60 month breakdown, and teacher actions to elicit student actions	22	General Comment
79	2	Public Comment, Annmarie Duran	185 Table 2-1 first row	p2-7	**Original text:** Wondering (science) **Recommended text:** Wondering about (science) **Rationale for change:** More clear	42	Do Not Recommend

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80	2	Public Comment, Annmarie Duran	185 Table 2-1 last row, second column	p2-7	**Original text:** Writing and talking about what we know, reading, and understanding to find out new things (ELA connections) **Recommended text:** Writing, drawing, or talking (acting out) about what we know, read, and understand about new discoveries (things) **Rationale for change:** Added drawing because some students at this age may not write. Added acting out because some children may not use verbal language. The child may demonstrate by pointing or showing an action.	42 cont.	Recommend
81	2	Public Comment, Annmarie Duran	232 Table 2-2 second row, third column	p2-11	**Original text:** Provide opportunities to observe natural and engineered phenomena indoors and out **Recommended text:** Example: engineered world might be a wheel on a tricycle, a fence, sidewalk, door handle, lines on a leaf or a snail leaving a mucus trail **Rationale for change:** Giving an example will assist with giving teachers a starting point	42 cont.	Do Not Recommend

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82	2	Public Comment, Annmarie Duran	232 Table 2-2 second row, third column	p2-11	**Original text:** Ask questions that encourage further observations and introduce words and language needed for the situation **Recommended text:** What is that? What is a snail? Why do you think it carries that thing (shell) with it? Do all snails move at the same speed? How could you find out? **Rationale for change:** Should have an example to give teachers a starting point for increased cognitive thinking questions	42 cont.	Do Not Recommend
83	2	Public Comment, Annmarie Duran	line 232 Table 2-2 third row, third column	p2-13	**Original text:** When students offers predictions, ask them to explain why that is their expectation **Recommended text:** When student offer predictions, ask them to explain why they think that. **Rationale for change:** The student's explanation (drawing or telling) will be their evidence to making their claim.	42 cont.	Do Not Recommend
84	2	Public Comment, Annmarie Duran	Table 2-2, 4th row, third column	P2-14	**Original text:** Encourage student group talk to arrive at a common understanding or explanation on of a phenomenon **Recommended text:** Encourage student group talk to arrive at a common understanding or explanation on of a phenomenon to make a claim based on their findings/evidence **Rationale for change:** More clear for teacher	42 cont.	Do Not Recommend

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85	2	Public Comment, Annmarie Duran			I think the Transitional Kindergarten Chapter 2 DRAFT was well written. It is clear and provides a starting point for teachers.	42 cont.	General Comment
86	2	Public Comment, Debby Carter			I love it! I teach TK and that chapter is very well set up. It has great examples and excellent examples of guiding questions. If only the other disciplines would do as good of a job in creating Frameworks or Standards for Math and E.L.A. Can't wait for final publication!	45	General Comment
1000	Gen	CSTA, Lisa Hegdahl			Although grade span chapters have improved, the snapshots and vignettes still require additional work before the California Department of Education publishes the CA Science Framework final draft. While relieved to find that the cross cutting concepts and science and engineering practices are pointed out more frequently, the disciplinary core ideas (DCIs) should be highlighted as well so that LEAs obtain an unambiguous illustration of how all three dimensions work in tandem to create sense making opportunities for students.	128	General Comment (Between #86-87)

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87	3	Public Comment, Christie Pearce OCDE	Gen., Ex line chart below 440		**Original text:** How can I protect myself from direct sunlight? **Comment: :** Guiding questions: language is very kid friendly and age appropriate	44	Recommend-change spelling error "form" to "from"
88	3	Public Comment, Christie Pearce OCDE	Gen.		**Comment:** Time frame was appropriate as well	44 cont.	General Comment
89	3	Public Comment, Christie Pearce OCDE	Gen.		**Comment: :** Overview is helpful as a means to gauge where we need to go this year. It shows how all content connects together. It would be very helpful if each section of the overview was hyperlinked to the expanded section within the Framework, example lessons, resources, etc	44 cont.	Do Not Recommend
90	3	Public Comment, Christie Pearce OCDE	Gen.		**Comment: :** Popup and/or hyperlinks embedded are helpful	44 cont.	Do Not Recommend

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91	3	Public Comment, Christie Pearce OCDE	Gen., 565	26	**Original text:** Animals & Habitats **Comment:** The craft ideas with photo representation are useful. There is always something scholars are creating. This is an important element to include in all grade levels	44 cont.	General Comment-no change
92	3	Public Comment, Christie Pearce OCDE	Gen.		**Comment:** Engineering Connections are great! Teachers can use these to get comfortable with this way of teaching… Its the real-world connection	44 cont.	General Comment-no change
93	3	Public Comment, Mena Palmar	Gen.		I see huge improvements since the last review. Some changes that I didn’t feel were needed but understand why they were made. Such as moving Forces and Motion from IS 1 to IS 4 for K. The detailed vignettes and the sample integration of Science and ELD Standards in the Classroom are great improvements. Not everything from the first draft feedback was incorporated but the 2nd draft is much better. Is the chapter clear? yes Does it provide a starting point for Teachers? yes Does the chapter have what it needs to include to provide teachers with guidance for teaching NGSS science? Yes, very detailed guidance for teachers.	74	General Comment

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94	3	Public Comment, Denis Thomopoulos	Gen.		For grades K through 2, the disciplinary core ideas for earth sciences provide direct lesson opportunities in conjunction with the educational material displayed in the program. For ES S2.D: Weather and Climate and ES.S2.C, weather patterns is an instructional segment that would be complemented well with episode 1 of the series. Specifically, it would focus on how human societies affect the environment, which are also highlighted in the California environmental principles and concepts. activity with students, using cards with phrases labelled “bread-wheat-soil” and such. An episode could be screened within a similar lesson in order to help illustrate the relationship between natural resources, humans, and the environment. Following the episode would be a similar activity with vocabulary provided in the teaching handbook, and also a corresponding memory game that would teach certain actions and consequences that advance environmental climate. The “bread-wheat-soil” card activity would work well to illustrate the process of compost. For grades 3 to 5, concepts building up climate change become more robust and developed.	127	Do Not Recommend: This would take a major revision.

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94 cont.	3	Public Comment, Denis Thomopoulos	Gen.		Students will learn how to better articulate the concepts they have learned from kindergarten, including how to explain cause-and-effect relationships and patterns. Most episodes touch upon and explain in depth about carbon footprints. As seen in the teaching handbook, students could break up into pairs and play a similar vocabulary flashcard activity and also make a list of how they might be helping with climate change. In conjunction with activities that let students investigate ecosystems, the program can provide an element of story building and help students draw connections in between their real-life investigations.	127	Do Not Recommend: This would take a major revision.
94 cont.	3	Public Comment, Denis Thomopoulos	Gen.		Submitted a 5 page program flyer (see attachment)	127a	Do Not Recommend: This would take a major revision.

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95	3	Public Comment, David Hillman	Gen.		Energy topics were presented in the draft for Kindergarten and grade 4 but children are not taught energy quantities even in the grade-8 framework. Not knowing what a Watt or Joule is by the end of 8th grade in California does not deliver the skills for scientific citizenship sought by DCI-PS3. I also did not find the units for length, volume, or mass taught in the science framework. Time units are sufficiently accurate with seconds, but not these other quantities. The Joule first appears in 4th year high school chemistry (6F line 1089). That’s too late. It seems like we got off to a great start in K & 4th grade, then dropped the ball.	114	Do Not Recommend

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96	3	Public Comment, Naomi Eason	Gen.		Students are positioned as “scientists” and “engineers.” In doing this, the Framework suggests that all students have the option to engage in science and pursue science as a career, representing the goal of providing access to high-quality science instruction for all students. Teachers are given more choice to select engaging and relevant phenomena for their students (chapter 3, lines 104-106), which allows for local interpretation of student needs. Multiple references are made to inviting students to share their home experiences to make sense of science and reminders that students have different levels of experience are frequent. Instructional segment vignettes/snapshots use a balance of teacher genders and culturally neutral names (e.g., Mr. K., Mrs. H.) so as to not misrepresent the backgrounds of science teachers. ELD strategies are incorporated and include multiple strategies in each grade segment.	124	General Comment
97	3	Public Comment, Naomi Eason	Gen.		Include more examples of how to invite parent/community participation and make these opportunities more participatory, not just asking for materials to use in class (as in 1765-1776).	124	Do Not Recommend: Due to lack of examples.

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98	3	Public Comment, Naomi Eason	Gen.		More integration of the instructional strategies from chapter 9 would enhance attention to academic language development for students from “disadvantaged backgrounds”. Although there are many examples of how to connect ELA/ELD instruction in general, only one vignette considers the academic language access limitations for students from “disadvantaged backgrounds” (2248).	124	Do Not Recommend
99	3	Public Comment, Naomi Eason	Gen.		Some of the literature sources may need to be more carefully checked for accuracy (e.g., moon phase books), using a resource such as: http://analyzer.depaul.edu/paperplate/Good(night)%20Moons%20Rising.htm	124	General Comment
100	3	Public Comment, Naomi Eason	Gen.		Consider adding the Practice and CCC Progressions from the NSTA NGSS Website: ☐ http://ngss.nsta.org/PracticesFull.aspx ☐ http://ngss.nsta.org/CrosscuttingConceptsFull.aspx	124	Do Not Recommend: These are included in Appendix 3
101	3	Public Comment, Naomi Eason	Gen.		More attention is needed to demonstrate how informational text will be selected, modeled and read independently by students as part of science, not just as a carryover from ELA/Literacy instruction.	124	Do Not Recommend

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102	3	Public Comment, Naomi Eason	Gen.		This chapter is nearly void of human reference at all, leaving the reader to wonder: who/where are the professional scientists?	124	General Comment
103	3	Public Comment, Naomi Eason	Gen.		Little explicit attention is paid to unpacking or referencing the tentative nature of science, the purpose of disagreement in science (i.e., explanation and argumentation) or what constitutes “evidence.”	124	General Comment
104	3	Public Comment, Naomi Eason	Gen.		Generally, example topics and phenomena are California-centric. Globally minded students need to understand how people across the globe use science.	124	General Comment
105	3	Public Comment, Lisa Hegdahl (CSTA)			CSTA Submitted comments on Kindergarten Snapshot: Pushes and Pulls. Part of 28 page document	128, 105	Discussion Topic: Recommend to include submitted Kindergarten Pushes and Pulls snapshot.

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1005	3	CSTA, Lisa Hegdahl			During this second public review period, several CSTA Board Members sent in suggested changes, re-- writes, and replacement snapshots and vignettes directly to the California Department of Education. At the request of Kristen Cruz Allen of the CDE, Mena Parmar, CSTA Upper Elementary Director and Elementary Science Specialist at Fremont Unified School District Alameda County Office of Education, wrote a new snapshot for Chapter 3: Kindergarten Through Grade Two (attachment 1). In addition, Jill Grace, President Elect of CSTA and K-- 12 Alliance Regional Director, was requested to re-- submitted a vignette, Wave Application as a Biological Tool (attachment 2). With support from the Middle School Integrated Roll Out 4 Writing Team, Jill also wrote a new snapshot for 8th grade Instructional Segment 3, Making Sense of Natural Selection (attachment 3). Well written vignettes and snapshots have critical implications for California Science education. Not only do California teachers require excellent examples, middle school teachers that have not made the integrated vs discipline specific decision may choose discipline specific base on unclear examples, rather than make a decision that is best for their population of students.	128	Recommend to include snapshot (see #105 above). Discussion: Writer will edit to include that snapshot is not intended to be taught in one lesson. Noted that this is a bit more extensive than most snapshots with 5E lesson but still good example.

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					In addition, given that the vast majority of the nation’s students under the umbrella of the NGSS live in California, curriculum written based on this framework will have implications for California as well as other NGSS adoption states. The California Science Teachers Association stands ready to assist the California Department of Education to vet, correct, and rewrite additional snapshots and vignettes.		
1007		CSTA, Lisa Hegdahl			Additional concerns were raised within grade level chapters about emphasizing phenomena, showcasing grade-- band rigor in the SEPs and CCCs, and using thoughtful pedagogical practices.	128	Discuss with Attachment A, Comment/Edit #105 Discussion: Phenomena part of general discussion to add to snapshots and vignettes.
106	3	Public Comment, Christina M Renteria			The first grade activities "following the phases of the moon" is ridiculous for a teacher to effectively teach. It is boring and there are very little hands activities that help connect the concept. I have complained in the past and it is very grustrating tha every time I read the revisions it is still there.	3	General Comment

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107	3	Public Comment, Melinda Katona	120 Table 3-1	4	Hello - I would like to add a comment for consideration to the Framework draft - I just read Ch. 3 for K-2 * on line 120 there is a comparison chart - on the right it reads "Simplified for K-2" Please consider changing the wording to "Restructured for K-2" - Th word simplified sounds like we are lowering the rigor and we are definitely not , just scaffolding to make each lesson age appropriate.	7	Recommend: Change to "Adapted for K-2"
108	3	Public Comment, Joan Commons			Chapter 3, K-2 thank you for all the examples of classrooms Instructional Sequence: in the beginning of the document, it is stated that the examples are just one way to organize the learning, but then the sequence is presented as 'set'. Our CaMSP grant teachers decided at each grade level to put physical science first because understanding many other topics depended on the physical science understanding. Please make it more explicit that what is presented in the framework is a possible sequence, not a recommended sequence.	24	General Comment: Statement "Possible sequence" is stated consistently throughout the framework.

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109	3	Public Comment, Joan Commons	165	6	3-6, line 165 add 'Possible' such as "overview of a possible instructional sequence" make it more clear that the gathering data for the weather unit needs to begin at the beginning of school, the Southern California rainy season begins in November.	24 cont.	Recommend
110	3	Public Comment, Kathy Ellis	165	6	Table 3-2 – in the first row "They describe how an organism's surroundings help it meet its needs." It is Unclear the connection between organism and plants/animals.	108	Recommend-minor clarification
111	3	Public Comment, Kathy Ellis	180	7	In IS 1under K-LS1-1. **"Examples of patterns could include that animals need to take in food but plants do not"** – Plants need nutrients – is this comment scientifically accurate? **"the requirement of plants to have light"** - Clarify this – humans need light, as well. We just don't need it to process nutrients.	108	Do Not Recommend
112	3	Public Comment, Kathy Ellis	180	7	In IS 1under K-ESS3-1. **"Plants, animals, and their surroundings make up a system"** - Ecosystem? Use examples that are relevant to 5 year olds. Rabbits, squirrels, birds, or other common animals that they would see in their neighborhood.	108	Do Not Recommend

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113	3	Public Comment, Joan Commons	183	7	3-7 take the number out of the title: "K-Instructional Sequence" don't reinforce a given sequence, one possible way to organize the learning	24 cont.	Do Not Recommend
114	3	Public Comment, Joan Commons	185	8	line 185, remove the number "by the end of (this) instructional segment..."	24 cont.	Do Not Recommend
115	3	Public Comment, Kathy Ellis	209	8	“**After students observe plants and animals in a variety of settings (e.g., ant farms, fish in an aquarium, plants growing, insects in a jar), the teacher asks them to share their thoughts about what plants and animals using expressions like, “I think…” and “I agree with….**” - Unclear what is being asked, maybe just a grammar mistake	108	Recommend-minor clarification
116	3	Public Comment, Joan Commons	211	9	line 211, "what plants and animals need?"	24 cont.	Recommend minor clarification
117	3	Public Comment, Kathy Ellis	220-221	9	Again, this is misleading as plants do need nutrients.	108	Recommend-minor clarification

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118	3	Public Comment, Joan Commons	233	9	line 233, remove the number, "portion of this instructional segment..." Remove the number that reinforces a particular sequence or at least preface with a possible sequence to remind readers this is one way	24 cont.	Do Not Recommend
119	3	Public Comment, Sue Heraper	294	11	Have the the students help create the 4 biome corners.	84	Recommend
120	3	Public Comment, Joan Commons	303	12	line 303 "Instructional segment 2: animals"	24 cont.	Do Not Recommend
121	3	Public Comment, Sue Heraper	306	12	If an organism can change its environment to make it better at meeting its needs, would we say that the organism is an engineer? Is engineering is strictly a human endeavor, what makes the processes uniquely human? [Posing an interesting question.]	84	General Comment
122	3	Public Comment, Joan Commons	309	12	line 309, ""from the prior IS 1"	24 cont.	Do Not Recommend

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123	3	Public Comment, Joan Commons	310	12	line 310 "IS 2: animals"	24 cont.	Do Not Recommend
124	3	Public Comment, Kathy Ellis	310	12	K-ESS2-2. **"tree roots can break concrete."** - Add reason why a tree would do this just as it was mentioned why squirrels dig in the ground "to hide their food"	108	Recommend-minor clarification
125	3	Public Comment, Kathy Ellis	325-326	14	Above it says soil without plants can be dusty and blow away, but this sentence contradicts that by saying bare dirt is hard and compacted.	108	Recommend-minor clarification
126	3	Public Comment, Joan Commons	436	18	line 436 "IS 3" also this data collection needs to begin at the start of school, Aug/Sept/Oct very hot and dry, Santa Ana winds, Nov starts rainy season, etc.	24 cont.	Do Not Recommend - already stated in the introduction.
127	3	Public Comment, Joan Commons	440	18	line 440 "IS 3"	24 cont.	Do Not Recommend
128	3	Public Comment, Kathy Ellis	440	18	IS 2 – "**How does the sun heat up materials in my classroom?**" Confusing. Does this mean different objects found in a classroom? Maybe this should question should give an example of materials/objects.	108	Recommend-minor clarification

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129	3	Public Comment, Mena Palmar	500	23	**Original text:** Day 1 right **Revised text:** write **Rationale for change:** Wrong homophone	74	Recommend
130	3	Public Comment, Kathy Ellis	576-577	26	Remove “to” or rewrite sentence.	108	Recommend-grammar fix
131	3	Public Comment, Kathy Ellis	640	29	Return “to”? or “revisit”?	108	Recommend-grammar fix
132	3	Public Comment, Joan Commons	705	31	line 705 "IS 4"	24 cont.	Recommend- Renumber to IS"4".
133	3	Public Comment, Joan Commons	710	31	line 710 "this IS # builds on..."	24 cont.	Do Not Recommend
134	3	Public Comment, Joan Commons	720	31	line 720 "IS "	24 cont.	Do Not Recommend

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135	3	Public Comment, Joan Commons	742	33	line 742, needs to come earlier "can be used throughout the school year" weather data gathering PS push or pull can be connected to weather, does the wind push or pull?, qualitative: gentle breeze or strong breeze, PS push or pull can be connected to plants: push up through the soil, roots push through the soil	24 cont.	Recommend-minor clarification
136	3	Public Comment, Kathy Ellis	912-913	40	Do you mean how do our eyes work?	108	Recommend-minor clarification
137	3	Public Comment, Kathy Ellis	917	40	Table 3-3 - #3 – “how people see” better phrased as “how our eyes work”	108	Recommend-minor clarification
138	3	Public Comment, Kathy Ellis	929	41	1-LS1-1 – There are simple biomimicry examples such as seed dispersal/velco (seeds stick to your clothes so that they spread – velco helps stick one thing to another) that relate to concepts the students are learning (parts of plant, how seeds disperse).	108	Do Not Recommend

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139	3	Public Comment, Joan Commons	743-747, 793-800	41	lines 743-747, 793-800 thank you for the math connections Grade 1 section Again, remove the numbers from the POSSIBLE instructional sequence, or at least remind the reader that this is only one way to organize the learning. remind readers to start observations for ESS 1-2 early in the fall	24 cont.	Do Not Recommend
140	3	Public Comment, Joan Commons	942	43	line 942 clarify "collect and sort animal remains"	24 cont.	Recommend-minor clarification
141	3	Public Comment, Kathy Ellis	987-988	45	herb gardens are a great way to introduce plant growth and they are much smaller!	108	Recommend-minor clarification
142	3	Public Comment, Kathy Ellis	998	45	again, the experiment can be very simple – seeds that are sticky=velco; seeds that are light = balloons versus balls.	108	Do Not Recommend
143	3	Public Comment, Kathy Ellis	1060	48	1-LS1-2 – Cheeping = Chirping?	108	Do Not Recommend
144	3	Public Comment, Kathy Ellis	1060	48	1-PS4-1 – you can use things commonly found in a classroom –cups, rubber bands, paper, etc.	108	Do Not Recommend

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145	3	Public Comment, Kathy Ellis	1161	52	Winds - Owl versus seed-eating bird – hold hand with fingers together and wave it right next to your ear. Next, hold hand with fingers apart and wave it by your ear. Fingers apart = quieter, which is helpful if you are need to be quiet when you fly.	108	Do Not Recommend
146	3	Public Comment, Naomi Eason	1343-1363	56-57	Phenomena are defined as "everyday life events" (91) and are open-ended, but some of the topics are not natural phenomena. For example, the first grade ESS segment opens with a reference to "Groundhog Day" (1344-1347) which bears no scientific relevance to the study of shadows. A complex challenge such as, How can we use our observations of shadows to create a human sundial?" might be more appropriate and engaging and bring in opportunities to teach about the history of science and recognize ancient people's contributions to engineering.	124	Do Not Recommend-requires rewriting vignette
147	3	Public Comment, Mena Palmar	1393-1394	62	**Original text:** She gives them the students a light **Revised text:** She gives them, the students, a light **Rationale for change:** Grammar issue	74	Recommend-grammar

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148	3	Public Comment, Joan Commons	1402	62	line 1402, this reinforces the misconception that the sun moves, tape a small cut out person on the ball and rotate the ball under the light source to observe how the shadow changes as the person moves, not the light source moves	24 cont.	Recommend-minor clarification
149	3	Public Comment, Joan Commons	1412	62	line 1412, the language reinforces the misconception "movement of the sun", change to "as we (or the Earth) rotate in relation to the sun..." line 1699, properties of a solid/liquid: does sand have the properties of a solid or a liquid? each grain of sand (salt, sugar) has the properties of a solid, but a handful of sand has the properties of a liquid.	24 cont.	Do Not Recommend
150	3	Public Comment, Mena Palmar	1441-1442	63	**Original text:** Like the Sun, the Moon students can discover several patterns [CCC-1] of change by direct investigation [SEP-3] **Revised text:** Like the Sun, the Moon also has several patterns [CCC-1] of change that students can discover by direct investigation [SEP-3] **Rationale for change:** Incomplete sentence	74	Recommend-grammar
151	3	Public Comment, Kathy Ellis	1460	64	consider not just the shape but the size of the moon.	108	Do Not Recommend

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152	3	Public Comment, Valerie Joyner	1540-1541	68-69	Delete the words *"and around the world"*. The focus of this PE local and NOT the world. Students will make the connections to world habitats and in later years. California has sufficient diversity of landscapes and habitats to allow students to gain a full understanding of the Pes and DCIs.	120	Do Not Recommend
153	3	Public Comment, Valerie Joyner	1541-1542	69	Revise the text "*and how long it takes"* to "*and how quickly or slowly it takes place"*. The PE states "Use information from several sources to provide evidence that Earth events can occur quickly or slowly". The way it is written suggests to the reader that that students will need to quantify the length of time.	120	Recommend
154	3	Public Comment, Valerie Joyner	1564-1565	69	Revise … "Road maps depict how long it will take to travel from one place to another". A road map does NOT depict how long it will take to travel from one place to another, but rather displays roads and transportation links. Many students are familiar with GPS systems and Google Maps, etc. I would think that paper road maps will soon be a thing of the past and since this is the Next Generation Science Standards there should also be mention of these apps and technology tools.	120	Do Not Recommend Discussion: did not want to include digital at this grade level

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155	3	Public Comment, Valerie Joyner	1579	70	Bold type the word **NOT** to give it emphasis	120	Do Not Recommend: CDE uses italics for emphasis. Bold is SEP.
156	3	Public Comment, Valerie Joyner	1624-1626	71	**Revise** "… the teacher pulls a small group and co-constructs **(CCC-2)** explanation with them, taking ideas and data from the students while recasting and asking probing questions **(SEP 1)** to strengthen the writing" It is helpful to the reader to be able to read the connections to the 3Ds of science in these sample ideas	120	Do Not Recommend
157	3	Public Comment, Valerie Joyner	1634-1635	72	**Revise** "*The class could then work together to create a giant model of California (or their own town)" using…* **Replace with** "The class could then work together to create a giant model of their own town." Delete California model. Developmentally students at this age are not ready to examine or build a model of the entire state. This is covered in later years.	120	Do Not Recommend
158	3	Public Comment, Valerie Joyner	1639-1647	72	Provide a different map. This one is not clear and would be difficult your young eyes to grasp. I would recommend a map that has more basic colors than shades of colors like this one.	120	Do Not Recommend

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159	3	Public Comment, Joan Commons	1699	76	line 1699, properties of a solid/liquid: does sand have the properties of a solid or a liquid? each grain of sand (salt, sugar) has the properties of a solid, but a handful of sand has the properties of a liquid.	24 cont.	Do Not Recommend
160	3	Public Comment, Valerie Joyner	1702	76	Edit – "material is a solid or liquid. Then **they** can use these properties".	120	Recommend-grammar fix
161	3	Public Comment, Mena Palmar	1781-1783	79	**Original text:** Students apply their understanding of material properties to figure out natural forces affect landscapes. **Revised text:** Students apply their understanding of material properties to figure out which natural forces affect landscapes. **Rationale for change:** Missing the word which	74	Recommend-grammar fix
162	3	Public Comment, Mena Palmar	1821	81	**Original text:** The material properties of rocks have a strong effect how quickly **Revised text:** The material properties of rocks have a strong effect on how quickly **Rationale for change:** Missing word on	74	Recommend-grammar fix
163	3	Public Comment, Valerie Joyner	1832	81	Add (CCC-2) after cause and effect template Shows clearly the connections of science and ELA/ELD	120	Recommend

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164	3	Public Comment, Valerie Joyner	1874	83	Add **(SEP-8)** after Students read a text comparing time periods… Shows clearly the connections of science and ELA/ELD	120	Do Not Recommend
165	3	Public Comment, Valerie Joyner	1876	83	Add **(SEP – 6)** after "to construct an evidence based account for… Shows clearly the connections of science and ELA/ELD	120	Do Not Recommend
166	3	Public Comment, Valerie Joyner	1878	83	Add **(SEP-3)** after … participate in collaborative investigations Shows clearly the connections of science and ELA/ELD	120	Do Not Recommend
167	3	Public Comment, Valerie Joyner	1884	83	Add **(SEP-4)** provide detailed descriptions and analysis of their… Shows clearly the connections of science and ELA/ELD	120	Do Not Recommend
168	3	Public Comment, Valerie Joyner	1916-1924	85	Replace the words "experiments" with "investigations". Line 1921,1923,1924 See Appendix F in NGSS Volume Two pgs. 54 & 55 which explains that investigating is what young children do before they begin formal experimentation in older grades. We should be using correct terminology.	120	Recommend: Writer to replace word experiments with investigations.

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169	3	Public Comment, Valerie Joyner	1953	88	Table: Box 1 – Days 1-2: Replace “measuring” with the words ”collecting data about the…”. Measuring can be a confusing term for 2nd grade students. They might think they were going to measure height or length of the plants and animals? Box 3 – Days 4-5 Delete “They then compare their map to the map of California’s habitats. Replace with They then compare their maps with other student’s maps. Moving beyond local areas is developmentally inappropriate for most students this age. They will further study California habitats in a few years.	120	Recommend: Writer will align statement to the history/social sciences standards: "Label from memory a simple map of the North American continent. Compare and contrast basic land use in urban, suburban, and rural environments in California.”
170	4	Public Comment, Christie Pearce	Gen. Grade 3		Liked the connections the standards made to the three dimensions	44	General Comment
171	4	Public Comment, Christie Pearce	Gen. Grade 3		The integrated approach was great to see how it linked.	44 cont.	General Comment
172	4	Public Comment, Christie Pearce	Gen. Grade 3		Phenomenon provided did not provide enough depth. The phenomenon was not explicit throughout.	44 cont.	Recommend: Increase reference to phenomenon in snapshots and vignettes.

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173	4	Public Comment, Christie Pearce	Gen. Grade 3		I wonder if they could put a link on the framework as that would be helpful for practicality that connects to phenomenon.	44 cont.	General Comment
174	4	Public Comment, Christie Pearce	Gen. Grade 3		I don't know that a framework would direct where a teacher could go or a reteaching activity would do that. "In any content area." Does give content background….	44 cont.	General Comment
175	4	Public Comment, Christie Pearce	Gen. Grade 3		NGSS is about how to put the three dimensions together and how it looks in our daily lessons. To identify where the various components are to be observed: Developing a Model, DCI's, PE's etc.	44 cont.	General Comment
176	4	Public Comment, Christie Pearce	Gen. Grade 4		**Comment:** Could provide more examples of how to scaffold for English learners. Currently only says get groups of students together to do a research project. What specific strategies are you going to use (For students who don't have access at home.)	44 cont.	Recommend additional strategies to support Els being added (see #267). Keep Integration of ELD to Science excerpts in K-5. Do not include excerpts in Grades 6-12, Attachment B in IQC agenda handouts. (See Item 267)
177	4	Public Comment, Christie Pearce	Gen. Grade 4		**Comment:** Overall in the ELD connection more examples could be listed of what specific strategies to scaffold the content or activity can be used.	44 cont.	General Comment

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178	4	Public Comment, Christie Pearce	Gen. Grade 4		**Comment:** It's whole application, in the CST's here's the information, now give it back to me. In NGSS it's here's some information. Now design a model and explain your thinking. This needs to move away from the textbook model into an inquiry model of a hands on minds on approach to learning.	44 cont.	General Comment
179	4	Public Comment, Christie Pearce	Grade 5	115	**Comment:** (After Engineering Connection) Perhaps would be better to not reference a cake to juxtapose the notion of chemical change. In order to reduce the number of times non healthy eating options are promoted. Perhaps describing bread would be better.	44 cont.	Do Not Recommend: Students may have prior experience baking a cake than baking bread.
180	4	Public Comment, David Hillman	Gen.		See Attachment 114 for fifth grade science content	114	Do Not Recommend
181	4	Public Comment, David Hillman	Gen.		Choosing where to insert this point in the draft document was difficult, but since the grade-6 science framework looks full I would choose to substantially re- write Grade 5 IS-1 or replaced with the application of powers of 10 and accuracy from small fractions. The existing Grade 5 IS-2 might be moved all the way to 8th grade.	114	Do Not Recommend

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182	4	Public Comment, Christie Pearce	Gen.		Obvious areas for students and teachers to engage concepts across disciplines.	44 cont.	General Comment
183	4	Public Comment, Christie Pearce	Gen. Grade 5		The framework does appear to provide examples of interdisciplinary content across the sciences. Grade 5: Instructional Segment 2: You have all the standards in one idea. It does appear to be bundled.	44 cont.	General Comment
184	4	Public Comment, Christie Pearce	Gen.		It’s nice that the cross cutting concepts are color coded.	44 cont.	General Comment
185	4	Public Comment, Christie Pearce	Gen.		Higher level questions, inquiry, evaluating… throughout the framework (as opposed to “camping out at level 1”)	44 cont.	General Comment
186	4	Public Comment, Christie Pearce	Gen. Grade 5		Picture file sorting activity used in grade 5 offered a great example of a OCDE GLAD strategy used in the NGSS.	44 cont.	General Comment
187	4	Public Comment, Christie Pearce	Gen. Grade 5		It would be helpful if some of the ELA or OCDE GLAD strategies observed in Grade 5 were also included in all grade levels more explicitly	44 cont.	General Comment

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188	4	Public Comment, Christie Pearce	106-115		Like that there is no specific phenomena to study, rather it is specific to your area.	44 cont.	General Comment
189	4	Public Comment, Christie Pearce	174		Guiding Questions at beginning of sections are very helpful, supports teachers with inquirydriven instruction	44 cont.	General Comment
190	4	Public Comment, Christie Pearce	154-159		Like connection from K to 3rd, possibly elaborate/expand 3rd to 5th as well	44 cont.	Do Not Recommend
191	4	Public Comment, Christie Pearce	41		Vignettes are very helpful. They give clear, specific examples of what to do in the classroom. Novice science teachers can follow these, experts may go beyond… Some may a bit overwhelmed though (what materials, how am I going to do this?)	44 cont.	General Comment
192	4	Public Comment, Christie Pearce	1091		5 Es Labels are in the headings	44 cont.	General Comment
193	4	Public Comment, Christie Pearce	Gen.		Best practices embedded throughout	44 cont.	General Comment

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194	4	Public Comment, Christie Pearce	161		Overview is helpful as a means to gauge where we need to go this year. It shows how all content connects together. It would be very helpful if each section of the overview was hyperlinked to the expanded section within the Framework, example lessons, resources, etc	44 cont.	General Comment
195	4	Public Comment, Christie Pearce		44 chart	**Original text:** Highlighted California Environmental Principles & Concepts: Principle II The longterm functioning and health of terrestrial, freshwater, coastal and marine ecosystems are influenced by their relationships with human societies. Principle III Natural systems proceed through cycles that humans depend upon, benefit from and can alter. Principle IV The exchange of matter between natural systems and human societies affects the long term functioning of both. Principle V Decisions affecting resources and natural systems are complex and involve many factors. **Revised text:** Hyperlink: Highlighted California Environmental Principles & Concepts: **Rationale for change:** E,P,& Cs are embedded purposefully, a link to source would be helpful	44 cont.	Do Not Recommend: Hyperlinks are not included in CDE documents only URLs.

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196	4	Public Comment, Christie Pearce	763		**Original text:** Opportunities for Math Connections **Rationale for change:** Highlighted Math connections was helpful. Hyperlink/popup would be a useful addition.	44 cont.	Do Not Recommend: Hyperlinks are not included in CDE documents only URLs.
197	4	Public Comment, Christie Pearce	2597-2879		**Original text:** Visual on line 2879 **Revised text:** **More of these visuals, especially in 4th grade (no student samples provided) **Rationale for change:** Engineering Connections are great! Teachers can use these to get comfortable with this way of teaching… It's the realworld connection. High Level of rigor is clear because of examples given. Suggestion: add a sample of what it looks like (photos of kidgenerated projects, variety)	44 cont.	Do Not Recommend
198	4	Public Comment, Kathy Ellis	Grade 4		We would like to see more references to when they will learn about a topic if it is called out that they won't learn it at a particular grade leve1. For example 1781 states they won't learn about rock cycle and three types of rocks, what grade are they covered? Really liked the IS for this grade	108	Do Not Recommend

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199	4	Public Comment, Susan Weikel Morrison	Gen. Grade 5		I know this is after the deadline for Framework comments, but I'd like to add the article below as an example of why it's confusing to use the term "particles" rather than "atoms" to refer to the basic constituents of matter in the 5th grade physical science standards and framework. Tiny particle blows hole in European satellite's solar panel http://www.fresnobee.com/news/business/technology/article99010057.html	132	Do Not Recommend
200	4	Public Comment, Sue Heraper	Gen.		Students are asked to locate images and text, and extract concepts from them, to reinforce and expand their hands on exploriments. These research skills require explicit instruction preferably in collaboration with the teacher librarian.	84	Do Not Recommend
201	4	Public Comment, Jeni Martin	Gen.		The focus on car crashes could have some negative connotations for many of our students - perhaps they have a friend or family member who was injured or killed. This could be an issue with teachers as well, who might have had bad experiences. Could another approach be taken? Bumper cars? Designing a toy that has parts that collide?	87	Do Not Recommend

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202	4	Public Comment, Lisa Hegdahl	Gen.		Every IS should have a section titled Possible Phenomena” with all of the phenomena talked about in the paragraphs pulled together into one section.	97	Do Not Recommend Discussion: to add this to every IS would require too much work at this stage of the framework.
1008		CSTA, Lisa Hegdahl			As suggested by reviewers, use of phenomena within grade-- level chapters can be elevated by identifying the unit-- level/anchoring phenomena in the unit story-- line tables at the beginning of the grade-- level chapters and making attempts to explicitly showcase some focus and/or investigative phenomena within the instructional sequence text (not exclusively identifying phenomena in the snapshots or vignettes).	128	Discuss with Attachment A, Comment/Edit #202 Do Not Recommend Phenomena will be emphasized in the vignette and noted in each snapshot, but this suggestion requires a major revision.

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203	4	Public Comment, Lisa Hegdahl	Gen.		Provide some alternative plans for vignettes that focus on field trips or outdoor experiences for schools that do not have those opportunities	97	Do Not Recommend Discussion: Good idea but not enough time to develop new vignette as this time. Possible development as future resource. Concern was with the diversity within the state, some vignettes included activities that not all schools/teachers had access to, suggestion was to provide some alternatives.
204	4	Public Comment, Lisa Hegdahl	Gen.		We noticed there was no vignette for Grade 5 IS 4. Instead there were some helpful ideas, but not a vignette, which may be a concern to some teachers.	97	Do Not Recommend: Vignette on page 122 for grade 5, and there is a grade 3-5 vignette on page 157.

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205	4	Public Comment, Naomi Eason	Gen.		Although there is a heavier focus on writing in the upper elementary grades, the genre and purpose needs more variety. Reports are used several times (1144, 2546 and 3812). Only one opinion piece (1655) and one perspective piece (1805) is noted. More scientific genres, such as description, procedure, compare/contrast and expanded use of different modalities (e.g., sketching), would expand upper elementary students’ repertoire with writing before middle school. Similarly, the Framework should include more informational texts that model more diverse formats of information instead of “standard favorite” books that are only quasi-scientific (e.g., The Very Quiet Cricket).	124	Do Not Recommend: This would take a major revision.
206	4	Public Comment, Naomi Eason	Gen.		Add examples of formative assessment (2229, 2577) throughout to correspond with chapter 7.	124	Do Not Recommend: This would take a major revision.
207	4	Public Comment, Naomi Eason	Gen.		This chapter is nearly void of human reference at all, leaving the reader to wonder: who/where are the professional scientists? The chapter includes one reference to “inventors” generally (481).	124	General Comment

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208	4	Public Comment, Naomi Eason	Gen.		Little explicit attention is paid to unpacking or referencing the tentative nature of science, the purpose of disagreement in science (i.e., explanation and argumentation) or what constitutes “evidence.”	124	General Comment
209	4	Public Comment, Naomi Eason	Gen.		Generally, example topics and phenomena are California-centric. Globally minded students need to understand how people across the globe use science.	124	General Comment
210	4	Public Comment, Christie Pearce	71		**Original text:** Table 43 **Comment:** Student verbiage and the science behind it is well articulated to illustrate connections teachers should make. Glad Strategy: Consider articulating strategies such as showcasing images (Picture File Cards) or other realia to support EL learners.	44 cont.	Do Not Recommend
211	4	Public Comment, Christie Pearce	71		**Comment:** It’s great the way the framework articulates the concepts and language students will use at each level. Being mindful of vertical articulating elements help….	44 cont.	General Comment
212	4	Public Comment, Steve Williams	75	2	Original text: Grade Three through fifth grade Revised text: Grade Three through Grade Five Rationale for change: Structure should be consistent	62b	Recommend-grammar fix

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213	4	Public Comment, Steve Williams	84	3	**Revised text:** in **these** elementary	62b	Recommend-grammar fix
214	4	Public Comment, Steve Williams	88	3	**Original text:** Grade Three through fifth grade **Revised text:** Grade Three through Grade Five **Rationale for change:** Structure should be consistent	62b	Recommend-grammar fix
215	4	Public Comment, Joan Commons	98		Chapter 4, grades 3-5 Thank you for the table of contents, makes it easy to find the sub-parts line 98, thank you for the reference to appen. 3, progressions	29	General Comment
216	4	Public Comment, Joan Commons	102		line 102, thank you for the CCC focus for these grades Please emphasize and make explicit throughout: "one possible set of phenomena" (109); "design own instructional sequence" (114); possible instructional segments (138). for each table such as Table 4-1, remind readers that this is a Possible instructional segment	29 cont.	General Comment
217	4	Public Comment, Christie Pearce	102-104		Liked colorcoding of SEP, DCI, CCCs, an added bonus would be if these were hyperlinked to expanded information	44 cont.	Do Not Recommend: Hyperlinks are not included in CDE documents only URLs.

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218	4	Public Comment, Steve Williams	117-118	pp.3-4	**Original text:** different amounts of investigation to explore and understand **Revised text:** different amounts of **time** to investigate, explore and understand **Rationale for change:** Clarity	62b	Recommend-grammar fix
219	4	Public Comment, Steve Williams	123-125	4	Original text: Students also focus on one or two Crosscutting Concepts (CCCs) as tools to make sense of their observations and investigations Revised text: Students also focus on one or two Crosscutting Concepts (CCCs) as tools to make sense of their observations and investigations, again not only those explicitly indicated in the PEs Rationale for change: Teachers should feel free to use the crosscutting concepts they feel will best support their focus and student development. My experience has been that the use of different crosscutting concepts with different groups on the same topic can improve the depth of understanding for all students.	62b	Do Not Recommend

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220	4	Public Comment, Joan Commons	174		line 174, thank you for guiding questions	29 cont.	General Comment
221	4	Public Comment, Steve Williams	251-252	11	**Original text:** “An object **that is not moving** has **no** forces pushing or pulling it, or all the forces are balanced.” **Revised text:** “An object **whose motion is not changing** has **no** forces pushing or pulling it, or all the forces are balanced.” **Rationale for change:** I have found that even 3rd graders realize that an object can be still in one frame of reference and moving in another. “But the earth is spinning so isn’t it moving”. Therefore I think it is better to be scientifically correct.	62b	Recommend
222	4	Public Comment, Joan Commons	286		line 286, thank you for where this is leading (in next grade or middle school)	29 cont.	General Comment

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223	4	Public Comment, Steve Williams	298	12	**Original text:** Possible addition **Revised text:** Students should be given opportunities in class to practice using these words in context. Example being given a force diagram and placing the words in their correct locations in the diagram. **Rationale for change:** I feel that this would be a good addition to the ELA/ELD strategy that seemed a bit weak.	62b	Recommend
224	4	Public Comment, Steve Williams	342	14	**Original text:** sometimes pulling in the same direction as gravity **Revised text:** sometimes pulling at one angle to gravity and sometimes at another **Rationale for change:** I am not sure the chain ever pulls in the same direction as gravity	62b cont.	Recommend: Change to "sometimes pulling in a direction that reinforces gravity and sometimes pulling at an angle that works against it."
225	4	Public Comment, Joan Commons	348		line 348, thank you for math connections	29 cont.	General Comment
226	4	Public Comment, Joan Commons	418	16	Please change line 418 from "freely play" to "freely explore", more accurate description	29 cont.	Recommend

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227	4	Public Comment, Joan Commons	425	17	Caution: line 425 and figure 4-3, don't have the iron filings just on a piece of paper (danger to eyes, nose, mouth), we always enclosed the iron filings in a flat sealable plastic container	29 cont.	Recommend
228	4	Public Comment, Joan Commons	477		line 477 thank you for the integration of science and ELD examples	29 cont.	General Comment
229	4	Public Comment, Steve Williams	494	19	**Original text:** Possible addition **Revised text:** (how about students watch a video of motion with multiple forces including ones that do not touch without any sound. They then try to come up with a narration for the video using thekey vocabulary words either in English or their home language)	62b	Do Not Recommend
230	4	Public Comment, Joan Commons	506	19	line 506, please change the guiding question from "Why do organisms grow and develop?" to "HOW do organisms..."	29 cont.	Recommend: Change to "What is the advantage of having a complicated lifecycle of growth and development?
231	4	Public Comment, Steve Williams	600	24	Original text: Or All Insects Rationale for change: Not all insects have complete metamorphosis going from larvae to pupa some have gradual metamorphosis	62b cont.	Do Not Recommend

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232	4	Public Comment, Sue Heraper	693	27	How will students find those literature/media? Locational skills are a prerequisite, so the teacher librarian needs to teach that. If there's a paraprofessional library staff, they can collect those resources or point to the shelves where they would be most likely to be. The same issue applies to finding online resources.	84	General Comment
233	4	Public Comment, Naomi Eason	731-736	31	This statement is a problematic misconception about food, weight, genetics and environment. Recommend striking or revising considerably: "Students are likely to have some prior knowledge that if they eat unhealthy food, they might become overweight even if their parents are very thin."	124	Do Not Recommend
234	4	Public Comment, Steve Williams	770	32	Original text: They measure volumes of water added Rationale for change: Seems incomplete	62b cont.	Recommend-minor clarification
235	4	Public Comment, Lisa Hegdahl	1037	pp.43-44	**Original text:** Grade 3 Instructional Segment 4 ESS22 **Revised text:** Edit the vignette to include climate from other parts of the world **Rationale for change:** Vignette did not include ESS22	97	Do Not Recommend: Does not apply to vignette focus

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236	4	Public Comment, Joan Commons	1447		line 1447 and 1462 table, remind the reader that this is one possible instructional segment	29 cont.	General Comment
237	4	Public Comment, Joan Commons	1497 1510		line 1497 and 1510, Why relate energy to injury???? Connect energy to how it is used.	29 cont.	General Comment
238	4	Public Comment, Debbie Hammill		62-63	I was reading Chapter 4 pages 62-63 for Grade 4. I believe this section is referring to energy incorrectly. Energy does not have different forms. Energy can be stored and transferred in different ways but there is only one type of energy. If you read the DCI PS 3.A and 3.B it will refer to energy being moved around by sound, light, or electric currents but never that the energy is in different forms. This is a huge misconception that we should not perpetuate.	34	Do Not Recommend: 4-PS3-4 states that students "Apply scientific ideas to design, test, and refine a device that converts energy from one FORM to another."
239	4	Public Comment, Lisa Hegdahl	1773-1783	76	Highlight this section by underline, separation or bold	97	Do Not Recommend

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240	4	Public Comment, Lisa Hegdahl	1970	85	**Revised text:** Add 4PS41 to Instructional Segment 5 (in addition to IS 4) Incorporate a paragraph about student exploration about sound and waves **Rationale for change:** To tie waves to sound and vibration from 1st grade experiences	97	Do Not Recommend: While sound is an important animal sense and probably should be mentioned, that PE is related to a wave model of sound and does not fit as well into the storyline.

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241	4	Public Comment, Carolyn Thompson-Hernandez	2057, 2077		I am an elementary school teacher in San Diego Unified School District with over 15 years as an educator in both California and North Carolina. I am also in the second year of NGSS Early Implementer WestEd training. I have just reviewed portions of the framework that apply to the grade I will be teaching in the fall (4/5 combination), and also, from the resource appendix, the WestEd document integrating/aligning Math/Science instruction with ELD expectations. As a teacher, I am grateful for the vignettes and snapshots provided in the framework, and the examples in the ELD/Math/Science document that will help me make the CCCs, SEPs and DPIs come alive for my students. I can see the intent in all that was provided at the grade levels I looked at (grades 3-5) to give examples that are easy for the classroom teacher to follow. I also appreciate the grade span vignette on ecosystems for ELLs.	38	General Comment

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241 cont.	4	Public Comment, Carolyn Thompson-Hernandez			I realize that the intent of the framework is to provide a strong guide for best practices. I am concerned that in Chapter 4, line number 2057 and 2077, an assumption is made that the classroom teacher will work with "the art teacher" to develop skills for making plant and animal drawings in science notebooks, and that "the art teacher" will accompany the group on the field trip in the vignette. This assumption, that there is an art teacher in the school to work with the class, is not something that would keep me from understanding the purpose of the vignette. I know how to find parent volunteers in my neighborhood, and I understand the point of community engagement. However, I think many teachers do NOT have the luxury of parent volunteers in the classroom, even for field trips, or a funded art teacher at the school. To include this in the framework might predispose some teachers to dismiss the vignettes as "pie in the sky" rather than actual, practical examples of NGSS implementation at its finest. I would not want to see this happen.	38 cont.	Recommend-minor clarification (see #242)

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242	4	Public Comment, Carolyn Thompson-Hernandez	2057, 2077		My suggestion would be to eliminate "the art teacher" from the text and replace it with "**a teacher or community volunteer with artistic expertise.**" This is a more inclusive and realistic possibility than to assume (1) an art teacher exists in the school and (2) the teacher can leave campus with this class and not be neglecting other classes. This language also respects that not all schools/districts are able to afford to fund an art teacher position, and therefore is more respectful to us as educators. It may seem that this is a small point, but for teachers to see this document as living/applicable, it is important to make the vignettes realistic. Thank you for the thorough work here, I am excited about implementing these standards in the years to come!	38 cont.	Recommend
243	4	Public Comment, Steve Williams	2238	99	**Original text:** Animals that there. **Revised text:** Animals that live there. **Rationale for change:** Minor edit	62b	Recommend -grammar fix

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244	4	Public Comment, Steve Williams	2380-2388	104	**Original text:** This section is not clear for a teacher to understand what they should be doing.**Rationale for change:** There are two activities described here. One where students are investigating the structure and function of parts of an eye to identify the part responsible for the phenomena of shining back. The second one investigates the placement of eyes in the head and the relationship to predator or prey.	62b	Recommend-minor clarification
245	4	Public Comment, Joan Commons	2582		line 2582, add "possible" instructional segment	29 cont.	General Comment

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246	4	Public Comment, Susan Morrison	2583-2785	112	Replace “particle” with “atom” in all parts of this text. Rationale: Molecules are made of atoms, so it’s more accurate to use the term “atom” to generically describe the building blocks of matter. Besides that, “atom” is easier to say, read, and spell than “particle,” and it avoids setting up kids with terminology confusion in later grades when they learn about molecules and sub-atomic particles. General comment: You should be very careful to not oversimplify science knowledge to the point that it exacerbates the achievement gap. Upper income kids will learn a lot of science through enrichment activities provided by their parents outside of school. But children of poverty will be left as ignorant as ever! And then the general public assumes that the reason “those kids” in “those schools” are ignorant is because they have inferior teachers.	121	Do Not Recommend: The NGSS language is particle for 5th grade and atom is incorrect use of the scientific terminology anyways because most particles are actually molecule
247	4	Public Comment, Lisa Hegdahl	2693-2710	117	**Original text:** Terms ‘mass’ and ‘weight’ are being used arbitrarily within the same sentence and paragraph **Revised text:** Choose one term or the other and use it consistently **Rationale for change:** This is confusing	97	Recommend Discussion-will use "weight" consistently in grades K-2 and "mass" in grades 3-5

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248	4	Public Comment, Susan Morrison	2714-2716	118	Insert: Students can explore different phenomena to characterize solids, liquids and gases with the goal of describing and comparing their properties. How can we interact with different states of matter? Take liquids, for example water. Can you see it? Can you move through it? Can you feel it? How about solids, for example a closed door or window: Can you see them? (Windows are an interesting case.) Can you pass through them? Can you feel them? And gases, for example air or smoky air: Can you see them? Can you pass through them? Can you feel them? Students can feel gases by moving their hands back and forth through the air, or constructing …	121	Recommend-add few clarifying questions
249	4	Public Comment, Kathy Ellis	2777	120	what grade level would the terms “atom”, “molecule” be introduced to students	108	General Comment
250	4	Public Comment, Kathy Ellis	3049	135	Excellent comment about using field trips. www.insidetheoutdoors.org	108	General Comment
251	4	Public Comment, Kathy Ellis	3158	138	Earlier it was mentioned that photosynthesis wasn’t going to be introduced until middle school, but elements are being used in a very broad level, what level will it be introduced?	108	General Comment

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252	4	Public Comment, Kathy Ellis	3163	139	using the term “molecule” but earlier it is used as “particle”	108	General Comment
253	4	Public Comment, Kathy Ellis	3214	140	What if there aren’t enough students to buddy pair English learners with English speakers	108	General Comment
254	4	Public Comment, Kathy Ellis	3266	144	using the term Anthrosphere instead of introducing of photosynthesis	108	Do Not Recommend
255	4	Public Comment, Kathy Ellis	3292	145	Table 4-6, great table	108	General Comment
256	4	Public Comment, Joan Commons	3329		line 3329, having bars of the same size is confusing, show in more realistic visual representation, show 100%, 3%, 0.3%	29 cont.	Recommend: Replace with this National Academies image: https://www.nap.edu/openbook/030910470X/xhtml/images/p20012468g64001.jpg
257	4	Public Comment, Joan Commons	3336		line 3336, % is a 6th grade math standard, also show the comparison in fractions, or decimal fractions	29 cont.	Do Not Recommend
258	4	Public Comment, Joan Commons	3403		line 3403, please change "sun appears to set"	29 cont.	Recommend

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259	4	Public Comment, Susan W. Morrison	3418-3422	151	ESS1.B: Earth and the Solar System Lines 3418-3422 "The night sky is full of wonder. Grade five students should begin by asking questions about the stars, the planets, and space exploration." **My comment:** Why? Since planets and space exploration are not mentioned anywhere else in this instructional segment, why should students ask questions about them? Some people in Sacramento have told me that the standards should in no way limit what is taught. Apparently, they have never been inside classrooms in high poverty areas of the San Joaquin Valley where talking about anything not "on the test" is absolutely forbidden. I have seen this in multiple schools, districts, and counties.	117	General Comment
260	4	Public Comment, Susan W. Morrison	3437	152	**For clarity, please add:** Gravity pulls objects down at the same speed. Students can experiment with this by dropping objects with different weights at the same time. Astronauts seem weightless because they are falling at the same rate as the space station or rocket that they are inside of. Students can demonstrate this by holding a small object inside a container and dropping them together.	117	Recommend-minor clarification

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261	4	Public Comment, Joan Commons	3448		lines that follow 3448: to see change over time, please add a note on the overview table, and in this section, for students to start gathering data at the start of school, analyze during this segment. Add observing and measuring how shadows change over the year, stationary object such as the flagpole. Also "where does the sun appear to rise at different times of the year?" Moon rise is a very interesting pattern to observe: where it rises and change in time from one night to the next, and 13 moon cycles not by month.	29 cont.	Recommend-minor clarification

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262	4	Public Comment, Susan Morrison	3476-3514	153-154	Replace with: Far, Far Away Take the class outside on a day when both the sun and the moon are in the sky at the same time. Which one is brighter? Making a physical model [SEP-2] Inside the classroom, darkened as much as possible, a turn on a 40 watt light bulb in a lamp stand and hold a ping pong ball close to it. Ask: Which object is giving off light? Which is not? How can you prove that the one is giving off light and the other isn’t? How does this relate to what you saw outside? Tell your partner. Homework assignment: Go outdoors tonight, and look at the sky. Do the stars all look the same? If not, how are they different? Following day: Darken the classroom again. Then turn on two 40 watt (or less) light bulbs placed in identical lamp stands at opposite corners of the classroom. Have students pass by the one bulb, getting as close as they can and noting which bulb seems brighter. Then discuss with their partners or write in their journals about their observations. Homework assignment: Have students observe the sky during a full or nearly full moon.	121	Do Not Recommend

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263	4	Public Comment, Susan Morrison	3476-3514	153-154	The next day, ask: What was the brightest light in the sky? Then say, “Stars are much, much bigger than the moon and they make their own light while our little Moon only shines light reflected from our Sun. Yet, except for our Sun, the Moon seems brighter than all of the stars. Why? How can we explain this? Discuss with your partner.” Once students have concluded that the apparent brightness is due to distance, point out that sometimes they will see a quite bright star appear in the sky at about a 45 degree angle toward the south. If they look for it the next night, it will seem to have moved to a different spot in the sky compared to the other stars. When this happens, they probably have spotted a planet in our solar system. Planets are spheres that orbit our Sun as Earth does. They reflect the sun’s light just like the Moon does. And they seem bright because they are much closer to us than any star except our own Sun.	121	Do Not Recommend (see #262)

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264	4	Public Comment, Susan W. Morrison		153-156	Instructional Segment 4: Patterns in the Night Sky I'm sorry to be so critically dismissive, but much of this segment is inconsistent. Specifically: "5-ESS1-1 Assessment Boundary: Assessment is limited to relative distances, not sizes of stars. Assessment does not include other factors that affect apparent brightness (such as stellar masses, age, stage)" **My comment:** This is confusingly inconsistent with the activity and comments in Far, Far Away, lines 3488 through 3514, which talk about non distance factors affecting apparent brightness and which even mentions galaxies! Why bring those objects up when they can't be seen without special equipment, but not planets (see below) which can be seen? Also, this instructional segment continues to insist that all those little lights in the night sky are stars. This will cause considerable confusion when kids tell this "fact" to others and become embarrassed when it's pointed out that some of the brightest stars that they see are planets.	117	Recommend: Minor Clarification. Add: "The factors affecting absolute brightness of stars are beyond the fifth grade level and students will only be assessed on their understanding of the role of distance in determining apparent brightness (5-ESS1-1)." Cut: "By using models of how stars shine, astronomers can calculate how big a star is and they find that our Sun is a medium-size type of star, and much larger stars exist in our galaxy. The amount of light (brightness) that the sun shines on Earth is then determined by its proximity to our planet."
265	4	Public Comment, Joan Commons	3533		line 3533, thank you for the vignette with such detailed integration of ELD	29 cont.	General Comment

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266	4	Public Comment, Sue Heraper	3875, 3883, 3890	169-170	See above. More details about how student locate images is needed it is a specific skill that needs to be explicitly taught. Since the activity also mentions habitat and research, the process of extracting relevant concepts and taking notes also needs explicit instruction.	84	General Comment
267	5 and 6	CDE Staff			Addition of ELA ELD Connections and Integration of Science and ELD Standards Integrates 6-12	See IQC Att. B and C	Recommend to include Attachment C (ELA/ELD Connections) to grades 6-12; do not include Attachment B (Sample Integration of ELD and Science). Discussion focused on the purpose of the integration document that the excerpts were pulled from and their focus on the SEPs (not content). Will add a connection to the ELD/Science integration document in each grade-level at appropriate location. Comm. Diaz to help add pieces focused on Expanding and Bridging EL Levels for Att. C.

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268	5	Public Comment, Steve Williams	Gen.		What changes (if any) would you make so that this chapter is a useful resource to teachers? I think some flow diagrams of how lessons might flow between investigation, discussion, writing and research in addition to the scenario’s would be helpful. I think it would be helpful to bring in more explicit use of the cross cutting concepts in the scenario’s. For example in the scenario starting on page 14 towards the end the teacher could ask the students to look for patterns in the examples they are all sharing. Cause and effect although very important and fairly universal does not lead to great depth of thinking. However when we ask what structures allowed for that cause and effect? or does this cause and effect lead to making the system more stable or less stable? or what patterns do we see in these cause and effect relationships? or how would changing scale change our interpretation of these cause and effect relationships? we gain a good deal of depth.	62b	Do Not Recommend

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269	5	Public Comment, Steve Williams	Gen.		Is the chapter clear? Mostly, the chapter is stronger for both the fourth and fifth grade than the third grade. The introduction is a bit confusing Does it provide a starting point for teachers? I felt that all three grades were given a reasonable starting point to start creating lessons. However, the ELD/ELA suggestion boxes were frequently weak. The ideas in these boxes did not always even provide a strategy that was very helpful to get ELD/ELA students moving. Does the chapter have what it needs to include to provide teachers with guidance for teaching NGSS science? The chapter is not as strong as I would like. First, although I agree that starting with phenomena is awesome I do not think that it is the only way an NGSS lesson must start. I have had success starting lessons with a generalization and having students investigating to find evidence to support or refute the eneralization. You suggest something like this in the investigation of placement of eyes	62b	Do Not Recommend: Based on previous IQC action and public comment.

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270	5	Public Comment, Steve Williams	Gen.		(page 104 Line 23862388) It might be nice if an example of this was given as well. The biggest lack of providing teachers what they need is in the ELA/ELD boxes. These boxes frequently have weak suggestions and are not clear about what it is they are suggesting the teacher does. I think it would be much better to eliminate these boxes and include these ideas in the scenarios. The teachers in the scenarios could talk about what they are explicitly doing to address ELA/ELD.		Do Not Recommend: Based on previous IQC action and public comment.
271	5	Public Comment, Steve Williams	Gen.		Finally, I would like to see greater use of the crosscutting concepts in the scenarios perhaps asking students to look at the same thing from different concepts or differentiating groups of students by which concepts they examine phenomena from.	62b	Do Not Recommend

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272	5	Public Comment, David Beraru	Gen.		The Middle School Science framework, as it stands, is an unworkable, complicated, and unsupported mess. Where is the textbook containing all of these ideas, lessons, and support? Taking all of science curriculum, putting it in a "blender" and spooning it out for teachers to try and teach is utter madness!!! The expectations of student comprehension, retention, judgement are beyond the abilities of the average 11-14 year old student. I don't want to give my students a science phobia in the same way so many of them have a math phobia from being forced to learn algebra before they are developmentally ready. This framework will definitely alienate most students from enjoying and comprehending science and scientific principles. Finally. Expecting classroom teachers, who are already overburdened and underpaid to create the lessons to implement this new framework without monetary compensation is insulting. New and different is not always better.	113	General Comment

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273	5	Public Comment, Lisa Asahina			Theme: How will teachers be supported in preparing for the transition to the integrated model in NGSS middle schools science, in content/concepts, engineering, and how students and teachers will be expected to learn and support that learning? 1). In the integrated model, teachers will be required to prepare students to learn material in a different way that they are use to in the classroom. We have not received official word from our district that we will be using the integrated model yet. If we use the integrated model, many of us will be teaching out of our credentialed subject area. Will this be an issue? 2) How does the State plan to fund training of teachers district or statewide to prepare for this transition? I read that this model was based on countries where science education in successful. Training and support of educators and their professional development is much more in depth in other countries that are successful. For example when I worked in middle schools, elementary schools and a board of education of a small rural town in Japan, they supported teacher growth differently. Middle school teachers at these schools, spent less time in the classroom, worked hours on preparing lessons in the teacher room, teachers had	48	General Comment

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273 cont.	5	Public Comment, Lisa Asahina			paid training to work with other teachers in their region to observe model lessons at different schools, discuss the lesson, give feedback, and try those lessons back at their schools. They had workshops to improve their lessons, they also visited local elementary schools to discuss the preparation of elementary school students for middle school science. I was only an assistant English teacher but I observed how new teachers received a lot of support till they succeeded. What is the state's plan to support this transition.	48 cont.	General Comment
273 cont.	5	Public Comment, Lisa Asahina			Theme: For the districts who have already transitioned to NGSS integrated model in middle school science across the country, what has helped them prepare?	48 cont.	General Comment
274	5	Public Comment, Sue Heraper	Gen.		L. 2418-2426: See Chapter 4 general note about research skills instruction General: Students are asked to locate images and text, and extract concepts from them, to reinforce and expand their handson exploriments. These research skills require explicit instruction preferably in collaboration with the teacher librarian.	84	General Comment

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275	5	Public Comment, David Hillman	Gen.		Historian H. Floris Cohen attributes the Scientific Revolution primarily to the ideas of CCC-Scale: both mathematical modeling, and interest in sizes down to the atom. It’s no surprise that Napier’s mastery of logarithms in 1610 immediately preceded the Scientific Revolution, overlapping the time of Galileo. The California 2013 Math curriculum did not require understanding a simple base-10 logarithmic number line in middle school, even though they got a strong sense of decimal place from 4th grade math. All of 5th grade was spent on fractions and ratios.	114	Do Not Recommend

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276	5	Public Comment, David Hillman	Gen.		This leaves students helpless to deal with very large numbers and long times until they complete Algebra 2 in their sophomore or junior year of high school. A basic version of scientific notation and scale of time is called for earlier on. These math lessons must fall to middle school science teachers since 5th grade math skips decimals and rules for multiplying powers of 10. The best teaching I have seen of this is by Sal Kahn in an 11 minute video. I recommend teaching that accuracy that comes from small fractions of scale in 5th grade science class, along with a log-number line scale of scientific history. Kahn uses a calculator, but it might be done better with computers and spreadsheets if that lab is feasible.	114	Do Not Recommend

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276 cont.	5	Public Comment, David Hillman	Gen.		The ambition of starting thermodynamics in 8th grade is admirable, but I suggest that for middle school the story of Count Rumford drilling brass cannon with steel drills be taught as a lesson in scientific writing style rather than launching into high-school chemistry. jun2016sciintegrated6-8 page B-24. His original account should be read aloud in 8th grade and analyzed for overt self-praise and organization, then translated into the modern style by the class. It’s an excellent period piece, opening many questions but answering few. The snapshot of Rumford wondering around 1800 how “caloric” escaped from the shavings without visibly changing them the is contemporary to Volta inventing the battery, then wondering if corrosion had anything to do with it’s source of power. Publishing magnate Ben Franklin wrote more conservatively about his scientific research before this time. While scientists and engineers think and work any way they want, there is a modern style of writing that evolved from this 8th grade lesson. Scientific literacy is attainable in Middle School. Literacy and citizenship belong in middle school when children are mature enough and required to take science classes.	114	Do Not Recommend

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276 cont.	5	Public Comment, David Hillman	Gen.		Even the required Algebra requirement seems less essential to citizenship than actually understanding energy. The story about Count Rumford	114 Cont.	Do Not Recommend

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276 cont.	5	Public Comment, David Hillman	Gen.		drilling brass cannon with steel drills is a great piece of literature to read aloud, with all the personality and incompleteness. While scientists and engineers think, work and talk any way they like, there is a modern style of writing that evolves from this 8th grade lesson. Translating that into modern style and getting the NEEDs supplement would be great in 9th grade. Then “hack the method” by reading modern papers in reverse, opinions before facts. It’s a great way to change fields or study how others think. Franklin himself re-assembled an opinion article according to biographer and CNN executive Walter Isaacson. For middle school the carbon energy cycle was enough real chemistry, but the Exploratorium exercise on Sensation of Temperature versus Heat Conduction is a good fit there. Like heat conductance, Electrical conductance is an attribute of materials that can be studied prior to secondary school chemistry. An Exploratorium lab uses a non-contact thermometer to teach that we feel thermal conductance, not true thermometry. 8th graders can use an Ohmmeter to test lengths of wire thread with a resistance of about 1 ohm per inch and measure electrical resistance in that same week. Conclude that Materials Science is very complex, and segue to electricity labs. Joule’s crowning achievements in energy	114 Cont.	Do Not Recommend

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276 cont.	5	Public Comment, David Hillman	Gen.		should be the capstone for middle school, along with a solar-electric follow-up lab actually running NREL’s PV-Watts in 8th grade. Don’t teach all the blind alleys of history, and don’t re-sequence the true path either. Language and math are taught in historical sequence, but science still fights history badly with the atoms-to-elephants sequence. The easy sequence is historical, skipping most examples of what we now know were errors. The actual electrical science from 1750 to 1897 is teachable in 8th grade as well. The AC electric grid with all the basic principles of today was built before the electron was discovered. An electrical engineer could use ancient Egyptian terms for the flow of “elektron”, the charge trait of amber, without missing a beat. The organizing concept between secondary and middle school is that Materials Science from the outside is for Middle School, and Materials Science from the inside is for Secondary School nanostructure and chemistry. That’s how to make time in middle school for energy. When high school re-opens Rumford’s topic go in-depth with this NEEDs lab: http://www.need.org//Files/curriculum/guides/ThermoDynamics%20Teacher%2	114 Cont.	Do Not Recommend

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276 cont.	5	Public Comment, David Hillman	Gen.		0Guide.pdf There’s also a terrific facility in Hawaii turning ocean heat into electricity. http://www.popsci.com/new-energy-plant-hawaii-uses-ocean- temperatures Set this generation up to change energy production themselves. Most material in the grade-8 middle school framework is pretty good already. Here’s how I would try teaching it at this point. I would be happy to meet a middle school science teacher and learn how to teach. This script attempts to match your style.	114 Cont.	Do Not Recommend
277	5	Public Comment, David Hillman	Gen.		See Attachment 114 for IS1 and IS2 for eighth grade	114	Do Not Recommend
278	5	Public Comment, David Hillman	Gen.		The second insertion point would be Grade 8 IS-1 & IS-2, re-written to include more of the script shown after this narrative. I’d start Grade-8 IS-1 with a fun lab easy enough for little kids on electricity before 1800 with squishy circuits. https://www.ted.com/talks/annmarie_thomas_squishy_circuits?language=en Also it seems that the grade 7 & 8 integrated topics should be swapped to restore the historical sequence in which they were discovered and first learned.	114	Do Not Recommend

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279	5A	Public Comment, Christie Pearce	63	5	**Original text:** Introduction to Integrated model **Rationale for change:** This chart is VERY misleading. While it organizes the science concepts into grade levels, the danger here is that teachers will only refer to this chart for easy reference and not the framework or specifically the storyline. For example: the chart shows 6th grade physical science as kinetic energy and collisions. This implies skateboards, soccer, and football which would lead a 6th grade teacher in the wrong direction. I have met two curriculum writers who have now written units based on helmet impact and skateboard movement with no idea the connection of kinetic energy should actually be with weather and temperature.	44 cont.	Do Not Recommend: Do not change the chart.
280	5A	Public Comment, Jill Grace	117	8	please change the colors in Table 2 (Cross disciplinary learning progressions, line 117) in chapter 5A (Introduction to Grades Six Through Eight). I’ve overheard teachers comment that the green/red combo implied the discipline specific model was evil/bad.	71a	Recommend-format change

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281	5A	Public Comment, Christie Pearce		5	**Original text:** Chapter 5a Introduction **Revised text:** Comparison with DCIs **Comment:** What are the support mechanisms to assist teachers when they switch grade levels.	44	General Comment
282	5A	Public Comment, Christie Pearce			Place bookmark links into the table of contents to access the document easily	44 cont.	Do Not Recommend: Hyperlinks are not included in CDE documents only URLs.

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283	5A	Public Comment, Peter Ross			REALATION TO THE PROPOSED CALIFORNIA SCIENCE FRAMEWORK Understanding fluid flow, both gases and liquids, is not rocket science but it is science, that I believe can be learned at the middle or even elementary school level, especially if it's taught experimentally. I spent 8 years of my life working with school children, including writing and teaching some of the new "new math" in the 70s (building on the successes and failures of the 60s). Children are developmentally equipped by elementary school or certainly middle school to understand how air masses mix, thus avoiding the misconceptions that were illustrated in 1) and 2) above. SPECIFIC PROPOSAL The seven-page document Chapter 5A Introduction to Grades Six thought Eight (Second 60-Day Public Review Draft) has two tables listing topics, where a unit on heat flow would fit nicely: In Table 1. Comparison of When DCIs are Primarily Addressed in the Two Middle School Models under Physical, the Disciplinary Core Idea of Energy specifically lists "Heat & Heat Flow" as a subtopic.	13	General Comment

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284	5A	Public Comment, Peter Ross			In Table 2. Cross Disciplinary Learning Progressions the progression of Heat flow to Weather/Climate is identified.	13 Cont.	General Comment
285	5A	Public Comment, Gladys Sorensen			I believe good middle school science teachers could develop nice hands-on activities appropriate for children involving, say, colored fluids or gases mixing, and the unit should include the transfer of this information to more subtle situations such as those involved in climate science and the two anecdotes I mentioned above.	39	General Comment
286	5A	Public Comment, Anna Schechter	14	1	**Original text:** Every middle school **Revised text:** Each middle **Rationale for change:** Individualize the performance expectations, rather than lump them all together.	64b	Recommend
287	5A	Public Comment, Anna Schechter	24	2	**Original text:** On a subset **Revised text:** On a particular subset **Rationale for change:** Emphasize a certain subset	64b	Recommend

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288	5A	Public Comment, Fidela Robertson	77	6	**Original Text:** Given that these CCCs cannot be comprehended within a single context or even a single scientific discipline, the State Board adopted the Integrated model as the preferred model. **Comment:** I disagree that Cross-Cutting Concepts cannot be applied within a single context or scientific discipline. Take patterns or form and function or energy….these certainly are evident often in a single context or scientific discipline because of, for one, a systems approach.	88	Do Not Recommend
288 cont.	5A	Public Comment, Fidela Robertson	81-95	5	Lines 81-95 Comment: As teachers continue to learn within their fields, the teachers can offer their students a richer context for learning; however, without the teaching skills (classroom management, lesson design, instructional strategies, technology applications, language development strategies, differentiated instruction, etc.) the students are short-changed. I would say both – a deep knowledge of the field through formal and informal educational settings and a pedagogical skill set – are necessary for excellent teaching. We are lifelong learners!	88	General Comment

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289	5A	Public Comment, Christie Pearce	85		**Original text:** Introduction **Rationale for change:** NGSS is integrated or discipline specific. The concept of coordinated science does not belong here and is not being used correctly. The category term here should be changed to discipline specific.	44 cont.	General Comment
290	5A	Public Comment, Fidela Robertson	117	7	Line 117 Table 2. Comment: The red, vertical boxes aren't clear to me. I understand that in a Discipline Specific model, there will be some gaps that have to be filled in. What does 8->6 mean? Does it mean that the prerequisite knowledge should have been taught in grade 6 and then applied in grade 8? When I go back to Table 1, line 61 and following, I see Kinetic Energy and Collisions taught in grade 6, and Potential Energies and Gravity taught in grade 8. This is the Integrated Model. When I look at the Discipline Specific Model, I see all those concepts taught in the 8th grade. I don't see gaps. I need some clarification. Maybe other teachers will also need this to be explained in more detail. Thank you for asking for feedback. Thank you for your dedication to our young people and our nation and our Earth System!	88	Recommend to delete table 2. Writer will include an example of gaps in the narrative- surrounding the topic of photosynthesis.

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291	5B	Public Comment, Nellie Hill			Hello,Chapter 5 - Preferred Integrated Model Grade 8 Storyline beginning on page B-132 is missing two PEs: MS-ESS1-2 and MS-ESS 1-3 do not appear in any of the 4 Instructional Segments overview tables. Thank you,	131	Recommend
2055	5B	Lisa Hegdahl			It with great anticipation and excitement that the California Science Teachers Association works with the California Department of Education and the Instructional Quality Commission to move the Science Framework for California Public Schools: Kindergarten through Grade Twelve towards its last steps of formal adoption. We have all travelled a long road to see the document completed and we are grateful to all the talented professionals and volunteers who have contributed to the final product.	2003	General Comment

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2047	5B	Lisa Hegdahl			NGSS 3-Dimensions Just a quick glance at the recent Chapter 5: Grades Six Through EightPreferred Integrated Model draft and the improved clarity of the 3- dimensional nature of NGSS is apparent. It is apparent that CA Science Framework author, Matt d'Alessio, made every effort to pair Science and Engineering Practices (SEPs) with Crosscutting Concepts (CCCs) while describing the core ideas in the lesson segments. While improved, there are large sections where either CCCs or SEPs take center stage, making the other dimension seem irrelevant.	2003	General Comment
2001	5B	Erin Conrad			1. Explicit use and reference to phenomena- It would be helpful to include the anchor phenomena in the table (figure 5B17) with each Instructional Segment as an additional reference to the phenomena.	2001	Do Not Recommend

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2003	5B	Erin Conrad			- Instructional Segment 3: Anchor phenomenon relationship not clear during the ecosystems section. Students could note how ecosystems vary depending upon location in relationship to the California mountain ranges and how human activity in certain areas has changed the ecosystems (i.e. farming, cattle grazing, water diversion).	2001	Do Not Recommend
2004	5B	Erin Conrad			2. "Clearness" of 3D -- In Instructional Segment 1 of 7th grade, CCC are mentioned frequently and regularly; however the SEPs are used much less frequently and not usually tied with CCC. Each of the SEPs is used about half as frequently (or less) than the CCCs. The exception comes in the Connection to ELA/ELD at the end of the segment where the SEPs are dominant.	2001	Do Not Recommend
2006	5B	Erin Conrad			- Identification of SEPs on pages 152-155 is somewhat misleading. These are not actions taken by students but rather things to be noticed by students.	2001	Do Not Recommend.
2007	5B	Erin Conrad			3. Grade span language for CCC, - Noted clear reference to content from Kindergarten, 3rd grade, and 5th grade.	2001	General Comment

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2008	5B	Erin Conrad			Integrated nature of Snapshots and Vignettes: - Clear integration in vignettes. Vignette in IS2 is understandably limited to a portion of the PEs in IS2.	2001	General Comment
2009	5B	Erin Conrad			- Correct spelling of "students" (currently 'studenst') on page 145, paragraph 2, line 3	2001	Recommend
2010	5B	Jill Grace			First and foremost I would like to personally express my gratitude to the IQC, CDE Framework team, and Matt for taking public input to heart. Each time I have seen a new draft of the middle school integrated chapter, it has been significantly improved over the previous, and this is no exception. This now feels more aligned with how “we” (CSTA, K-12 Alliance, Roll Out writing team) think of middle school integrated NGSS today. It is solidly anchored in phenomena (in a way that is explicit to the teacher/curriculum developer), authentically intertwines the three dimensions at the lesson level, reflects more modern understanding of topics in the core ideas, and better integrates across science disciplines than before.	2002	General Comment

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292	5B	Public Comment, Nicole Valencia			My suggestion is to add a column to the grade level storylines that places the applicable California Environmental Principles and Concepts in a clear place, front and center, so that educators notice it and integrate it into the curriculum. The 2015 Blueprint for Environmental Literacy requires us to:“1. Systematically integrate environmental literacy concepts into statewide educational priorities, including new academic standards, new and revised curriculum frameworks, state-adopted textbooks and learning materials, professional learning programs, and the emerging new state accountability and assessment systems. The California Environmental Principles and Concepts (EP&Cs) are required by law to be included in state textbooks and instructional materials adoption criteria (Public Resources Code Section 71301(d)), which provides a foundation for inclusion of environmental content in future instructional materials." My change will make it easy for both teachers, textbook authors, and other stakeholders to easily integrate the California Environmental Principles and Concepts into new NGSS curriculum.	95	Do Not Recommend: This would take a major revision.

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293	5B	Nicole Valencia (Cont.)			Here is an example of the change I am suggesting. I have added the column to the far right of Figure 5B 15 Grade Seven Integrated Storyline (line 1489 page B-76 of chapter 5B). But this suggestion applies to all story lines for all grade levels. I feel this small change will make a dramatic impact on Environmental Literacy in the great state of California.	95	
294	5B	Public Comment, Christie Pearce	Gen.		Storylines are extremely helpful to making connections on concepts	44 cont.	General Comment
295	5B	Public Comment, Christie Pearce	Gen.		The vignettes are good for creating background knowledge for both students and teachers.	44 cont.	General Comment
296	5B	Public Comment, Christie Pearce	Gen.		Technology is so powerful. Create the framework with hyperlinks that allow teachers and curriculum developers to move around within the framework. Ex. When the framework refers to 462 CCC, a hyperlink is established that connects to them or types of investigations	44 cont.	Do Not Recommend: Hyperlinks are not included in CDE documents only URLs.

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297	5B	Public Comment, Christie Pearce	Gen.		**Original text:** Argued with evidence **Rationale for change:** Hyperlinks to student examples. The appendices are really great, but they would be much more helpful if they were linked within the framework. One stop shop. It is so much more beneficial for teachers to access the info within the topic they are reading or working with rather than having to open another document.	44 cont.	Do Not Recommend: Hyperlinks are not included in CDE documents only URLs.
297 cont.	5B	Public Comment, Christie Pearce	Gen.	B-9	**Original text:** Weather conditions connections with Earth and Physical science **Rationale for change:** Better connections for teachers to assist with this concept, especially in environments like CA. How can teachers connect the concepts of weather and kinetic energy in a way that engages students? How can teachers develop an essential question that is motivating?	44 cont.	Recommend
298	5B	Public Comment, Christie Pearce	Gen.		Examples of tier 3 vocabulary terms should be included in a developed unit. These words will also help guide a curriculum writer towards specific topics that lead to those scientific terms.	44 cont.	Do Not Recommend: This would take a major revision.
299	5B	Public Comment, Gini Vandergon	Gen.		I loved the overview table of integrated vs coordinated really helped clarify the overviews.	59b	General Comment

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300	5B	Public Comment, Gini Vandergon	Gen.		I can see EP & C in some of the units but not all of them though I think they fit in many of the IS throughout the grades	59c	General Comment
301	5B	Public Comment, Jill Grace	Gen.		Some improvements to explicit inclusion of SEPs and CCCs.Descriptions of natural selection and general evolution concepts are improved. I challenge the writers to do a better job with integrating all science domains (ESS, LS, and PS consistently), they are only fully integrated in the last two units. Further, I challenge the writes to call out a CCC EVERYTIME a SEP is mentioned (and vice versa). Instruction should always be three-dimensional. There is some improvement in this, but it needs to be very explicit for teachers new to the NGSS.	72	Do Not Recommend Discussion: focus was on when to use "color" to identify SEPs, CCCs, DCIs. Writer has tried to make sure it is only highlighted if it is a major part of instruction. Also color is good to use to show how all three dimensions are interwoven. Writer will continue to use best judgement on when to use.
2005	5B	Erin Conrad			- Maintain consistency of color coding CCC and SEPs throughout text. The color coding helps readers identify each of the three dimensions and draws attention the the SEPs and CCCs.	2001	Do Not Recommend: See IQC Approved Recommendation #301. Writer has tried to make sure it is only highlighted if it is a major part of instruction. Also color is good to use to show how all three dimensions are interwoven. Writer will continue to use best judgement on when to use.

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302	5B	Public Comment, Jill Grace	Gen.		**Original text:** Students can work in teams to research the different periods when these great extinctions happened and the evidence [SEP-7] supporting those theories. Alternatively, the class could focus on the period of the dinosaur extinction and have different teams explore different kinds of evidence that integrate across the disciplines to convincingly support this cause and effect [CCC-2] theory. The Howard Hughes Medical Institute BioInteractive website has many resources related to Earth’s history and mass extinctions including a free App called EarthViewer that illustrates key features of Earth’s 4.6 billion year timescale [CCC-3] including fossil information. **Revised text:** Students can work in teams to research the different periods when these great extinctions happened and the evidence [SEP-7] supporting those theories. Alternatively, the class could focus on the data available on species of foraminiferans before and after the event or the period of the dinosaur extinction and have different teams explore different kinds of evidence that integrate across the disciplines to convincingly support this cause and effect [CCC-2] theory.	72	Recommend

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303	5B	Public Comment, Jill Grace	Gen.		The Howard Hughes Medical Institute BioInteractive website has many resources related to Earth’s history and mass extinctions including a free App called EarthViewer that illustrates key features of Earth’s 4.6 billion year timescale [CCC-3] including fossil information. Rationale for change: I love the charismatic macrofauna, but the most compelling evidence (also highlighted in HHMI’s resources) is of the foraminiferan extinctions allowing for students to engage in more hands-on experiences. Both explorations are good things to suggest.		Recommend
304	5B	Public Comment, Gini Vandergon		pp.12-21	In Sixth Grade: IS-1 I am very confused by the whole systems discussion? Lines 283-338 Especially table on investigative topic and boundaries? I think the engineering concepts could be expanded to having the students make a model of one aspect of a human system that can then be interrupted (and therefore you would need a transplant) I don’t see the PE of the ESS2-6 Not sure last guiding question in 6 grade IS-1 is easy to address based on these directions?	59c	Recommend

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305	5B	Public Comment, Erin Conrad	Gen.		I would include the PEs or the DCI references in the table at the beginning of each grade level where the conceptual flow for the year is given. This would help me note how the PEs or DCIs are organized and point out how the different disciplines are taught as integrated units. It might be helpful when reiterating the concept that the instructional segments are just one variation on the flow that these do not necessarily match the organization of the standards arranged by topic document that is available from the CDE. It begs the question: why were these instructional units developed to package the PEs as presented here and not to match the modules presented in the document available from the CDE?	35b cont.	Do Not Recommend: This would take a major revision.

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306	5B	Public Comment, Erin Conrad	Gen.		I would also include a written outline of the rationale for the organization of each instructional segment. To me, these are most helpful to read before reading the snapshots or vignettes so that I know where the example is trying to take the students. The debrief is helpful to help teachers understand the purpose of each activity within the snapshot or vignette. I would be a bit concerned that teachers are going to try to recreate these snapshots or vignettes in their classrooms without the support leading up to the event or try to use this as “curriculum.” The organization of the explanation of the instructional segment, the inclusion of snapshots and vignettes, and debriefs from each of those seems inconsistent throughout and between the grade levels. In the instructional segment narrations, special attention is paid to the SEPs and CCCs, calling out each one as it might be found in that IS. **However, no specific attention is made to the DCIs. It might help teachers envision of the 3 dimensional model by including parenthetical reference to the DCIs.**	35b cont.	Do Not Recommend: This would take a major revision.

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307	5B	Public Comment, Rachel Poland	Gen.		I would like to see the 7th grade table of contents broken down the same way as the 6th and 8th grade – identifying the sub concepts being explored. “The Preferred Integrated model also supports the CA NGSS vision of a strong developmental progression where students spiral through the curriculum, revisiting ideas in increasing complexity and detail. Complex scientific problems exist within all the domains of science and engineering, and the Preferred Integrated model places the most complex phenomena at the end of the grade span when students are most ready to face them.” - This is true – however I believe that there is no suggested instructional sequence “IS” suggested within a grade band. It would be nice to include the fact that teachers are able to choose the sequence for the year and that what is provided is one example of how the sequence may run. It thought it was nicely handled when talking about phenomena and choosing what fits your students. I bring this up because I have already heard of teachers and administrators taking the example “IS” progression as the expected “IS” progression for the year. This may be part of the intro before each grade band.	78	Recommend format change for table of contents, sequence choice is already included.

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308	5B	Public Comment, Rachel Poland	Gen.		The introductions for grade 7 and 8 (pg B-74 & 131) should read more like the introduction to grade 6 (pg B-8) and should include the caveat about the instructional sequence mentioned above.	78	Recommend
309	5B	Public Comment, Rachel Poland	Gen.		The vignettes have a debrief paragraph at the end that summarizes for a teacher how the presented story illustrates NGSS in action and how if fits into the proposed integrated model. It would be nice if a short debrief or caption that did the same was included with the snapshots – they seem a little disconnected from the unfolding story.	78	Do Not Recommend for the snapshots.
310	5B	Public Comment, Rachelle Lopez	Gen.		It seems an awkward fit for MS-ESS3-4 to be placed with 8th grade standards as it does not easily lend itself to be clustered with other grade level PEs. I do see that each of the respective grades has been assigned 5 PEs. It would seem a much more logical fit to place MS-ESS3-4 with the 6th grade PEs and perhaps swap MS-ESS2-4 over to 8th grade as there is some relevance with solar system concepts and their impact on Earth systems. This would retain 5 PEs at each grade level, and allow for easier clustering.	80	Do Not Recommend: Not aligned with the Science Expert Panel bundling of PEs.

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311	5B	Public Comment, Jill Grace	Gen.		As you know, our group assembled August 18th and 19th with the task of jumping into the middle school integrated chapter of the draft California science framework, choose a snapshot or vignette that we would create a learning sequence, lesson, assessment, and phenomenon presentations for the next roll out. Roll Outs 2 and 3 previously focused on grades 6 and 7, so we made the decision to work in 8th grade, and decided that Instructional Unit 3 (IS3) would be of high value for 8th grade teachers given the importance of the topic of evolution and the expertise of our team. As we began working, concerns over IS3 emerged. The following are our recommendations to your team and the IQC:	103	General Comment

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312	5B	Public Comment, Jill Grace	Gen.		We feel strongly that the unit snapshot is deeply flawed and doesn't support the vision of the NGSS in two ways: (1) it misuses the intent of the Science and Engineering practices (tools for students to make sense of phenomena) and (2) the front-loading of a video as a central instructional piece is pedagogically flawed. We subsequently wrote a new snapshot we feel better honors the vision of the NGSS and would provide meaningful context for IS3 (see attached file, Gr8IntegratedIS3snapshot), provide important opportunity for students to grapple with the mechanism of natural selection, provide clarity for the use of mathematical and computational thinking, introduces students to an important 40-year research project, and makes meaningful connections to Common Core. This new snapshot would make the most sense inserted prior to student investigations of natural selection, before line 3215. Several of the components described in this snapshot have been tested on students as well as Southern California 8th grade teachers in the CA NGSS K-8 Early Implementation Initiative.	103a	Recommend: Writer addressed this in revision of Chapter 5b. In the rewrite, the writer moved the discussion of asteroid impacts more strongly up front to IS1 in grade 8. Added two new snapshots to IS3 in grade 8, both adapted from public comment by Jill Grace.

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313	5B	Public Comment, Jill Grace	Gen.		We would like to resubmit a vignette for consideration. This was written during the first draft of the framework, and later removed because there was a shifting of physics concepts (see attached file, Gr8IntegratedVignetteUnit4). In addition to helping with envisioning a lesson sequence, it provides insight into anchoring instruction in a phenomenon, connects students to an active area of research, highlights the role of teacher as facilitator, and makes meaningful connections to Common Core. This vignette makes the most sense between IS3 and IS4, or at the very beginning of IS4. Several of the components described in this snapshot have been tested on students as well as Southern California 8th grade teachers in the CA NGSS K-8 Early Implementation Initiative.	103b, 128	Recommend: Writer addressed this in revision of Chapter 5b In the rewrite, the writer took the original submission of a replacement vignette from Jill Grace and modified it to address Commissioner Reese's concerns that it does not strongly address wave amplitude. Exchanged drafts with Jill Grace for further revisions. The version included in the posted chapter is the product of all these inputs.

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314	5B	Public Comment, Jill Grace	Gen.		Overall, our team had concerns about some missing or conflicting information in the 8th grade section. We also feel strongly that the instructional units have potential for more integration of science content, anchoring in phenomena, and connections to the nature of science. As a result, we offer some overall edits to address these, including some important edits to the engineering connection that, as written, promotes teleological misconceptions which can also fuel creationist view points. (see attached file, 8thgradeintegratedREVISEDbyRollout4team)	103c, 128	Recommend: Writer addressed this in revision of Chapter 5b In the rewrite, the writer added anchor phenomena to all Instructional Segments (IS) in the chapter. He tried to make sure that they motivated the entire IS and then were addressed at the end. This book-end approach didn't work perfectly for all IS in the time allotted and therefore the IQC recommends that all phenomena called out at each instructional segment be removed and only keep phenomena in the snapshot and vignettes only.

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2002	5B	Erin Conrad			- Instructional Segment 2: Anchor phenomenon applies only to the vignette, not to the entire instructional segment. A second phenomenon should be provided after the vignette to continue to IS. Alternatively, a different phenomenon could be provided at the beginning of the IS (under the table of PEs, DCIs, SEPs, and CCCs) as is done in IS1 and IS3).	2001	Do Not Recommend: anchor phenomena for the instructional segments will not be listed.
315	5B	Public Comment, Jill Grace	Gen.		We would like to request the framework team and IQC consider allowing a re-write of the engineering snapshot to center around MS-LS4-5. This particular PE is novel for science teachers (who likely did not receive any background in this in their undergraduate training). In addition, it is the one life science PE that has an explicit call for an engineering connection (not the one featured in the existing engineering challenge). We are willing to write a new engineering snapshot that will focus on genetic engineering and test the piece with students should you agree.	103, 128	Recommend: Writer addressed this in revision of Chapter 5b In the rewrite, the writer determined that this snapshot was problematic and removed this snapshot. A refined version still appears in the discipline specific version and elements of the bird beak data do appear in the new Natural Selection snapshot he put in its place.

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316	5B	Public Comment, Jill Grace	Gen.		Finally, we would like to encourage you consider a re-write of IS3. Although vastly improved over prior drafts, there is room for important growth to truly showcase phenomena, provide important student experiences to grapple with the complexity of both the mechanism and evidence for evolution, and modern understandings. Our team is also incredibly mindful of the sensitive nature of this content and how difficult it is for students to build understanding that is both scientifically-aligned and free of misconceptions. (see attached file, 8th grade IS3 rewritten by Roll out 4 team)	103d, 128	Recommend: Writer addressed this in revision of Chapter 5b In the rewrite, the writer used the draft submitted in public comment as the basis for the rewrite.

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317	5B	Public Comment, Anna VanDordrecht	Gen.		I have one suggestion: There is a very insightful phrase in Ch. 5, page B-6 (preferred integrated model). *"As teachers, we often complain that our students don't remember concepts from year-to-year, but perhaps this forgetting is a consequence of our desire to provide self-contained Instructional Segments that answer all the questions raised by the time of the test, just like a 30 minute episode of a sitcom on TV. The CA NGSS is more like a long-running drama series with a number of interweaved storylines developing over years. In order to accomplish this slow build up, teachers will likely have to make major modifications to some of their favorite lessons or even leave them behind because those lessons focus on providing all the 'answers' where students memorize the details and jargon that represent the current state of understanding of science by scientists."* This statement is helpful as teachers start to understand the need for developing story arcs for units and courses and also the power in collaborating within and between grade levels in order to help students understand the cohesive story of science. Could this section or something similar to it be included in Chapter One so that all teachers,	115	Do Not Recommend

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318	5B	Public Comment, Anna VanDordrecht	Gen.		regardless of grade level, might benefit from this insight in their planning?	115 cont.	Do Not Recommend
319	5B	Public Comment, Rachel Poland	56	3	**Original text:** The Preferred Integrated Model provides a unique opportunity for teachers totruly address real world phenomena, ask questions, and seek answers to those questions without regard to disciplinary boundaries. **Revised text:** …for teachers to guide students to truly address… **Rationale for change:** Isn’t NGSS about student learning and growth and the teachers facilitating this learning?	78	Recommend

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320	5B	Public Comment, Suzanna Loper	85	4	We would like to express concern about the examples presented as a distinction between “integrated” and “coordinated” science in the introduction to the Preferred Integrated Model section of Chapter 5. Our concern is that these examples are not strong examples of coherent integration, and if presented as exemplars in the final version of the framework, could lead to superficial integration at the expense of deep and coherent learning of the disciplinary core ideas.We provide some details about our concerns below, with reference to the “examples” presented in the final row of **Table 5B-1** (line 85). Our suggestion would be to completely remove lines 77-86. Heat (Physics) is taught at the same time with Climate and Weather as the applied examples. **Text:** This seems to imply that Climate and Weather would only be taught as ‘examples’ in a unit focused on the physics of heat. **Concern:** This would seriously shortchange students’ learning about climate and weather, which have many complex core ideas beyond the physics of heat, which need substantial attention for deep leanring of these concepts.	130	Recommend: Writer will address this edit. Recommend to keep but writer will clarify. CDE Staff will collaborate with writer to clarify concept further.

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320 cont.	5B	Public Comment, Suzanna Loper	85	4	Text: Light and the chemistry of photosynthesis are all taught interconnected. Concern: “All taught interconnected” is not a very clear or helpful description. While photosynthesis is an excellent example to use in a unit on light, and ideas about light could be incorporated into a unit that focuses on photosynthesis, to suggest that these two very complex topics are best taught in a single ‘interconnected’ unit is very concerning and is likely to lead to incoherence and to a sacrificing of depth of understanding of either idea.	130 Cont.	Recommend to keep but writer will clarify. CDE Staff will collaborate with writer to clarify concept further.

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321	5B	Public Comment, Angelica Gunderson	145	6	In the Introduction to the Preferred Integrated Course Model for Grades 6-8 section (Page B-6 After Line 145) I noticed only the scientific practices are mentioned and then the call for investing in these changes is abruptly introduced. I think there should be some wording that also mentions the engineering practices which students will use to apply their understanding and learn how to solve problems. The sixth and seventh grade descriptions were well explained and the snapshots and vignettes provided necessary vision. When working with eighth grade teachers, **we had a hard time making the connection described in the first part of the storyline (Grade Eight Integrated Storyline, pg. B-133)** between the fossil record and forces and motion. We agreed that although there is a thread, it may prove challenging to connect the two concepts. The description provided of the transition did not help either.	129	Recommend: Writer addressed this in revision of Chapter 5b Writer reworked to draw more of a connection between the fossil evidence of mass extinction and testing different possibilities that could explain them, including the impact theory.

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322	5B	Public Comment, Erin Conrad	145	7	**Original Text:** Districts and schools will need to invest in significant and resources for professional development to help teachers make these modifications in supportive, **Recommended Text:** Add to original text: Connections to the Common Core ELA standards should be considered when planning professional development. **Rationale for change:** Teachers, especially those in selfcontained classrooms, are under a lot of pressure to ensure that all standards are met. However, if they try to teach each standard individually, they will run out of time in the school year. However, if science is used as a vehicle for delivering instruction for CCSS ELA or Math instruction, teachers can more efficiently use their time and meet multiple standards during a single lesson. Teachers may need to have direction from their school districts during professional development to make mental shift from being compartmentalized with boxes in their plan books for ELA, Math, Social Science, and Science, to using integrated units of study that are crosscurricular (and not just in the sciences).	35b cont.	Recommend: Writer addressed this in revision of Chapter 5b (combined with #324 below).

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323	5B	Public Comment, Christie Pearce	169-170	9	Left justify text don’t center	44 cont.	Recommend-format change

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324	5B	Public Comment, Erin Conrad	137	9	**Original Text:** In order to accomplish this slow build up, teachers will likely have to make major modifications to some of their favorite lessons or even leave them behind because those lessons focus on providing all the ‘answers’ where students memorize the details and jargon that represent the current state of understanding of science by scientists. **Recommended Text:** Add to original text: Teachers may wish to consult with teachers working grade levels above or below their current assignment to find resources for content that has moved grade levels. **Rationale for change:** Teachers are looking for resources for planning and are finding that they have to leave some behind because they no longer fit the content. Teachers at other grade levels are experiencing the same thing and may have resources to share. For example, much of the 8th grade physical science moved to 7th grade and so I gave the 7th grade team access to all of the resources that I had accumulated while teaching 8th grade science. From that, they were able to create their own units without having to spend an excessive amount of time researching resources.	35b cont.	Recommend: Writer addressed this in revision of Chapter 5b. (Combined with 322 above) End the paragraph with: "These collaborations may span outside the traditional boundaries, including connecting to teachers at grade levels above and below to ensure a connected learning progression in science and with other teachers (including math and ELA) to ensure effective synergy between science and these disciplines."

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325	5B	Public Comment, Erin Conrad	137 Cont	9	They were also able to reciprocate, giving me access to much of the natural selection, adaptations, and genetics material that was once 7th grade life science but in now in 8th grade.	35b cont.	Recommend: Writer addressed this in revision of Chapter 5b. (see above)
326	5B	Public Comment, Rachel Poland		43	**Original text:** 7th Grade Snapshot **Revised text:** Concern: It is in the 6th grade section – is the snapshot for 6th or 7th grade. The content of the snapshot is about “clean water” – might fit in either.	78	Recommend
327	5B	Public Comment, Erin Conrad	297	17	**Original Text:** While this adaptability is one of the strengths of systems modeling, it does present a challenge for learners who are trying to figure out what a system is. **Recommended Text:** While this adaptability is one of the strengths of systems modeling, it does present a challenge for learners who are trying to figure out what a system , and model, is. **Rationale for change:** The paragraph begins by referencing the use of models, but does not return to the ideas of using students using models but rather turns toward systems.	35b cont.	Recommend: Writer addressed this in revision of Chapter 5b. Recommend to remove this line: While this adaptability is one of the strengths of systems modeling, it does present a challenge for learners who are trying to figure out what a system is.

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328	5B	Public Comment, Joanne Michael	451	27	To give an idea of how long each learning sect is (a week? a month?)	75a	Do Not Recommend
329	5B	Public Comment, Erin Conrad	903	44	**Original Text:** Grade Seven Snapshot: What’s in the water? **Recommended Text:** Grade Six Snapshot: What’s in the water? **Rationale for change:** This snapshot is found in the middle of the grade six narrative, but is titled as a Grade Seven snapshot. No specific PEs or DCIs are given, so it is unclear if this is meant to be in 6th grade as part of the second Instructional Segment, or in grade seven as a way to connect learning from 6th grade to that in 7th grade. If it is truly a 7th grade snapshot, then it makes more sense to include it in the 7th grade narrative.	35b cont.	Recommend (Identical to 326)

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330	5B	Public Comment, Gini Vandergon		pp.22-46	IS-2 I think there are EP and C’s for this segment too? (see below in general comments Snapshot intriguing.. though not sure what students will come up with? Maybe an example Vignette is good.. I am a little confused on the kinesthetic activity but can see how a teacher may be able to use kinesthetic possibilities for this unit Snapshot in this section says grade but should probably be changed to grade Good explanation of why ESS2-6 is used in 3 of the IS though was a bit confused before though	59c	General Comment

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331	5B	Public Comment, Erin Conrad	23	47	**Original Text:** (The EEI Curriculum unit, Precipitation, People, and the Natural World provides a variety of resources that can support this instruction.) **Recommended Text:** Note: EEI units, although free, require teacher training in order to access all of the materials. The teacher's guide is password protected and the password is only given after a teacher has completed training. **Rationale for change:** The requirement of training before using the materials should be noted along with instructions on how to get training. For example, teachers can access ondemand webinars at http://www.california eei.org/training/ondemandwebinars/ in order to access the free materials. It's also worth noting that some EEI units are applicable to multiple grade levels and that care should be taken in selecting EEI units so as not to use the same unit in multiple grade levels.	35b	Do Not Recommend
332	5B	Public Comment, Gini Vandergon		pp.47-63	IS 3 Life science DCI's are not put in table?	59c	Recommend-minor clarification

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333	5B	Public Comment, Gini Vandergon		pp.64-75	IS 4 What is flaring? Don't know what this is? Could the last project be a service learning project?	59c	Do Not Recommended
334	5B	Public Comment, Gini Vandergon		pp.75-88	IS-1 Why 200 years ago? Connection not made until IS -2 maybe foreshadow ?? Didn't see any connections drawn to the LS DCI? In this section	59c	Recommend: Writer addressed this in revision of Chapter 5b, to improve the discussion to mention the life science DCIs.
335	5B	Public Comment, Rachel Poland	2011	104	"The second half of instructional segment 2" The writing at this point shifts from the types of things the students are doing to learn the science and becomes more of teaching the teachers reading the framework the science. It would be nice to see more of a focus on how the students are learning this (as it was in the first portion of the 7th grade section). Perhaps some "snap shot" inclusions could refocus this section to be in keeping with the stated focus of the introduction which states "This section is meant to be a guide for educators on how to approach the teaching of CA NGSS in grade seven according to the Preferred Integrated Learning Progression model (see the introduction to this chapter for details regarding different models for grades six, seven and eight). This trend continues until section 4 (pg B-122).	78	Recommend: Writer addressed this in revision of Chapter 5b In the rewrite the writer created a template for a new lesson about the rock cycle.

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336	5B	Public Comment, Gini Vandergon		pp.89-110	Okay now go to present on diagram how about show both early on? I find that most students think of food for energy not growth so I agree Mr. ? needs to focus on that but I would change the sentence to indicate that most students think of food for energy but it is also used for building blocks for growth.	59c	Recommend-minor clarification
337	5B	Public Comment, Gini Vandergon		pp.111-124	IS-3 What if we talked about size of arrows? In food cycle energy gets lost at each level which is mentioned and there is an explanation of why this model only shows part I think though I think alluding to the 90% loss at each levels good.	59c	Do Not Recommend: 90% loss at each trophic level is a high school concept.
338	5B	Public Comment, Gini Vandergon		pp.125-134	IS-4 Like the mention of the EP and Cs maybe more in the others? Snapshot pretty good and again it has EP and Cs in it Nice culiminating projects	59c	General Comment
339	5B	Public Comment, Gini Vandergon		pp.135-150	IS-1 Are the peaks major speciation events? In figure 5B-25 don’t explain that..until IS-3 might just mention in the beginning	59c	Recommend-minor clarification

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340	5B	Public Comment, Amanda Bertram	2603	136	instructional segment 1 includes MS-PS2-4 which deals with gravity. I think it should be included in Instructional segment 2 on on line 2875 because Instructional Segment 2 is about non-contact forces and gravity is a non-contact force and has other PEs about gravity and the guiding questions are about gravity.	99	Recommend

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341	5B	Public Comment, Jill Grace	2609-2614	138	**Original text:** The fossil record of marine species indicates that there have been five periods (indicated by arrows in figure 5B-25) when Earth’s biodiversity dramatically decreased. The most famous in this pattern [CCC-1] of great extinctions included the extinction of all the approximately one thousand different dinosaur species that existed at that time. **Revised text:** The fossil record of marine species indicates that there have been five periods (indicated by arrows in figure 5B-25) when Earth’s biodiversity dramatically decreased **compared to the background extinction rate**. The most famous in this pattern [CCC-1] of great extinctions included the extinction of nearly all foraminiferan species and all the approximately one thousand different dinosaur species that existed at that time. **Rationale for change:** This is confusing as it starts discussing marine species then jumps to dinosaurs (so language added to bridge that). In addition, mention of background extinction rate adds clarity to the interpretation of mass extinction.	72	Recommend: Writer addressed this in revision of Chapter 5b so that the reviewer's comment is addressed, however, he did not use the actual text of the comment.

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342	5B	Public Comment, Jill Grace	2609-2614	138	Students can work in teams to research the different periods when these great extinctions happened and the evidence [SEP-7] supporting those theories. Alternatively, the class could focus **on the data available on species of foraminiferans before and after the event** or the period of the dinosaur extinction and have different teams explore different kinds of evidence that integrate across the disciplines to convincingly support this cause and effect [CCC-2] theory. The Howard Hughes Medical Institute BioInteractive website has many resources related to Earth’s history and mass extinctions including a free App called EarthViewer that illustrates key features of Earth’s 4.6 billion year timescale [CCC-3] including fossil information.	72	Recommend

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343	5B	Public Comment, Gladys Sorensen	3750		Line 3750 MS-LS4-4 Construct an argument supported by evidence for how increases in human population and per-capita consumption of natural resources impact Earth’s systems. Replace with correct standard. The standard number is correct: (MS-LS4-4) MS-LS4-4. Construct an explanation based on evidence that describes how genetic variations of traits in a population increase some individuals’ probability of surviving and reproducing in a specific environment.	41	Recommend-minor edit

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344	5B	Public Comment, Jennifer H. McCluan	2608	135	My colleague, Craig Williams (cc'd on this e-mail) noticed that the overall storyline table for 8th grade integrated (p. B-133) in the 2nd draft of the CA framework includes "Chemical reactions make new substances and Mass is conserved in physical changes and chemical reactions." for Instructional Segment 3. However, these topics are not addressed explicitly in the later text for Instructional Segment 3 (or any Performance Expectations for this Instructional Segment). We would appreciate any clarity as to whether these topics will/should be specifically addressed in 8th grade Instructional Segment 3. If so, how might they be connected to the Life and Earth-Science topics included in IS 3?	49	Recommend: Writer addressed this in revision of Chapter 5b.
345	5B	Public Comment,	2643 & 2929	138 & 151	When looking at the new Instructional Segment document I noticed what I think is a mistake in 8th grade that you might want to correct. The PEs listed for Instructional Segments 1 and 2 in 8th grade are the same and they shouldn't be.	9, 10, 12	Recommend-minor edit

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346	5B	Public Comment, Jeremiah Potter	2660	140	**Revised text:** Add something about how small scaled investigations in the classroom model the structure and function of collisions on a greater planetary/ universal scale. **Rationale for change:** It's not intuitive for students/ teachers to analyze data from a class investigation that represents similar findings from a greater massed/ accelerate d collision.	81	Do Not Recommend
347	5B	Public Comment, Jeremiah Potter	2740	143	**Original text:** of its kinetic energy to the grass, it naturally slows down and eventually stops **Revised text:** of its kinetic energy to the grass and the air surrounding, it naturally slows down and eventually stops **Rationale for change:** Energy transfers to multiple objects surrounding the energy source.	81	Recommend-minor clarification
348	5B	Public Comment, Kalon Hinds	2929	151	The following Performance Expectations are missing from the PE summary section at the beginning of 8th grade's integrated model Instructional Segment 2: MS-PS3-2 MS-PS2-5	31	Recommend
349	5B	Public Comment, Cheryl Wilcox	2948-2949	153b	it is stated 'The vignette below...' yet there isn't one. Sounds like something was left off here.	110	Recommend-format change
350	5B	Public Comment, Cheryl Wilcox		155b	there is no mention of inertia as being one of the forces involved in the given example.	109	Do Not Recommend

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351	5B	Public Comment, Cheryl Wilcox		158b	how do you suggest measuring differences in fields - gravity, magnetism, static electricity - without having to purchase a lot of equipment to do so?	109	General Comment
352	5B	Public Comment, Cheryl Wilcox		158b	How do you expect us to teach a concept without actually using the academic vocabulary term (for example, page b158)?	109	General Comment
353	5B	Public Comment, Cheryl Wilcox		159b	What 'data' are students collecting when using magnets and iron filings to demonstrate magnetic forces? Making observations, which is ultimately what the students will be doing as described in the text, isn't necessarily collecting data.	109	Recommend-minor clarification
2011	5B	Jill Grace			Here are a few things I would suggest before a final version is produced: Double check Figure 5B-25. Grade Eight Integrated Storyline and make sure it’s up-to-date with what is now in the learning sequences (for example, IS1 is missing MS-LS4-1)	2002	Recommend
2012	5B	Jill Grace			Double check the consistency in how levels/grain size of phenomenon are described (unit, anchor, investigative, everyday).	2002	Recommend for Snapshots and Vignettes
2013	5B	Jill Grace			Instructional Segment 1: Great job putting students at the center of doing thinking around mass extinction - I appreciate that they will interpret a figure to decipher that.	2002	General Comment

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2014	5B	Jill Grace			Line 3076 – suggestion to add a CCC (possibly Cause and Effect)	2002	Do Not Recommend
2015	5B	Jill Grace			Line 3084 – bold “argument” and color blue (SEP)	2002	Do Not Recommend
2016	5B	Jill Grace			Line 3132 – I’m struggling a little bit with identifying “a toy car doesn’t move unless you push it” as a middle school anchor phenomenon (this is something my kindergarten teams use as an anchor phenomenon). Could the anchor phenomenon instead be why an asteroid even moves at all (or why they haven’t stopped moving)? Or how does a real car move (what does the pushing)?	2002	Recommend clarifying with: "Sometimes, even a mundane observation can lead to great insight. She begins by showing students a toy car and asking them to explain in words why the car is not moving. Some students have good ideas, but many struggle to find the right words to express the answer to this seemingly obvious question."

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2017	5B	Jill Grace			Throughout IS1 - add a few more references to the asteroid phenomenon throughout (not just at the end) to make the connections between the unit phenomenon and the physics more explicit. A couple examples include:§ Example (Line 3177) “Students often harbor the preconception that a moving object will naturally stop rather than keep moving”. Change to “Students often harbor the preconception that a moving object will naturally stop rather than keep moving, which is a good contrast to the asteroid phenomenon where asteroids haven’t yet stopped from moving” Bring back LS4.A at the end of the unit to tie things together (so it doesn’t feel forced). How could melting rock, ejecta, an atmospheric ash layer, etc. possibly impact the diversity of life? Perhaps applying some knowledge from previous grades (why would very large and mostly hetertrophic megafauna be disproportionally impacted by such abiotic factors compared mostly macrofauna) Some closure here would make the integration more meaningful for students.	2002	Recommend part of comment: At the end of the Instructional Segment the writer will loop back to original phenomena in the narrative located at the beginning of the instructional segment.

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2018	5B	Jill Grace			Instructional Segment 2: Line 3430, the section on Factors Controlling the Effects of Gravity would benefit by an explicit example of how kids could investigate. Two CCC’s are identified, but not an SEP.	2002	Recommend
2019	5B	Jill Grace			Page 187, comment from a physics colleague at CSULB: The strength of the force depends on how much mass each of the objects have, with larger masses causing stronger pulls. Because of the huge masses of planets, stars and galaxies, gravity plays a major role in the structures and motions observed in solar systems and galaxies. While that sentence is true it is incomplete by not mentioning distance between the masses. I know it makes it awkward to include distance, it may be misleading to teachers for whom physical science is their weakest area.	2002	Recommend change the sentence so that it begins: "ONE factor affecting the...". (Students will explore the important distance aspect of gravity in a few pages).
2020	5B	Jill Grace			Instructional Segment 3: Line 3792, “Predict” in this scenario is a progression of analyzing and interpreting data (color code blue)	2002	Do not recommend: In this instance this is a more general use of the word predict.
2021	5B	Jill Grace			Line 3809, add “to satisfy the SEP of Mathematical and Computational Thinking”	2002	Do Not Recommend: Not enough detail about how this relates to SEP-5 to warrant this line.

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2022	5B	Jill Grace			Line 3811, needs a caption (this was an explanation students generated after the clipbird scenario, but before considering additional data or the Grant’s study). Students would revise this after learning more.	2002	Recommend.
2023	5B	Jill Grace			Line 3842, “A population that appears stable might actually be slowly changing, and students will benefit from explicit discussion of the CCC of stability and change [CCC-7].”	2002	Recommend change to "explicitly considering." (I agree that discussion is not our end goal, but nor is 'exposure'. We want them to consider this CCC)
2024	5B	Jill Grace			Change to: “A population that appears stable might actually be slowly changing, and students will benefit from explicit exposure to the CCC of stability and change [CCC-7].” Rationle: we shouldn’t just be discussing, students should be using the CCC to help them think and make sense of information	2002	See 2023. These were inadvertently split.
2025	5B	Jill Grace			Line 3853, I wouldn’t consider the clipbird scenario to demonstrate a major climatic change when the scale is 4 seasons. Perhaps describe as, “a dramatic shift in weather conditions”.	2002	Recommend change to: ", but the sudden shift in food availability in seasons three and four (simulating major climate change over a compressed classroom timescale) caused more rapid population changes"

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2026	5B	Jill Grace			Paragraph beginning at line 3873 would benefit from a CCC (perhaps systems and system models – the studies involved in figuring out the ancestry of maize required conducting a study that served as a model of evolution)	2002	Do Not Recommend
2027	5B	Jill Grace			Line 1895, add “did not know the precise mechanism”	2002	Recommend.
2028	5B	Jill Grace			The analogy between genetic coding and computer coding is clever	2002	General Comment
2029	5B	Jill Grace			The clarification of the mutation activity (beginning on line 3938) is a nice addition (I had originally neglected to say the original activity from Virus and the Whale should be adapted to align with NGSS).	2002	General Comment
2030	5B	Jill Grace			Line 3953 add CCC: Cause and Effect	2002	Do Not Recommend
2031	5B	Jill Grace			Line3639, clarify the grade “PE’s” as “LS PE’s”	2002	Do Not Recommend
2032	5B	Jill Grace			Line 4004-4008, connect back to “evolutionary tree”, first described on line 3906	2002	Recommend adding: Students can explain [SEP-6] what caused [CCC-2] related species to look slightly different, or can use slight differences to identify possible relationships between species.

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2033	5B	Jill Grace			o Turning the Tiktaalik/fin ray-digit story into a snapshot is a great idea! Love the addition of the zebrafish simulation and the inclusion of the ethics conversation.	2002	General Comment
2034	5B	Jill Grace			Paragraph at line 4054, include description of CCC Cause and Effect	2002	Do Not Recommend
2035	5B	Jill Grace			Instructional Segment 4: No specific feedback (other than, feel free to remove my name from the vignette if identifying an author isn’t a standard across all vignettes).	2002	General Comment
2036	5B	Jill Grace			Move vignette and snapshot references to the entire chapter references	2002	Recommend.
2037	5B	Jill Grace			Now that I can see better integration in the various units, I am feeling that an alteration of the flow is in order. I have an unsettled feeling about the current order of these instructional segments. To me, they really aren’t flowing in a conceptual fashion and feel as though transitions are abrupt. I will “duck” as I suggest this (as I fully understand how much work has gone into this and the desire to move forward), but I almost wonder if it would make more sense as:IS1 à IS3 à IS4 (the shark tracking vignette and digging deeper into the wavey portion) à IS2 à with the culminating capstone at the end	2002	Do Not Recommend

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2038	5B	Jill Grace			IS1 is a nice intro to 8th grade, we are blending this cool space phenomenon (asteroid) with LS and PS. In IS3, we get to dig deeper into the ramifications of how life changes (and we begin to generate ideas about the K/T boundary extinction). In IS4, we use some background knowledge of how life changes to help us understand the need for wave technology. With that foundation, we take the perspective larger in IS2 and understand how all can help us understand (conceptually more challenging ideas such as) non-contact forces and the resulting phenomena observed in space (AND, we can apply the wave knowledge!)	2002	Do Not Recommend
2039	5B	Jill Grace			Moving the order gives opportunity for the distinct science disciplines to reinforce each other in a stronger fashion.	2002	Do Not Recommend
2040	5B	Jill Grace			An alternative, is to offer an alternate paragraph in the chapter, suggesting for another way to order the chapters.	2002	Do Not Recommend
354	5B	Public Comment, Cheryl Wilcox	3114	160	Grammatical issue	109	Recommend-grammar fix

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355	5B	Public Comment, Gini Vandergon		pp.162-180	IS-3 Might need to tie Natural selection together with a transition sentence line 3202 In the engineering snapshot I would emphasize that the fixed supplies would indicate the gene/allele pool in other words they can not have other things just because the “bird” wants other things..this is because the birds are limited to the alleles they have they can not “wish for better alleles” or in this example new supplies. Contemporaries knew about mutations in the 1900’s so not 100 years later? For example Thomas Hunt Morgan knew that his flies could be mutated by X-ray’s which he did on purpose in order to study changes in populations Figure 5B-33 can be shown as a colorized version of the bones. Lots of examples of those drawings Liked the ideas of the last vignette though it should be smoothed out a bit in its narrative.	59c	Recommend: Writer addressed this in revision of Chapter 5b In the rewrite, the writer determined that this snapshot was problematic and removed this snapshot. A refined version still appears in the discipline specific version and elements of the bird beak data do appear in the new Natural Selection snapshot he put in its place.

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356	5B	Public Comment, Lawrence Flammer	3120	163	**Original text:** "...higher layers correspond to later periods of time." **Revised text:** ...higher layers correspond to the most recent periods of time. **Rationale for change:** Placing most recent periods at the top matches actual rock layers (and most geological time scales; Google "geological time scale images" to see that).	86a	Recommend

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357	5B	Public Comment, Jill Grace	3123	163	The calendar analogy is a useful way to look at geologic time. In addition, students benefit greatly by making a scale model of geologic time (using adding machine tape and measuring 1cm for every million years). Students are assigned a chunk of time and research a significant biological, geological, and climate event that occurred and the evidence for these. They then ask a question using a CCC lens about the time period. Keeping this up in the room throughout the unit of instruction is powerful for connections later. As much as I like the snapshot “explicitly teaching the three dimensions” (lines 3132-3183) for it’s use of SEP and CCC with students, frontloading a video with students does not foster what we really want students to do with the three dimensions: use the SEP and the CCC to generate the knowledge (DCI). An alternative approach would instead be to have students work with modified HHMI resources (vetted by the EQuiP rubric), present students with various “clues” (lines of evidence) and have students use SEPs and CCCs to generate explanations of what happened. Then, perhaps, show the video at the end.	72	Recommend: Writer addressed this in revision of Chapter 5b In the rewrite, the snapshot was removed based in public comment. In the rewrite the writer included the physical model of geologic time. A bigger shift was that the emphasis is not on geologic time itself, but on how geologic time is recorded by geologic processes that build up layers of rock over time.

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358	5B	Public Comment, Jill Grace	3123	163	*** We did this in the southern California institute for CA NGSS 8th grade Early Implementer teachers this summer. I'm happy to assist with modifying this section.	72 Cont.	Recommend: Writer addressed this in revision of Chapter 5b In the rewrite, the snapshot was removed based in public comment. In the rewrite the writer included the physical model of geologic time. A bigger shift was that the emphasis is not on geologic time itself, but on how geologic time is recorded by geologic processes that build up layers of rock over time.
359	5B	Public Comment, Lisa Hegdahl	3	80	B4, Line 84 and wherever else his name appears. **Original text:** "Sheriff" **Revised text:** "Sherriff" (This is the name of a person) **Rationale for change:** 2 r's, 2 f's This is the name of someone sitting in the room, cowriting this review. Be sure the CSTA article is referenced in the Bibliography.	96	Recommend
360	5B	Public Comment, Lisa Hegdahl	2609	138	This would be a great place for vignette.	96	General Comment, Do Not Recommend: Opportunity to develop as a supporting document. .

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361	5B	Public Comment, Lisa Hegdahl	2675	141	**Original text:** This snapshot is 100% physics, therefore not integrated. **Revised text:** A quick fix would be to add a reference to life science such as the effects of Newton’s laws on living things such as the effect of inertia on the occupants (LS) of a car or the effects of friction on a landslides (ESS) etc…**Rationale for change:** This chapter is on 68 integrated and this not an integrated example.	96	Recommend: Writer addressed this in revision of Chapter 5b In the rewrite, the laser snapshot was replaced with a truly integrated ESS-PS snapshot about Io. Lisa Hegdahl provided feedback on the snapshot and Matthew drafted another version based on her feedback. The snapshot was presented to the IQC on October 14, 2016. The IQC approved the new verison of the IO Snapshot.
2000	5B	Lisa Hegdahl			Lisa provided comments on writer's IO Snapshot. Writer provided a new snapshot based on Lisa Hegdahl's feedback .	2000	Recommend

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362	5B	Public Comment, Lisa Hegdahl	2894	152	**Original text:** Original text has the intro paragraph 1st and then the diagram. **Revised text:** Put the diagram first and then the paragraph. (Line 2887-2892) **Rationale for change:** You need to see the diagram first to understand what the text is referring to. It also will highlight that the lesson begins with a phenomenon. Love that it is a true mental model. Point this out to teachers!	96	Do Not Recommend: Per CDE style guide diagrams must come AFTER they are called out in the text.
363	5B	Public Comment, Lisa Hegdahl	3113	164	**Origin al text:** Scrap the whole Snapshot. This a staff development piece. **Revised text:** If you are going to examine the SEPs and CCCs with students then have them examine them within the context of a true lesson of content of DCI, CCC, SEP bundling. Not examining the CCCs and SEPs in isolation.**Rationale for change:** Feels like the old Scientific Method. As if the SEPs and CCCs are a list to memorized. If you will keep this Snap Shot, put it in Chapter 10. The audience is teachers.	96	Recommend: Writer addressed this in revision of Chapter 5b In the rewrite, the snapshot was removed based in public comment. In the rewrite the writer included the physical model of geologic time. A bigger shift was that the emphasis is not on geologic time itself, but on how geologic time is recorded by geologic processes that build up layers of rock over time.

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364	5B	Public Comment, Lisa Hegdahl	3286	171	**Original text:** No debrief Add one **Revised text:** Add a short debrief "This an example of a classic activity that has been transformed into a 3 dimensional learning experience with engineering." **Rationale for change:** Explicitly point out to teachers why the examples are actual examples of NGSS lessons sequences and not the old way of teaching lessons.	96	Do Not Recommend: Snapshots do contain debrief section.
365	5B	Public Comment, Lisa Hegdahl	3731	192	**Original text:** Begin this vignette with a Phenomenon **Revised text:** Have students look at graph of human population numbers of pictures of large number of people and its impact with or without graphs, with no explanation to get students asking questions and wondering. Introducing ideas of scale and proportion...**Rationale for change:** NGSS lessons should begin with phenomena	96	Recommend: Writer addressed this in revision of Chapter 5b In the rewrite, the writer improved this section, he included the concept of soliciting of prior knowledge and then the students looked at the graph itself.

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366	5B	Public Comment, Lisa Hegdahl	3842	195	**Original text:** This would be a great place to continue examining the CCCs of Cause and Effect and Stability and Change while having an experience using SEPs such as constructing Explanations and Designing Solutions or Engaging in Argument **Revised text:** Has CCC or SEP here **Rationale for change:** Intersperse valuable reading activities with the 3D of NGSS	96	Do Not Recommend
367	5B	Public Comment, Lisa Hegdahl	3867	197	**Original text:** “Four main resources” **Revised text:** “Five main resources” **Rationale for change:** There are 5 listed.	96	Recommend-minor edit
368	5B	Public Comment, Lisa Hegdahl	3943	200	**Original text:** Debrief does not explicitly point out the flow of the lesson to teachers new to the NGSS lesson series process. **Revised text:** Example of a beginning statement: “Notice that the teacher began the lesson sequence with Phenomenon, then the teacher broke up readings with lesson components that highlighted CCCs and SEPs” **Rationale for change:** Teachers are new to NGSS and need to be explicitly pointed out the components of an NGSS Lesson Sequence.	96	Recommend

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369	5B	Public Comment, Lawrence Flammer	3123	163	Table 11 **Original text:** Geological Time Scale: earliest at top **Revised text:** Invert the table, so earliest is at bottom **Rationale for change:** This reflects actual arrangement of sediment layers (as usually shown in geological time scales).	86a	Do Not Recommend
370	5B	Public Comment, Lawrence Flammer	3137	164	**Original text:** "...reconstructed the story dinosaur extinction." **Revised text:** ...reconstructed the story of dinosaur extinction. **Rationale for change:** Insert "of" to make complete sentence.	86a	Recommend-minor edit
371	5B	Public Comment, Lawrence Flammer	3141	164	**Original text:** "For what length..." **Revised text:** What length… **Rationale for change:** "For" is not necessary.	86a	Recommend-minor edit
372	5B	Public Comment, Lawrence Flammer	3197	166	**Original text:** "...evident in Figure 5B-24, which..." **Revised text:** ??? **Rationale for change:** Where IS that figure?	86a	No change necessary-figure on a different page
373	5B	Public Comment, Lawrence Flammer	3201	166	**Original text:** "...mammals flourished only after the..." **Revised text:** ...mammals flourished and diversified only after the... **Rationale for change:** Diversification is most important aspect of this.	86a	Recommend

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374	5B	Public Comment, Lawrence Flammer	3203	166	**Original text:** "The science process of..." **Revised text:** The scientific process of... **Rationale for change:** use proper adjective	86a	Recommend for the writer to begin the sentence with Natural selection explains…"
375	5B	Public Comment, Lawrence Flammer	3225	167	**Original text:** "Figure 18 illustrates..." **Revised text:** Figure 5B-31 illustrates... **Rationale for change:** Designate proper figure number.	86a	Recommend-minor edit
376	5B	Public Comment, Lawrence Flammer	3264	169	**Original text:** "...populations adapt and avoiding saying..." **Revised text:** ...populations adapt and avoid saying... **Rationale for change:** Wrong word form (avoiding)	86a	Recommend-minor edit
377	5B	Public Comment, Jill Grace	3264-3267		CRITICAL: Teachers would benefit by having components of SEP's and CCC's broken down more explicitly (clearer examples). For example, when describing cause and effect in lines 3264-3267, a component (feature of the progression) of cause and effect (causal and correlational relationships) should be teased out. This was somewhat attempted on line 3303, but I think teachers will still struggle. Regardless, this should be done consistently.	72	Recommend: Writer addressed this in revision of Chapter 5b In the rewrite, see line 3591 (Io Snapshot). The writer included a lot more in the commentary for the snapshots in the Assessment chapter.

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1009	5B	CSTA, Lisa Hegdahl			CSTA appreciates that SEPs and CCCs are more visible within the text, however, rarely are found examples where the activity was described to the rigor of grade-- level progressions, leaving concern that readers may not realize that these dimensions grow in sophistication and complexity throughout the years. For example, consider two different grade spans for the CCC of cause and effect: K-- 2 Grade Span: students learn that events have causes that generate observable patterns. They design simple tests to gather evidence to support or refute their own ideas about causes. 6-- 8 Grade Span: students classify relationships as causal or correlational, and recognize that correlation does not necessarily imply causation. The use cause and effect relationships to predict phenomena in natural or designed systems. They also understand that phenomena may have more than one cause, and some cause and effect relationships in systems can only be described using probability. Therefore, when referring to SEPs and CCCs, the reader’s attention should be drawn to these significant differences in grade level expectations by the use of keywords such as, “correlation” and “the probability of the relationship described” (at the middle school level), not simply, “cause and effect”.	128	Recommend: Writer addressed this in revision of Chapter 5b In the rewrite the writer Inserted "The SEPs, DCIs, and CCCs grow in sophistication and complexity throughout the K-12 sequence. While this chapter calls out examples of the three dimensions in the text using color coding, each element should be interpreted with this grade-appropriate complexity in mind (Appendix 3 of this Framework clarifies the expectations at each grade span in the developmental progression)." in the 'limitations of this course section of the grade span intro. The writer will copy it to other sections.

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2048	5B	Lisa Hegdahl			The list below is not meant to suggest that there is an appropriate SEP/CCC ratio, rather it is intended to point out sections of the chapter where one of the dimensions is lost to the other: Grade 6, page 14-17, 4 SEPs, no CCCs Grade 6, page 45, 3 CCCs, no SEPs Grade 6, page 52-54, 9 SEPs, no CCCs Grade 7, page 92-93, 8 CCCs, no SEPs Grade 7, page 95-99, 6 CCCs, 1 SEP Grade 7, page 103-104, 5 CCCs, no SEPs Grade 7, page 128-130, 4 CCCs, 1 SEP Grade 7, page 132, 4 CCCs, no SEPs Grade 7, page 138-143, 14 SEPs, 3 CCCs Grade 8, page 216, 2 SEPs, no CCCs	2003	Do Not Recommend
2049	5B	Lisa Hegdahl			CSTA is ready and willing to assist in adding appropriate CCCs and/or SEPs in order to ensure that the CA Science Framework maintains its critical 3-dimensional nature.	2003	General Comment

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2050	5B	Lisa Hegdahl			Examples of simple edits: Grade 6, page 52-54, 9 SEPs, no CCCs - Original Text: “As they analyze their data [SEP-4], they find that mass is unaffected by heating or cooling changes, but temperature changes systematically based on the amount and type of material.” Suggested Text: “As they analyze their data [SEP-4], they find that mass is unaffected by heating or cooling changes [CCC-5], but temperature changes systematically based on the amount and type of material.	2003	Recommend adding: "slowly enhancing their understanding of the conservation of matter and flows of energy [CCC-5]. "
2051	5B	Lisa Hegdahl			Grade 7, page 95-99, 6 CCCs, 1 SEPs Original text: “Are there patterns [CCC-1] that allow them to group matter into different categories (like living, non-living, or once living; solid, liquid, or gas)?” Suggest text: “Does the data [SEP-4] have patterns [CCC-1] that allow them to group matter into different categories (like living, non-living, or once living; solid, liquid, or gas)?	2003	Do not recommend. This is an engage piece, not a data analysis piece. I considered using investigation [SEP-3], but still feel like it's a stretch in this section.

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2052	5B	Lisa Hegdahl			Grade 8, page 216, 2 SEPs, no CCCs- Original Text: Students can investigate the evolutionary lineage of a local species of interest (such as the San Joaquin kit fox, the humpback whale, the California long-tailed weasel, etc.) or just about any other organism that captures their imagination. They can obtain information [SEP-8]about common ancestry, adaptation, and selection and then present their findings to the class. Suggested Text: “Students can investigate the pattern [CCC-1] in the evolutionary lineage of a local species of interest (such as the San Joaquin kit fox, the humpback whale, the California long-tailed weasel, etc.) or just about any other organism that captures their imagination. They can obtain information [SEP-8] about common ancestry, adaptation, and selection and then present their findings to the class.	2003	Do not recommend.

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2053	5B	Lisa Hegdahl			Snapshots and Vignettes Snapshots and Vignettes have continued to be a concern of CSTA since the first draft of the CA Science Framework. With a limited number making their way into the document, it is critical that every one of them illustrate the 3-dimensionality of NGSS. Additionally, in the Chapter 5: Grades Six through Eight Preferred Integrated Model, Snapshots and Vignettes need to explicitly integrate core ideas. Many inconsistencies exist in the communication of integration and 3-dimensionality particularly within the Snapshots:	2003	General Comment

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2054	5B	Lisa Hegdahl			Integrated Grade Six Snapshot: What’s in the water?, page 46, line 898, no PEs are listed. The integrated nature of the Snapshot should be explicit since Chapter 5 is intended to highlight how integration happens in Middle School. Integrated Grade Six Snapshot: Asexual and Sexual Reproduction, page 73, line 1417, the only PEs listed are for LS. Integrated Grade Six Snapshot: Monitoring and Minimizing Human Environmental Impacts, page 86, line 1630. No PEs are listed; the integration is unclear. Grade Seven Snapshot: Planning a Large Scale Investigation, page 156, line 2828, no PEs are listed. In addition, this Snapshot does not say, “Integrated” in the title as do the others. Integrated Grade Eight Snapshot: Making Sense of Natural Selection, page 201, line 3751, PEs are not listed; integration unclear. Integrated Grade Eight Snapshot: Simulating Mutant Hands, Page 214 line 3993, 3 SEPs are mentioned, no CCC, and only life science (LS) Performance Expectations (PEs) are listed. Integrated Grade Eight Snapshot: School Solar Energy Project, page 249, line 4743, no PEs listed; integration unclear.	2003	Recommend to keep the snapshots as they are in the October 14th draft (with minor improvements as noted below in #2054 A-G)

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2054a	5B	Matthew d'Alessio			Integrated Grade Six Snapshot: What's in the water?		Do not recommend any changes.
2054b	5B	Matthew d'Alessio			Integrated Grade Six Snapshot: Asexual and Sexual Reproduction	2003	Recommend adding reference to MS-LS3-2 near intro sentence.
2054c	5B	Matthew d'Alessio			Integrated Grade Six Snapshot: Monitoring and Minimizing Human Environmental Impacts	2003	Recommend adding reference to MS-ESS3-3 in multiple places.
2054d	5B	Matthew d'Alessio			Grade Seven Snapshot: Planning a Large Scale Investigation,	2003	Recommend change title to include Integrated. Recommend reference to MS-LS2-3, MS-LS2-4, MS-LS2-5, MS-ESS2-2.
2054e	5B	Matthew d'Alessio			Integrated Grade Eight Snapshot: Making Sense of Natural Selection	2003	Recommend adding reference to ESS3.D (Climate change) and MS-LS4-4, MS-LS4-6.
2054f	5B	Matthew d'Alessio			Integrated Grade Eight Snapshot: Simulating Mutant Hands,	2003	Do not recommend any changes.
2054g	5B	Matthew d'Alessio			Integrated Grade Eight Snapshot: School Solar Energy Project	2003	Recommend adding references to ESS1.A, MS-ESS1-1, PS4.B, MS-PS4-2.
378	5B	Public Comment, Lawrence Flammer	3284	170	**Original text:** "Student can individually..." **Revised text:** Students can individually... **Rationale for change:** Pluralize…	86a	Recommend-minor edit

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379	5B	Public Comment, Lawrence Flammer	3288	170	**Original text:** "...specifically bred to being..." **Revised text:** ...specifically bred to be... **Rationale for change:** Wrong word here	86a	Recommend-minor edit
380	5B	Public Comment, Lawrence Flammer	3294-3304	170	**Original text:** "Students can..." (entire paragraph) **Revised text:** Students can... (see re-written paragraph, bottom of this page). **Rationale for change:** This important paragraph was awkward and unclear. I suggest the re-write, bottom of this page.	86a	Do Not Recommend

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381	5B	Public Comment, Lawrence Flammer	3294-3304	170	[This entire paragraph in both drafts was, IMHO, awkward and unclear. I think the following version works better: Students can then compare and contrast the processes of artificial selection and natural selection. In artificial selection, nature provides the random variations of traits in a species, and human beings consciously select the trait-variations that they want to see in that species. But in natural selection, nature provides both the random trait-variations and the selection. In this case, the "naturally-selected" traits are those that contribute to the greater survival and reproduction of individuals in that environment. Notice that the production of variations is a random process, while the selection ("artificial" by humans, or "natural" by nature) is a non-random process. Therefore, contrary to a common misconception, natural selection is not a totally random process. Also, students can conclude that artificial selection and natural selection are similar but different kinds of causal mechanisms that result in [CCC-2] Earth's biodiversity. Also, please find a logical place to insert the following: It's important for students to realize that evolution is a natural process, characteristic of all life. When examined and tested scientifically (critically), evolution shows no signs of having a purpose, or design, or intentions, or fulfilling a need. Species do not evolve in order to survive.	86a	Do Not Recommend

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381 cont.	5B	Public Comment, Lawrence Flammer	3294-3304	170	Evolution just happens, involving random mutations and recombinations, and non-random selection in changing environments. As a result, species may survive, give rise to new species, or die out entirely (go extinct). Students could be asked to search for lines of evidence that point to those features of evolution.	86a Cont.	Do Not Recommend
382	5B	Public Comment, Lawrence Flammer	3309-10	171	**Original text:** "...upon their food source - design a "beak" from ... to eat as much "food" as possible." **Revised text:** ...upon their food source. Have students design a "beak" from... to "eat" as much "food" as possible. **Rationale for change:** Insert "Have students", and add quotes to "eat", because students don't actually eat the food.	86a	Recommend-minor edit
383	5B	Public Comment, Lawrence Flammer	3330	172	**Original text:** "...traits?" **Revised text:** ...traits. **Rationale for change:** Sentence not a question.	86a	Recommend-minor edit
384	5B	Public Comment, Lawrence Flammer	3348	172	**Original text:** "...code is stored on chromosomes..." **Revised text:** ...code is stored in chromosomes… **Rationale for change:** code is not on surface of chromosomes.	86a	Recommend-minor edit

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385	5B	Public Comment, Lawrence Flammer	3359	172	**Original text:** "...molecules described in our genes..." **Revised text:** ...molecules directed by our genes… **Rationale for change:** Genes do not describe proteins; rather they provide directions for their assembly.	86a	Recommend-minor edit
386	5B	Public Comment, Jill Grace	3345-3378		I appreciate the attempt to have students develop a model and use a recipe analogy, but what will they explore in order to be able and generate the knowledge to do this? Identify the experiences they need to make this happen.	72	Do not recommend any changes
387	5B	Public Comment, Jill Grace	3392-3449		also do not clearly identify experiences needed (what activities do you recommend). How would students explore comparative anatomy? Hawaiian fruit flies?	72	Do not recommend any changes
388	5B	Public Comment, Lawrence Flammer	3417	175	**Original text:** "...more complex as organisms adapted..." **Revised text:** ...more complex as species adapted… **Rationale for change:** "Organisms" too vague - could be individuals; it's species that actually adapt.	86a	Recommend-minor clarification
389	5B	Public Comment, Lawrence Flammer			**Original text:** "...about three billions years before..."**Revised text:** ...about three billion years before… **Rationale for change:** billions shouldn't be pluralized here.	86a	Recommend-minor edit
390	5C	Public Comment, Michele Solem	Gen.		I would rewrite 108-115, I felt that this section was very confusing.	70	Do Not Recommend

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391	5C	Public Comment, Shelley Turski			I am a teacher and part of the curriculum writing committee for the William S. Hart Union High School District (a 7-12 grade district in N. LA County). After a year of analysis with our feeder elementary districts (all K-6) we decided upon the disciple-specific model for the new NGSS framework. As we are reading through and working with this document, we have found the following discrepancies: Instructional Segment 1: Motion, forces, and energy The culminating activity asks students to use Newton's 3rd Law to solve a problem. Yet, in the framework text the 3rd Law (action-reaction) is never addressed. So have added that. Instructional Segment 3: Electricity and Magnetism As written, electric charge and flow of electrons is never addressed. Yet students are asked to explain how electric fields work. We have added this. We will continue our work with Segments 4-6 later in the Fall.	25	Recommend-clarify
392	5C	Public Comment, Michele Solem	101		**Original text:** need **Revised text:** needs **Rationale for change:** grammer	70	Recommend-minor edit

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393	5C	Public Comment, Lawrence Flammer	2586		**Original text:** "...[SEP-3], or a different evolutionary history." **Revised text:** ...[SEP-3]. While it would be ideal… **Rationale for change:** Omit "...or a different evolutionary history." Incomplete sentence that does not even make sense in context.	86b	Recommend-minor clarification
394	5C	Public Comment, Lawrence Flammer	2589-10	121	**Original text:** "For the rest of organisms, scientists..." **Revised text:** For most other species, scientists...**Rationale for change:** awkward, incomplete	86b	Recommend-minor clarification
395	5C	Public Comment, Lawrence Flammer	2597	121	**Original text:** "The fossil record allows them to..." **Revised text:** The fossil record allows scientists to… **Rationale for change:** "them" reference not clear.	86b	Recommend-minor clarification
396	5C	Public Comment, Lawrence Flammer	2598-9	122	**Original text:** "...life forms as well as indications of..." **Revised text:** ...life forms, indications of... [SEE BOTTOM OF PAGE] **Rationale for change:** Reworded to include a 3rd revelation from the fossil record.	86b	Do Not Recommend

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397	5C	Public Comment, Lawrence Flammer	2598-9	122	Last sentence fully revised: The fossil record allows scientists to peer back over a very long timescale [CCC-3] and discover transitional life forms, indications of organisms that no longer exist, and when the earliest members of each group first appeared. SUGGESTION: Make it clear (somewhere) that using variations of the term "adapt" can be confusing, and should therefore be pointed out, and even avoided where possible. Used as a noun (an adaptation) is ok, as long as long as students realize that such a feature is NOT something that first appears or develops during an individual's lifetime. It's typically a feature that arises gradually over many generations as natural selection is working.Used as a verb (adapt or adapting), it's often used to mean what an individual's body can develop that helps it survive or excel in some way. Point out that this is not how natural selection works. Therefore, "adapting" should NOT be used as anther term for natural selection or evolution. For what happens in individuals, use the terms "adjust" or "adjustment."	86b	Do Not Recommend

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398	5C	Public Comment, Lawrence Flammer	2599	122	**Original text:** "...no longer exist." **Revised text:** ...no longer exist, and when the earliest members of each group first appeared. **Rationale for change:** The 3rd revelation from the fossil record (added here).	86b	Recommend-minor clarification
399	5C	Public Comment, Lawrence Flammer	2605	122	**Original text:** "Before looking back too far back..." **Revised text:** Before looking too far back..." **Rationale for change:** Extra "back" not needed.	86b	Recommend-minor edit
400	5C	Public Comment, Lawrence Flammer	2627	122	**Original text:** "...less of a role for humans." **Revised text:** ...less of a locomotion role for humans. **Rationale for change:** Insert "locomotion" - more precise.	86b	Recommend-minor edit
401	5C	Public Comment, Lawrence Flammer	2658	123	**Original text:** "The oldest rocks..." **Revised text:** The oldest rocks with fossils..." **Rationale for change:** Oldest rocks have NO fossils.	86b	Recommend-minor edit
402	5C	Public Comment, Lawrence Flammer	2829	124	**Original text:** "...sections DNA appear..." **Revised text:** ...sections of DNA appear... **Rationale for change:** "of" was left out.	86b	Recommend-minor edit
403	5C	Public Comment, Lawrence Flammer	2839	132	**Original text:** "Multiple gene typically determine..." **Revised text:** Multiple genes typically determine...**Rationale for change:** "gene" should be plural	86b	Recommend-minor edit

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404	5C	Public Comment, Lawrence Flammer	2861	133	**Original text:** "...outweigh their possible costs (MS-ETS..." **Revised text:** ...outweigh their possible costs or risks (MS-ETS... **Rationale for change:** Medical treatment decisions should be based on risk-benefit trade-offs, as well as costs.	86b	Recommend-minor edit
405	5C	Public Comment, Lawrence Flammer	2880	134	**Original text:** "(i.e., they benefit survival)." **Revised text:** (i.e., they benefit survival and reproduction). **Rationale for change:** Both survival and reproduction are involved in selection.	86b	Recommend-minor edit
406	5C	Public Comment, Lawrence Flammer	2937	137	**Original text:** "...recognize that the timing of pattern..." **Revised text:** ...recognize that the timing pattern..." **Rationale for change:** "of" not necessary, changes meaning.	86b	Recommend-minor edit
407	5C	Public Comment, Lawrence Flammer	2952-3	139	**Original text:** "...is that they some traits..." **Revised text:** ...is that some traits.. **Rationale for change:** makes no sense with "they"	86b	Recommend-minor edit
408	5C	Public Comment, Lawrence Flammer	2976	139	**Original text:** "Selection also occurs on a very..." **Revised text:** Selection can also occur on a very… **Rationale for change:** Selection can also occur on a slower scale, over many generations	86b	Recommend-minor edit

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409	5C	Public Comment, Lawrence Flammer	2986	140	**Original text:** "...arguments that internal and external..." **Revised text:** ...arguments about internal and external… **Rationale for change:** makes no sense with "that"	86b	Recommend-minor edit
410	5C	Public Comment, Lawrence Flammer	2993	141	**Original text:** "...allow them to eat as much "food"..." **Revised text:** ...allow them to "eat" as much "food"… **Rationale for change:** students don't actually eat the food in their simulation.	86b	Recommend-minor edit
411	5C	Public Comment, Lawrence Flammer	3043	141	**Original text:** "... pygmies want to generate and retain as little heat..." **Revised text:** ... pygmies benefit from generating and retaining as little heat... **Rationale for change:** "want to" suggest that their desire to do that will result in natural selection for traits that will do that (Lamarckian idea).	86b	Recommend-minor edit
412	5C	Public Comment, Lawrence Flammer	3064	143	**Original text:** "...individual will have a desirable trait. That desirable trait will make it..." **Revised text:** ...individual will have a beneficial trait. That trait will make it... **Rationale for change:** Again, using words like "desirable" suggest that just wanting a trait can make it happen. Lamarckian thinking.	86b	Recommend-minor edit

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413	5C	Public Comment, Lawrence Flammer	3085	144	**Original text:** "...incorrectly believe that individuals adapt to the environment as it changes." **Revised text:** ...incorrectly believe that individuals adapt to the environment as it changes. **Rationale for change:** Emphasize "individuals." Any "adjustments" that individuals make are not part of natural selection. Individuals do not evolve - it's populations that evolve.	86b	Recommend-minor edit

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414	6	Public Comment, Joanne Michael		145	Comments from Paula Borstel, Gail Atley, LaRhonda Scott, Brian Clamp, John Lang Overall comments about the 4 different disciplines: General Comments The ‘According to the Next Generation Science Standards” italicized paragraph at the start of each document is difficult to read. It is a paragraph of long, run on sentences that could be formatted better, if they are needed at all. Biology 1. There are some specific examples that made it more. Likes it. 2. This is the guide that I have been looking for. Chemistry 1. I noticed that table 6.8-2 offers a very comprehensive guide to things that can be observed. 2. I like the onnections that are made here. I want to sit down to see what sequence I will follow. I like the diagram 14-45 on page 70. The diagram leads to discussion about many different concepts. I wish it covered the mole concept. 3. I like the model concept and think we should be teaching them. I like the diagrams. 4. Mole concept and stoichiometry.	75b	General Comment

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414 cont.	6	Public Comment, Joanne Michael			Physics (Biology?) 1. I like the layout. 2. I have an issue with the terminology called ‘Star Stuff’. It sounds like a Niel deGraass Tyson concept. 3. Very heavy in looking at previous models and data. Not sure that this is positive. 4. It is looking a previous data and constructing a model instead of coming up with your own data. For example table on 332, page 6J-18. It would be more important for students to come up with models of their own. May not be possible, given the constraints. Earth and Space Science 1. Lots of good information. It felt like the topics were all over the place. 2. The first two vignettes represent a classroom that some of us will never have…computers with software that can handle heavy computation. I hope that you will review these documents to ensure that you can show how to have an NGSS class without a lot of money. Two of the schools who participated in this workshop were given $1,000-$2,000 to purchase materials for all of the science classes for the school year. That is our reality.	75b	General Comment

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415	6	Public Comment, Christie Pearce	Gen. All		**Comment:** Add specific ELA/ELD support as listed in K5 framework	44 cont.	See IQC Agenda Items created by CFIRD Staff, addresses what reviewer is requesting.

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416	6	Public Comment, Kenneth Pringle	Gen.		I would like to comment extensively on the released draft for the High School Three Course Model - Chemistry in the Earth System. . I appreciate the time you will take to read through these comments and take them into consideration. I realize that the framework is not a syllabus or a complete list of topics. I know that the contents can be shifted to meet the needs of the teacher and school. I also recognize that the role of science is to provide students with a literacy, practice, thinking, skills, and reasoning that make science practices doable in students future whether through civic engagement or through continued studies. However, as a chemistry teacher who deeply cares about my subject, there are concerns I have that students will not understand some basic chemistry content at the end of a course which is modeled on the description of the framework. Since all science teachers regardless of background and of experience will have the opportunity to teach any of the integrated courses (which I do not feel is a poor decision, I might add), then the description should be complete enough that the chemistry content that should be included in the course will be helpful,	50	General Comment

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416 cont.	6	Public Comment, Kenneth Pringle	Gen.		necessary, or essential for those teaching and evaluating a course that is consistent with the NGSS framework. Moreover, as the content becomes more clear, the buy-in from seasoned teachers will increase and the availability of lessons and activities that will help promote the type of inquiry lessons and connected learning that is sought by the framework.	50 cont.	General Comment
417	6	Public Comment, Samantha Johnson	Gen.		I think timing for each instructional segment would be helpful (at least ballpark estimates), as well as questions that might be asked by students throughout the course of the segment.	67	Do Not Recommend: Instructional segment timelines.
418	6	Public Comment, Rodney Olson	Gen.		None - this document is very well written with numerous useful examples that teachers can use in their classrooms	68	General Comment

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419	6	Public Comment, Kathy Dervin	Gen.		**Ensure that climate change is well represented in <u>both</u> the Three Course and Four Course Models** – In examining the Three Course and Four Course Models, we note that the former model addresses climate change in two instructional segments, *Chemistry/Earth and Space Science* and *The Living Earth* . On the other hand, the latter model addresses climate change in only one instructional segment, *Earth and Space Science* . There are a few references to climate change in other instructional segments (e.g., as a contributor to deforestation in *Physics*). Nonetheless, should a school adopt the Four Course Model, it would appear –depending on a student's course choices – to be possible for her to graduate without any significant exposure to the causes and effects of climate change.	112	Do Not Recommend: This would take a major revision.

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419 cont.	6	Public Comment, Kathy Dervin	Gen.		**Emphasize the dependence of human civilization on a predictable climate** – The overall climate of the Earth since the end of the last ice age has been stable. It is within this period that civilization as we know it developed. Civilizations across the world grew within a common timeframe as they transitioned from hunting and gathering to settled agriculture, going on to devise writing, build cities, form the cultures and the very science students encounter in the NGSS. With CO_2 at levels in the atmosphere not experienced for at least 800,000 years, temperatures rising yearly, and impacts around the world, humankind is in new territory – outside the familiar space in which it developed.	112	Do Not Recommend: This would take a major revision.

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419 cont.	6	Public Comment, Kathy Dervin	Gen.		**Provide students with an engaging bridge that links the physical sciences to the social sciences; knowledge of both is required in order for students to feel empowered to take on the challenges posed by climate change** – A strong example could be created around the push in the 1970s to protect the ozone layer from the damage caused by chlorofluorocarbons (CFCs). It illustrates the complementary role of both scientists and environmentalists /the public in discovering a threat to large portions of the Earth, which eventually led to the international Montreal Protocol treaty to ban the chemicals. Beginning with scientific findings in the 1970s that established the threat posed by CFCs, through the lobbying by scientists of their colleagues, government, business, and the public to recognize the danger, to the conclusive proof of a CFC caused hole in the ozone layer in the 1980s, it was a lengthy process to finally arrive at a treaty. The international effort by 194 countries under the UN Framework Convention on Climate Change is pursuing similar agreements, such as the Paris Accord of December 2015. Growing challenges of climate change promise a long and complex path towards mitigation for this and succeeding generations.	112	Do Not Recommend: This would take a major revision.

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419 cont.	6	Public Comment, Kathy Dervin	Gen.		**Encourage science teachers to work with colleagues teaching economics, geography, history, and government to develop joint lessons** – It is not enough to learn only the science; students need to understand what can be done with their knowledge to reduce the dangers of climate change. For example, as part of an economics class discussing externalities, students could develop models for establishing a cost of carbon. A government class looking at regulatory functions could focus on how California's cap and trade law was passed and how effective it has been. A history class could look for past situations in which large numbers of people have been mobilized to take action. Then draw lessons to apply to various societal issues, including, but not restricted to, climate change.	112	Do Not Recommend: This would take a major revision.

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420	6	Public Comment, Rudy Escobar	95		**Original text:** Students use their model of **the inner working the atom** to explain the rates of chemical reactions and whether energy is stored or released during interactions between atoms. **Recommended text:** Students use their model of **the inner working of the atom** to explain the rates of chemical reactions and whether energy is stored or released during interactions between atoms. **Rationale for change:** The word “of” needs to be added to the highlighted sentence.	32b	Recommend-minor edit
421	6	Public Comment, Rudy Escobar	521	6	**Original text:** situation where two atoms are attracted together by **electric** forces. **Recommended text:** situation where two atoms are attracted together by **electrical** forces. **Rationale for change:** Change the word electric to electrical	32b cont.	Recommend-minor edit
422	6	Public Comment, Rudy Escobar	1211	26	**Original text:** situation where two atoms are attracted together by **electric** forces. **Recommended text:** situation where two atoms are attracted together by **electrical** forces. **Rationale for change:** Change the word electric to electrical	32b cont.	Recommend-minor edit

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423	6	Public Comment, Rudy Escobar		57	In terms of typos, missing words – sure, if the reviewers just can’t help themselves they can include these edits. It doesn’t hurt, but it is not what is needed – this work will be done by editors.	32b cont.	General comment-no change recommended
424	6A	Public Comment, Rodney Olson	Gen.		There have been positive revisions based on feedback. The final paragraph does a wonderful job of of clearly explaining the 3 Course and 4 Course Models so that stakeholders can choose the appropriate model for their school/district.	68c	General comment
425	6A	Public Comment, Alex Juback			Is the implication that all students will take 4 years of science or is it suggested? (speaking only to the 4 course option) Will the three course option have a compatibility issue with college acceptances being as colleges do not embrace change? Do the colleges already have a buy-in for what is trying to be done here?	36	General Comment

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426	6A	Public Comment, Wheeler Marc			My name is Marc Wheeler. I am a credentialled science teacher. I teach Earth Science, and Physics in Tulare county. My comments concern the models proposed for course development. Right now, there is only one 3-year sequence and one 4-year sequence listed, and it is not clear to me, at this time, if districts will be granted the flexibility to develop their own sequences that differ from what is proposed. My concern is that the 3-year plan takes apart the entire ESS domain, and splits it into 3 courses that appear to be built around the traditional Biology, Chemisty, and Physics courses that have been a staple for most high schools. In my opinion, the NGSS domains themselves should be the basis for a 3-course sequence in Earth and Space Science, Life Science (Biology) and Physical Science (Chemistry and Physics). This would allow teachers, and our resource providers, to start planning using a framework that is already organized, instead of picking standards from one domain and weaving them into the other two, with one being split into two courses.	23	General Comment

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426 Cont	6A	Public Comment, Wheeler Marc			I feel that the standards should be forcing a change in the skill sets,and knowledge base, of teachers, and not the other way around, where the existing skill sets of teachers dictates what will be taught. I feel we will not get better coverage of Earth Science topics in high school by eliminating Earth Science as a course. I feel the new NGSS domains do a good job of integrating Biology, Chemistry and Physics into Earth Science, as they are written. I would not expect high school teachers who can not integrate Chemistry and Physics into one course, at the high school level, to be able to integrate Earth Science well into the three courses in the way you hope. I ask that you make an option of following the 3 domains, as written, available for districts and schools that want to do so.	23 cont.	General Comment

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427	6A	Public Comment, Samantha Johnson	27-28		**Original text:** "Before schools and districts can implement the CA NGSS.." **Revised text:** "Before schools and districts can fully implement the CA NGSS…" **Rationale for change:** I think that the way it is written before the change, it implies that people have to have a complete plan for how they are going to teach. Realistically, they don't have to have all the answers before implementing pieces or parts of the framework.	67	Recommend-minor edit
428	6B	Public Comment, Jim Clark	26	1	**Original text:** The three courses present an integration of ESS **Rationale for change:** More and more schools are offering a UC "d" elective geology class. Would it be appropriate to have an example of a three course model where chemistry is the content integrated into Living earth and space sciences?	69a	General Comment
429	6B	Public Comment, Jim Clark	50	1	**Original text:** Rather, a bundle of selected PE's **Rationale for change:** Since bundling is mentioned would it be productive to provide a link to NSTA bundle examples?	69a	General Comment

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430	6B	Public Comment, Samantha Johnson	63-65	2	(Instructional Segment 1 Table) **Original text:** "There are a variety of possible alternative paths and different interplays among overarching themes identified in each Instructional Segment bundle." **Rationale for change:** I didn't see any of these identified throughout the chapter. Maybe they need to be more explicit?	67	Do Not Recommend any changes
431	6B	Public Comment, Jim Clark	82	3	**Original text:** By contrast the performance expectations of the NGSS **Rationale for change:** A link to the "NGSS shifts" might be helpful.	69a	Do Not Recommend
432	6B	Public Comment, Samantha Johnson	103-104	3	**Original text:** "Teachers should pay close attention to the DCI, SEP and CCC…" **Revised text:** "Teachers should pay close attention to the disciplinary core ideas (DCI), science and engineering practices (SEP) and crosscutting concepts (CCC)..." **Rationale for change:** It didn't seem like the acronyms had been established yet, and therefore can't just be thrown in.	67	Recommend-minor edit

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433	6C	Public Comment, Mark Wenning	Gen.	4	The reviewer presents "a reasoned argument against the state’s proposed macro-to-micro course content sequence for the 3 course “The Living Earth: Integrating Life and Earth Sciences“ course."	91	Do Not Recommend: This would take a major revision.
434	6C	Public Comment, Lawrence Flammer			Page 5 Box: Note "Evolution tree graphic in lower right corner (instead of line of silhouettes). Figure 6C-1. Conceptual Flow of Instructional Segments in Example High School Living Earth Course. Fix image lower right corner.	86c	Recommend-format change
435	6C	Public Comment, Lawrence Flammer	101-2 Box	5	**Original text:** Fig.6C-1: Evolution graphic of 4 silhouettes in a row **Revised text:** Replace Evolution graphic with new graphic of evolutionary tree of apes (see sample below) **Rationale for change:** Evolution is NOT a linear process, rather it's a TREE-like process. Original lineup of hominins conveys common misconception of evolution.	86c	Recommend

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436	6C	Public Comment, Samantha Johnson	109	5	**Original text:** "Guiding questions" **Rationale for change:** I think it makes sense somewhere to distinguish between guiding, essential, driving question etc. These questions aren't high level, and can be "googleable" and that needs to be explained.	67	Recommend-minor clarification
437	6C	Public Comment, Jim Clark	109	6	**Original text:** Guiding question **Revised text:** Essential question **Rationale for change:** Distinguishing between essential and driving questions will be helpful when teachers begin developing storylines	69b	Recommend-minor clarification
438	6C	Public Comment, Samantha Johnson	142	6	**Original text:** "Using mathematical modeling " **Revised text:** "Using **mathematics and computational thinking [SEP], and modeling [SEP2]" Rationale for change:** Seems like both practices are demonstrated here and in this instructional segment.	67	Recommend-minor clarification
439	6C	Public Comment, Samantha Johnson	Footnote 1	8	**Original text:** "There are many simulation/ games available online…" **Revised text:** Like what? Examples here would be helpful. **Rationale for change:** I would LOVE examples of this.	67	Do Not Recommend

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440	6C	Public Comment, Samantha Johnson	198	8	**Original text:** “Nutrients (matter) cycle…” **Revised text:** “Nutrients (matter) cycle [CCC] ...” **Rationale for change:** Matter and energy is a CCC that should be included here.	67	Do Not Recommend
441	6C	Public Comment, Samantha Johnson	318	10	Based on the # of PEs in this segment vs. the first segment, it looks like this will take longer. It would be nice to have some indication of the relative times these will take, or an estimate on instructional hours, just so people don’t think they have to do IS2 in the same amount of time as IS1	67	Do Not Recommend
442	6C	Public Comment, Jim Clark	329	15	**Original text:** Using sealed sphere as phenomena **Revised text:** Would a less expensive option be better? Maybe a Winogradsky column. **Rationale for change:** Equity issue as access point for all schools.	69b	Do Not Recommend

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443	6C	Public Comment, Samantha Johnson	360-364	18	**Original text:** "With each cycle of organisms eating or being eaten, there is less usable energy available to the organism (a consequence of the second Law of Thermodynamics, HSPS34). In this way, Ecosystems are constantly losing usable energy and therefore rely on the Sun to provide a constant influx of energy." **Revised text:** "With each cycle of organisms eating or being eaten, there is less **usable** energy…" **Rationale for change:** It seems like if the second law of thermodynamics is mentioned, "useable" needs emphasis so it is clear that the energy isn't being destroyed, just changing forms.	67	Recommend-minor clarification
444	6C	Public Comment, Jim Clark	369	19	**Original text:** Models of photosynthesis and respiration **Revised text:** Diagrams of photosynthesis and respiration **Rationale for change:** Not sure if these examples are best described as models or diagrams. If diagrams a better example of a model can be used.	69b	Do Not Recommend: Diagrams can be used as models.

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445	6C	Public Comment, Jim Clark	530	20	**Original text:** Evolution therefore occurs early in this course and much of the rest of the course explains details... **Revised text:** One option is for evolution therefore occurs early in this course and much of the rest of the course explains details. **Rationale for change:** It sounds like a mandate to have evolution as the third segment or unit. Even if earlier it is stated the sequence is not binding when stated like it is some teachers may feel as if it is a requirement.	69b	Recommend-minor clarification
446	6C	Public Comment, Lawrence Flammer	544-5	27	**Original text:** "…discover transitional life forms as well as indications of organisms that no longer exist." **Revised text:** …discover transitional life forms, indications of organisms that no longer exist, and absence of fossils of modern species in very old sediments. **Rationale for change:** Often overlooked: recognition that fossils of most modern species first appeared short time ago, e.g., modern humans: about 200,000 yrs ago. (See also 35/673-4)	86c	Recommend-minor clarification

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447	6C	Public Comment, Samantha Johnson	553-558	30	**Original text:** “These mental models…” **Revised text:** “Conceptual models” needs to be mentioned when the stream tables come up. **Rationale for change:** If mental models are referred to, then the distinction needs to be made between mental and conceptual in the description.	67	Recommend-minor clarification
448	6C	Public Comment, Lawrence Flammer	629	31	**Original text:** "…yellow triangle shows…" **Revised text:** ...yellow arrow shows... **Rationale for change:** figure shows a yellow arrow.	86c	Recommend-minor edit
449	6C	Public Comment, Lawrence Flammer	673-4	34	**Original text:** "...organisms that no longer exist. Many life forms alive today, are not found..." **Revised text:** ...organisms that no longer exist. In addition, many life forms alive today (including humans) are not found... **Rationale for change:** Reinforces this point from p.30, ln 544. Important that students realize where humans fit into this.	86c	Recommend-minor clarification
450	6C	Public Comment, Samantha Johnson	690	35	**Original text:** “...so they are analogous and homologous.” **Rationale for change:** Can something be both? This whole section on analogous and homologous structures is really unclear and hard to understand. It’s also really long.	67	Do Not Recommend

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451	6C	Public Comment, Jim Clark	690	36	**Original text:** analogous and homologous.” **Rationale for change:** This section on analogous and homologous structures is difficult to follow and much too wordy	69b	Recommend
452	6C	Public Comment, Lawrence Flammer	691	36	**Original text:** "...homologous differences as evidence..." **Revised text:** ...homologous structures as evidence... **Rationale for change:** Differences aren't mologous, it's the structures that are homologous	86c	Recommend
453	6C	Public Comment, Lawrence Flammer	704	36	**Original text:** "...common analogous trait to protect plants from herbivores..." **Revised text:** ...common analogous trait that protects plants from herbivores... **Rationale for change:** "...to protect..." suggests intention or purpose. Evolution doesn't work that way. Original wording reinforces that misconception.	86c	Recommend-minor clarification
454	6C	Public Comment, Samantha Johnson	711	36	Embryology is mentioned in middle school, as well as the HS performance expectation. Why leave it out of the instructional segment?	67	General Comment

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455	6C	Public Comment, Lawrence Flammer	716	37	**Original text:** "...summarize of our understanding..." **Revised text:** ...summarize our understanding... **Rationale for change:** "of" not necessary	86c	Recommend-minor edit
456	6C	Public Comment, Lawrence Flammer	784	37	**Original text:** "...reproduce than that population..." **Revised text:** ...reproduce, then that population... **Rationale for change:** "...than..." makes no sense here.	86c	Recommend-minor edit
457	6C	Public Comment, Lawrence Flammer	788 Box	40	**Original text:** bottom line on right: "...then go onto reproduce." **Revised text:** ...then go on to reproduce. **Rationale for change**: "Going onto..." has a different meaning than "going on to..." in this context.	86c	Recommend-minor edit

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458	6C	Public Comment, Samantha Johnson	794-795	40	**Original text:** “There are datasets available that extend from generation to generation and students can use these to mathematically analyze [SEP4] the changes they observe.” **Revised text:** HHMI beak of the finch resources would be a good footnote here. **Rationale for change:** The beak of the finch data comes from the original data set and the students can analyze it directly.	67	Recommend-minor edit
459	6C	Public Comment, Christie Pearce	890-891	41	**Original text:** One way to help students meet HSLS31 and better appreciate the nature of science is through a historical approach. **Revised text:** Clarification needed for which models should be focused on for historical approach. **Rationale for change:** Is this a quick review of scientific discovery or are we mimicking the original process through modeling?	44	Do Not Recommend
460	6C	Public Comment, Christie Pearce	931-941	46	**Original text:** Paragraph on physical models **Revised text:** Clarification is required regarding prior knowledge. DO the students already need to know protein synthesis prior to using these models.	44 cont.	Do Not Recommend

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461	6C	Public Comment, Christie Pearce	953-964	47	**Original text:** Mapping out entire genomes and Organ and TIssue donation **Rationale for change:** Placement could be changed to end of unit to use as culminating project for unit.	44 cont.	Do Not Recommend
462	6C	Public Comment, Lawrence Flammer	978	48	**Original text:** "Mutations in DNA contained can result..." **Revised text:** Mutations in DNA can result... **Rationale for change:** "contained" makes no sense here	86c	Recommend-minor edit
463	6C	Public Comment, Samantha Johnson	987-988	49	**Original text:** “Errors copying the X chromosome can lead to a disease resulting in Turner syndrome.” **Revised text:** “Errors in copying or division of the X chromosome can lead to a disease…” **Rationale for change:** Nondisjunction can also lead to Turner.	67	Recommend-minor edit
464	6C	Public Comment, Samantha Johnson	1016-1020	49	**Comment:** This would be a good place to add phenotypic plasticity as another example.	67	General Comment

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465	6C	Public Comment, Samantha Johnson	1043	50	**Original text:** "3) organisms compete for limited resources" **Rationale for change:** This was not addressed in the instructional segment, although the other 3 were addressed well.	67	Do Not Recommend
466	6C	Public Comment, Samantha Johnson	1051	51	(instructional segment 5 table) **Original text:** "How do systems work in a multicelled organism and what happens if there is a change in the system?" **Revised text:** "How do systems work in a multicelled organism (emergent properties" and what happens if there is a change in the system?" **Rationale for change:** This would be a good place to add in the vocabulary of emergent properties since that's part of what this instructional segment is focusing on.	67, 69b	Recommend
467	6C	Public Comment, Jim Clark	1053	52	**Original text:** Understanding the characteristics of life is the unifying theme of biology **Revised text:** Same wording but should be mentioned earlier in the course description **Rationale for change:** The "unifying theme of biology" might be more useful mentioned in an earlier segment	69b	Recommend-minor clarification

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468	6C	Public Comment, Jim Clark	1066	53	If it something that should be done at the :beginning of the course” it should be mentioned at the beginning of the course description.	69b	General Comment
469	6C	Public Comment, Samantha Johnson	1105-1107	53	**Original text:** “Relating back to the discussion of mutations in IS4, students can plan and carry out investigations [SEP3] to **Rationale for change:** This would be a good place for an example, or more information so that its more clearly illustrated.	67	Do Not Recommend
470	6C	Public Comment, Jim Clark	1340	55	Students can make a conceptual model of Earth’s energy budget using an analogy of the line for a ride at an amusement park	69b	General Comment
471	6C	Public Comment, Jim Clark	1394	67	**Original text:** This term should be replaced by reinforcing feedbacks **Revised text:** This term can be replaced by a more descriptive term such as reinforcing feedbacks **Rationale for change:** “Should be replaced” seems like a mandate	69b	Recommend-minor clarification
472	6C	Public Comment, Kathy Dervin	1397, 1398	69	**Current text:** "These changes balance each other out." **Revised text:** "These changes are opposite, but may or may not balance each other out, depending on the specifics involved."	112	Recommend-minor edit: "These changes are opposite and can balance each other out." Linked to comment 606.

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473	6C	Public Comment, Jim Clark	1402	69	**Original text:** A counterbalancing feedback loop **Revised text:** No change but is this the same terminology used in describing homeostasis in organisms? **Rationale for change:** If it is same concept suggested terminology might want to be consistent	69b	Do Not Recommend any changes
474	6C	Public Comment, Jim Clark	1563	69	**Original text:** The high school Biology course should... **Revised text:** The high school Biology course may want to …. **Rationale for change:** For wide spread acceptance and support of NGSS teacher autonomy is important in the development of NGSS three dimensional lessons and assessments.	69b	Recommend

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475	6D	Public Comment, Kenneth Pringle	Gen.	76	So here is a list of my comments with line numbers for the document School Three Course Model – Chemistry in the Earth System. I have included “quibbles” which are thoughts about aspects of the framework that bothered me but which are probably just personal perspectives and have little value to you. I have also included “ideas", because I think that some of them have validity to how I’m thinking about the framework and may be of value for seeing a different perspective. The ideas are also given so you don’t think that I’m a cranky chemist who wants to continue to teach my way, and to give you an understanding that I am willing to try the new curriculum.	50 cont.	General Comment
476	6D	Public Comment, Kenneth Pringle	82-86		I understand the reasoning to deal with climate change, but I am not interested in using this story line, since I feel that it has limited possibilities for looking at wide ranging, science rich areas. In this section you have indicated that other possibilities exist, so it would be helpful if there was an index, resource list, or even an example of what other story idea would look like.	50 cont.	General Comment

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477	6D	Public Comment, Kenneth Pringle	94-97		Are you integrating physical science or chemistry? Perhaps the thinking of the writers is that this is the integration of a physical science class and an earth science/earth systems science or is it a chemistry course. Perhaps the expectations of a chemistry course with ESS examples and content are part of my disappointment in the standards.	50 cont.	General Comment
478	6D	Public Comment, Kenneth Pringle	105-109		I think its disingenuous to believe that one can maintain a fidelity to this program and the AP curriculum (especially in our schools where the students need the entire time to prepare sufficiently for the AP exam, which is not the same as a full curricula).	50 cont.	General Comment

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478 cont.	6D	Public Comment, Kenneth Pringle	112-134		I appreciate this storyline and the thoughtfulness in how it is laid out. I would ask that you look at the success of Chem Com and where it is being used. More importantly, how it is being modified. I continue to see the Chem Com label rolled out by districts to simply have a lower level chemistry course. At a NSTA conference many years ago, a pair of teachers showed me a successful program that required 200 pages a semester of ancillary material. At my school a teacher was green lighted by the administration to just do posters for the 2nd semester. While the Chem Com model has a strong curricula and research to back their model, it is probably best seen as an honors curriculum with a high degree of reading comprehension. I think that there are lessons that have been learned from the Chem Com experience that will show you how teachers will use a theme based curriculum. Additionally, I would point out that eventually, the MS curriculum will introduce students to particle based thinking. It may be better to reinforce this prior learning by introducing atoms, particles, and states of matter in the introductory unit. This has the added benefit of bridging the gap by	50 cont.	General Comment

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479	6D	Public Comment, Kenneth Pringle	112-134		providing students who are deficient in the NGSS progression a particle view that is an essential part of the curriculum, particularly, if you view chemistry as an introduction to molecular biology.	50 cont.	General Comment
480	6D	Public Comment, Kenneth Pringle	169-171		Many students will have very poor chemistry vocabulary. I don't think you should imply students will recognize elements (unless you are relying on great MS education). I feel students will simply see longish, unfamiliar words and may not associate them with anything. Students will not ask questions about the package until you give them a reason to ask. That is examining the contents does not represent a phenomena worth discussing.	50 cont.	General Comment
481	6D	Public Comment, Kenneth Pringle	175		Good lab. Many teachers are familiar with this and may have it in their curriculum already.	50 cont.	General Comment
482	6D	Public Comment, Kenneth Pringle	183		I think that it will become good practice to look at varied results as a class with NGSS. So I like this comment.	50 cont.	General Comment

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483	6D	Public Comment, Kenneth Pringle	194-195		I would suggest a second experiment to help students recognize the "truth" before they apply a misconception that will be difficult to undo. Don't wait till Segment 4.	50 cont.	Do Not Recommend
484	6D	Public Comment, Kenneth Pringle	202		Tin is not used but there are steel cans like those for fruits that could be used.	50 cont.	General Comment
485	6D	Public Comment, Kenneth Pringle	204-206		I think that "explaining" specific heat capacity is beyond the scope of a chemistry program (and there is an implication of a correlation between the electrical forces students will study and the thermal conductivity and sp. ht. cap. that students will not be able to develop).	50 cont.	General Comment
486	6D	Public Comment, Kenneth Pringle	213, 215		Again, I think you could bring back in observed phenomena to later material but don't set up students for misconceptions. Without a specific outcome you are looking for that is explainable with the unit, I don't think that added complexity leads to anything but confusion by the students. Most students will not be questioners, but want the "answer" most of the time.	50 cont.	General Comment

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487	6D	Public Comment, Kenneth Pringle	218		Perhaps, a discussion about why we have any type of energy problem at all when we can extract energy from anything we burn, so why don't we just burn nuts or trees etc. I believe this is a "safer" question to come out of the intro unit.	50 cont.	General Comment

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487 cont.	6D	Public Comment, Kenneth Pringle	310		I had mentioned this in the first draft, and I know that physics teachers in our district agree—heat transfer is a traditional physics topic. This is but a day or two of teaching, but it does result in the lab having a specific focus and there is a connected ESS component. And I still think (and I have a lab developed for the heat transfer), that nuclear topic which was already mentioned in this document in terms of an energy source is a better fit than heat transfer here. The discussion would be how the earth is heated and why the core is hot. While there would be mentions of radiation from the sun and conduction and convection as heat transfer methods, keeping nuclear as a topic in chemistry will maintaining the emphasis on the atomic level picture by exploring the subatomic particles and their role in as energy storage "systems" and the promise of green energy from nuclear (debatable to be sure) which seems to match the story line you have suggested. Moreover, the AP chem curricula assumes students have had the topic prior to taking the advanced course.	50 cont.	General Comment

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488	6D	Public Comment, Kenneth Pringle	325		Quibble. I would start here with students seeing the abstract, atomic scale behavior that we imagine, then apply it to computer models, then apply it to macro behavior (instead of the other way around).	50 cont.	General Comment
489	6D	Public Comment, Kenneth Pringle	366-377		Using seismic waves to analyze the earth's composition is reliant upon the knowledge of wave and refraction. These are not topics that are covered in the standard. Density, heat transfer, mass of magma moving to hot spots, chemical composition or crystallization of magma might have been suggested as ways to develop an Earth model, but it all seems forced. Maybe compare the convection currents of liquids, magma, with the convection currents of air would be a better transition with the Earth model simply given as theory and that this theory matches our experiments with other fluids like gases.	50 cont.	Do Not Recommend

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490	6D	Public Comment, Kenneth Pringle	379-389		I'd argue that the students could just be told that hot, pressurized rock can flow, like old glass windows flow, and this is "like a liquid"—actually defining this as a fluid and not a state of matter may be ideal. They would then make a connection that some solids have properties of liquids when they are special. Trying to get students to add a grey layer to their thinking is difficult (I worry about misconceptions). I think that it is important they know that the earth is dynamic, but I don't think it is important that they disrupt the idea that fluids flow and that we typically call liquids and gases fluids. Does a solid flow? Well, I don't want my students to say sometimes until they have a very solid foundation that can incorporate ambiguities.	50 cont.	Do Not Recommend
491	6D	Public Comment, Kenneth Pringle	407		By the way, Australia just repositioned itself :)	50 cont.	General Comment

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492	6D	Public Comment, Kenneth Pringle	407-420		At this point we are in a new topic. I'm assuming that students could divide up different parts of the evidence. Make conclusions, present it to the class, and then the class would have to use three pieces of evidence to support the theory of plate tectonics. Here the ESS topic is cleanly divided from the chemistry (perhaps magnetic field measurements of solid lava/magma could be chemistry oriented). It might be nice to state that the inclusion ESS in the integrated curriculum will require the introduction of components that are not necessarily tied to chemistry but represent an attempt by NGSS to include an important field of science that is sadly been removed from much of high school science.	50 cont.	Recommend-minor clarification
493	6D	Public Comment, Kenneth Pringle	545		Quibble. Bohr's model is sufficient to develop the understanding of the importance of the valence electrons of atoms, but does not represent our current understanding the structure of the periodic table.	50 cont.	General Comment

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494	6D	Public Comment, Kenneth Pringle	547		I don't think that many of my students would be able to evaluate different models of the periodic table and discuss their limitations. I also don't think that the "Internet" is a good source. There are reliable sources that should be pointed to and specific models: Octave Model, spiral model, should be identified. Remember that ESS or biology or physics teachers not just chemistry teachers can teach this course and they need more direction or more specificity to understand what this means. I also think that simply graphing changes (per the Ionization chart) and develop organizational constructs with actual or imaginary elements. Moreover, the advent of computer models could help students understand the organization of the PT (although I don't have a good suggestion here, I know that others use different programs during this unit).	50 cont.	General Comment-no changes

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494 cont.	6D	Public Comment, Kenneth Pringle	582		I have a difficulty with this statement that symmetry leads to greater stability. The most stable element is iron, from a nuclear stand point it has the least energy. Nonreactive metals like silver, gold, copper do not have filled orbitals. The nonreactive silicon is also not filled. The removal of electrons from noble gases does not happen because of their large effective nuclear charge, the addition of electrons does not happen because it is energetically difficult for the added electron to remain in the higher energy orbital given all the other possibilities for the electron to take. Full octets are emblematic of a stable electron structure because of the high effective nuclear charge and the energy needed to place an electron in a higher orbital. These are better explanations that symmetry, and use knowledge of electron configuration taught during the unit.	50 cont.	General Comment-no changes
495 cont.	6D	Public Comment, Kenneth Pringle	597		Idea. I was wondering if we could introduce something like the Bowen series here of minerals and patterns that would mirror the idea of periodic trends and the understanding of stable structures. I don't know enough Earth Science to be sure this would work.	50 cont.	Do Not Recommend

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496 cont.	6D	Public Comment, Kenneth Pringle	625		This section is not introducing stoichiometry as defined by most chemistry books. Stoichiometry is comparing the amounts of products and reactants and typically goes through a mole ratio. I don't have a problem with the law of conservation of mass and using mass ratios to discuss what has happened to the hydrate, but until the introduction of the mole, this is not a traditional stoichiometry unit.	50 cont.	General Comment-no changes
496 cont.	6D	Public Comment, Kenneth Pringle	684		The reason for higher boiling points is entropic, not greater attraction.	50 cont.	Recommend

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496 cont.	6D	Public Comment, Kenneth Pringle	678		Typically, there is a lab where students examine carefully chosen materials that back up the claim that there are ionic and covalent compounds with different sets of properties. The salt vs wax comparison covers most of the "expected" properties. I'm okay with this and then adding more complexity with hydrates that "melt" easily, or covalent bonded graphite that conducts as a solid, or sugar that is brittle. But note that the initial lab is conducted with chosen chemicals that will give the results needed so as to avoid misconceptions and frustration with a disconnect from book or research results.	50 cont.	Do Not Recommend

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496 cont.	6D	Public Comment, Kenneth Pringle	690-693		Idea. Introducing the attractive characteristics of pure liquids and the strength of their intermolecular forces to explain the role of Coulomb's law where we can assign a partial charge to some compounds and no charge to others (or create an empirical partial charge relative to water from experimentation), would lead to the idea of covalent molecules having different melting points and because all ionic compounds are solids then their interaction is based on stronger charge interactions. Then perhaps continuing to different charges or ion sizes to fully use Coulomb's law.	50 cont.	Do Not Recommend
496 cont.	6D	Public Comment, Kenneth Pringle	754		Idea. Use magnetic models to express kinetic and potential, magnetic and mechanical energy needed to break models and reform new models. Graphing these changes may help students understand the abstract chemical energy changes. Similarly, give students a wide variety of simple reactions to accomplish including some classic demos and have them report the energy diagrams to the class. Or include ESS concepts of stable	50 cont.	Do Not Recommend

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496 cont.	6D	Public Comment, Kenneth Pringle	777		The lattice energy of a collection of ions of sodium and chloride, vs the solvation by water of those ions is slightly, 3kj/mol, higher. Strong interactions do occur between water & ions which is why water is an effective solvent. The complete explanation of solvation requires the use of entropy which is probably beyond the scope of this level of chemistry. I do believe that they need to understand enthalpic changes, but I do worry some "obvious" connections like cooler water after dissolving can lead to misconceptions later.	50 cont.	General comment-no change recommended
495	6D	Public Comment, Kenneth Pringle	809-811		While I do think it is very important to see the chemical reaction of photosynthesis and respiration (combustion), the biology standards have this section. Chemists should reference it but not devote a lot of time to the reactions, but rather think about introducing other reactions to broaden students exposure to energy storing and releasing reactions .	50 cont.	General Comment

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496	6D	Public Comment, Kenneth Pringle	829		Quibble and probably a misunderstanding for non- or inexperienced chemistry teachers. Most chemical cold packs do not break chemical bonds but have rely on dissolving and formation of new intermolecular bonds and breaking of ionic bonds. Since the substances retain their properties after the ions are allowed to reform from evaporating water it is conceptually difficult to conclude that the bonds where chemical. Some heat packs are also based on dissolving, but handwarmers for winter sports are typically are chemical reactions.	50 cont.	General Comment
497	6D	Public Comment, Kenneth Pringle	921		The use of bond energies is unnecessary rather a table of reaction enthalpies or enthalpies of formation would be helpful in developing stoichiometry skills, since these values can use the coefficients of given reactions. Side note: there has been no explicit connection to a traditional stoichiometry lesson yet, because we haven't yet introduced moles.	50 cont.	Do Not Recommend

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498	6D	Public Comment, Kenneth Pringle	929		Idea. Perhaps this could be used as an end of the semester project to look at specific biomes (that is divide up the class into groups with different biomes to report on) to see how they are coping and being affected by climate change. Before this project discuss the conservation of energy and reflect back to thermo to give the project validity and connectedness to the curriculum.	50 cont.	Do Not Recommend

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499	6D	Public Comment, Kathy Dervin			**Revised text:** HS-ESS3-2. [Clarification Statement: Emphasis is on the conservation, recycling, and reuse of resources (such as minerals and metals) where possible, and on minimizing impacts where it is not. Cost-benefit analyses must include the total system inputs and outputs, including what are often labeled “externalities.” Examples include developing best practices for agricultural soil use, mining (for coal, tar sands, and oil shales), and pumping (for petroleum and natural gas). Science knowledge indicates what can happen in natural systems—not what should happen.] Comment: *[This is an opportunity for students to grasp the challenges of cost-benefit analysis when global ecosystems are severely impacted by technological and economic systems. How is an ecosystem valued? How are impacts on future generations calculated? How are risks quantified?]*	112	Do Not Recommend

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500	6D	Public Comment, Kathy Dervin		48	**Add 3 new performance expectations:** **1. HS-ESS3-7.** Explain how current global climate trends are heading planetary systems toward climate instability, which threatens all life systems. **[Clarification Statement: Since current carbon dioxide levels are equivalent to the time of the Great Permian Extinction, students should be able to explain how the impacts on terrestrial and marine life from temperatures, ocean acidity, etc. could affect ecosystems throughout the planet. Understand the implications of exceeding the IPCC adopted Global Carbon Budget.]**	112	Do Not Recommend, reviewer is suggesting that we add a PE. The standards have already been adopted by the State Board and cannot be changed in the Framework.

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

501	6D	Public Comment, Kathy Dervin		48	**Add 3 new performance expectations:** **2. HS-ESS3-8.** Analyze effectiveness of various methods and timelines to avert and/or reverse climate change. **[Clarification Statement: Students should be able to compare the effectiveness of various methods for the world to keep within the Global Carbon Budget, as well as major means for carbon dioxide removal, if the budget is exceeded. Students should be able to explain the strengths and weaknesses of the major proposals including energy efficiency, conservation, renewable energy systems, biofuels, soil carbon storage, seaweed , sequestration, etc.]** Dept. Note: see footnotes in attachment.	112	Do Not Recommend: Reviewer is suggesting that we add a PE. The standards have already been adopted by the State Board and cannot be changed in the Framework.

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502	6D	Public Comment, Kathy Dervin		48	**Add 3 new performance expectations:** **3. HS-ESS3-9.** Analyze how societal dynamics affect implementation of science and technology to avert and/or reverse climate change. **[Clarification Statement: Students should be able to explain the social forces affecting the implementation or lack thereof of known scientific methods and technologies that could avert the next major extinction and possible ways to involve the desired societal forces.]** Dept. Note: see footnotes in attachment.	112	Do Not Recommend: Reviewer is suggesting that we add a PE. The standards have already been adopted by the State Board and cannot be changed in the Framework.

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503	6D	Public Comment, Kathy Dervin	957, 958, 959	48	**Current text:** "In fact, as more and more people inhabit the planet, we are emitting more carbon dioxide into the atmosphere every day that accumulates in our atmosphere." Comment: *[True, but inclusion of a more micro view would be more instructive, i.e., per capita emissions. It would also leverage the prior suggested connection made in the Preferred Integrated Model, Grade 6, B-69. See also: http://www.ucsusa.org/global_warming/science_and_impacts/science/each-countrys-share-of-co2.html]*	112	General comment-do not recommend change
504	6D	Public Comment, Kathy Dervin	1112, 1113	50	**Current text:** "These changes balance each other out." **Revised text:** "These changes are opposite, but may or may not balance each other out, depending on the specifics involved."	112	Recommend-minor clarification

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505	6D	Public Comment, Kenneth Pringle	1115-1118	57	The need for a solid heat transfer background is important in the explanations for the energy transfer, absorption, and radiation. But this is so closely tied to a physics discussion of heat transfer (thus most physics teachers have a unit on this vocabulary and its concepts) vs a chemistry discussion, that I question its inclusion as a topic that integrates chemistry and geology. Chemical principles in crystal or rock formation, solubility for sedimentary formation, weathering, and other topics I'm sure exist seem more closely integrated to the curriculum. I'm not dismissing the importance of climate change education, but am concerned with shoe horning in units that can disrupt the flow of a course and have students wondering "Where did this come from?"	50 cont.	General Comment

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506	6D	Public Comment, Kathy Dervin	1180, 1181, 1182		**Current text:** "She has them calculate the year in which atmospheric CO2 will reach 540 ppm (approximately double the pre-industrial CO2 levels), assuming that current trends continue." **Add footnote:** "Current evidence indicates that the last time CO2 reached high levels of 380-450 ppm was 3.6 million years ago, when sea levels were 66 feet higher. The current CO2 equivalent level is 485 ppm (when including other greenhouse gases). A safe level is believed to be no more than 350 ppm equivalent." Dept. Note: see footnotes in attachment.	112	Do Not Recommend

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507	6D	Public Comment, Kathy Dervin	1303	60	**Current text:** "Natural gas is primarily methane and can leak from old pipelines, and students can obtain information [SEP-8] about cutting edge technologies to monitor leaks in real time." **Revised text:** "Natural gas is primarily methane which can leak into the atmosphere during production, processing, transport, storage, and distribution. Students can obtain information [SEP-8] about cutting edge technologies to monitor leaks in real time."	112	Recommend-minor clarification
508	6D	Public Comment, Kenneth Pringle	1308	66	Idea. ESS3-2 is tied to this discussion and the use of dimensional analysis by students to determine values like mass of CO2 produced per gram of fuel, or mass of cellulose in a tree per gram of fuel, or the amount of CO2 produced by China/USA/New Zealand per year, could have students learn to research amounts on their own, and use conversion factors to develop understandable calculations that lead to results. Again, conclusions could be presented to the class, for more impact.	50 cont.	Do Not Recommend

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509	6D	Public Comment, Kenneth Pringle	1386		This feels like zero to 60 in seconds. Students take an understanding of balanced equations based on mass balancing and particle balancing (without classifying reactions based on reactant and product composition or on driving forces), then add a unit from kinetics on the factors that change the rate of reaction, to be using Le Chatelier's principle as an empirical rule without an introduction to rates of reaction and the idea of reverse reactions. Granted, the feedback loops of the previous unit 5 do introduce students to equilibrium with feedback loops, but I feel like this unit has not provided students with a background for examining the reactions from a chemistry perspective.	50 cont.	General Comment

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510	6D	Public Comment, Kenneth Pringle	1467		Shouldn't there be an acid/base chemistry conversation that takes place before this discussion. I know this is not a syllabus, but a mention of the expected learning of chemistry topics instead of leaping into a full out delineation of the ESS component will certainly be necessary for those inexperienced with the chemistry components, which again is possible since all science teachers can be assigned the chemistry, biology, physics integrated courses regardless of preparation or willingness to teach a topic.	50 cont.	Do Not Recommend
511	6D	Public Comment, Kenneth Pringle	1474		Quibble. I think that given the removal of so much traditional chemistry components to allow time for ESS integration, requires that the Le Chatelier's principle be based on reaction rate comparisons of the forward and reverse such that added concentration of CO2 will increase the forward reaction; as opposed to the increase in reactant will cause the reaction to favor the forward reaction.	50 cont.	General Comment

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512	6D	Public Comment, Kenneth Pringle	1494		Idea. Again a class project looking into the effects of ocean acidification on algae growth, coral decline, bleaching, fish population and sex ratio, could be used to demonstrate the effects of acidification and through presentations provide students a wide range of effects by CO2 increased concentration.	50 cont.	Do Not Recommend
513	6D	Public Comment, Kenneth Pringle	1590		Idea. Combining this assignment with the previous scenario of energy sources and CO2, would make for a more efficient use of time, and provide opportunities for student engagement, since the project could be layered, and class research from one presentation could be used to inform the research for a second presentation. Students could become experts that help their classmates tackle a second problem.	50 cont.	Do Not Recommend
514	6E	Public Comment, Rodney Olson	Gen.		Positive changes have been made based on feedback. I like that the document states that the PEs are minimums and that teachers should include additional expectations as appropriate for their courses and settings. The document lists great questions that guide stakeholders to choose the best model for their school/district.	68b	General Comment

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515	6E	Public Comment, Joseph Calmer	72		**Original text:** design and test solutions **Revised text:** Maybe alter text font **Rationale for change:** All the other 3 dimensions have different fonts in the text	55a	Recommend-format change
516	6E	Public Comment, Joseph Calmer	122	3	**Original text:** Different phenomena require different amounts of investigation to explore and understand... **Revised text:** Different phenomena require different amounts of classroom investigative time to explore and understand... **Rationale for change:** Make the idea clearer	55a	Recommend-minor edit- change investigation to 'time'
517	6E	Public Comment, Joseph Calmer	124	4	**Original text:** Disciplinary Core Ideas (DCIs) **Revised text:** Different font **Rationale for change:** The other dimensions have different fonts	55a	Recommend-minor edit
518	6E	Public Comment, Joseph Calmer		4	**Original text:** Item 5 of picture **Revised text:** Move downward **Rationale for change:** photo covers a line segment of table	55a	Recommend-format change

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519	6E	Public Comment, Joseph Calmer	176	6	**Original text:** CCC table- Mechanism and Explanation **Rationale for change:** Not a cross cutting concept	55a	Recommend-minor change
520	6E	Public Comment, John Walkup	259	9	The law of conservation of linear momentum states that for a collision occurring between object one and object two in an isolated system [CCC-4], the total momentum of the two objects before the collision is equal to the total momentum of the two objects after the collision. This is incorrect. One cannot define the system as isolated because (1) you used that term when describing the conservation of energy, which is conserved under completely different conditions and (2) external forces can still act on the bodies in the system and yet conserve total energy. The momentum of a system is conserved when no net external force is applied to the system.	79	Do Not Recommend
521	6E	Public Comment, Joseph Calmer	751		There is a large blank space	55a	Recommend-format change

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522	6E	Public Comment, Kathy Dervin	790, 791		**Current text:** "At the same time, these fuel sources are cheap and plentiful." **Revised text:** "At the same time, these fuel sources are plentiful and cheap (though only when their externalities are unaccounted for in the energy pricing system)." *[Insert footnote listing some externalities, e.g., heat trapping CO2, pollution, health impacts.]*	112	Do Not Recommend
523	6E	Public Comment, Joseph Calmer	1037	38	There is a large blank space	55a	Recommend-format change
524	6E	Public Comment, Joseph Calmer	1389		**Original text:** “continue” **Revised text:** “continues” **Rationale for change:** singular	55a	Recommend-minor edit
525	6E	Public Comment, Joseph Calmer	1431		**Revised text:** Line alignment **Rationale for change:** The sentence continues on the next line, even though there is space on 1430	55a	Recommend-format change
526	6E	Public Comment, Joseph Calmer	1821		**Original text:** Bolded font **Revised text:** Unbold the font **Rationale for change:** Context does not match	55a	Recommend-format change

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527	6E	Public Comment, Joseph Calmer	1832		**Original text:** Space between paragraphs **Revised text:** No space **Rationale for change:** There appears to be no reason to have the space	55a	Recommend-format change
528	6E	Public Comment, Joseph Calmer	2087		**Original text:** Pictures on page **Rationale for change:** The pictures are off the text	55a	Recommend-format change
529	6F	Public Comment, Joanne Michael	Gen.		What about having a class called ‘Atomic and Molecular Sciences” to lead into “Biophysics” then to “Physics” then back to Chemistry. Redesign the sequence, so that we maximize learning. If the state is only going to require two years, then we need an amalgam of the science disciplines.	75b	Do Not Recommend: This would take a major revision.
530	6F	Public Comment, Joanne Michael	51-52		**Revised text:** Educators should consider their local context as they reflect upon these examples. Instructional sequences are most effective when they are designed to meet the need of the specific students that will be participating in them. **Rationale for change:** Who is the community that we serve. Clarification on students’ needs (ELs)	75b	Do Not Recommend any changes

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531	6F	Public Comment, Joanne Michael	94-101	2	**Revised text:** California’s high schools operate largely under local control. As such, course offerings and the order courses are offered for high school science are district decisions. As a result, this framework prescribes neither the courses to be offered nor the order in which they are offered. Instead, districts may consider multiple course sequences. **Rationale for change:** Concerns with students having proper math courses and prerequisites. None of the preample discusses going into AP courses.	75b	Do Not Recommend any changes
532	6F	Public Comment, Joanne Michael	119	4	To answer these questions, we need additional resources on successes in course sequencing from other CA school districts.	75b	General Comment

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533	6G	Public Comment, Kenelee Henderson	Gen.	4	Examples of improvements: • More consistency and clarity in how abbreviations are introduced/used. Example: line 73: instructional segments (IS) a helpful change for greater readability. • Highlighting of CCCs and SEPs draws attention to those dimensions. • It seemed more clear and consistent as to what is expected in terms of the level of detail students are expected to include in their explanations for the processes of protein synthesis, photosynthesis, and respiration.	61	General Comment

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534	6G	Public Comment, Kenelee Henderson	Gen.		Examples of comments not addressed: • 6G-3 line 88 still does not address the concerns expressed as to how the AP courses or other specialty courses like anatomy/physiology fit into the NGSS framework within a four course model it simply says it will. • I think there was an attempt to address the concerns over what seemed to be an initially superficial approach to shifting instruction to 3D teaching/learning by color coding the CCCs and SEPs within the narrative explaining the DCIs, however, the focus on the narrative is still very much the content and still does not provide compelling examples of how students are connecting with CCCs and knowing when they are engaging in SEPs. Even in the snapshots, there is a lot of direction from the teacher (his questions, his provision of materials, his direction 0 There is not a lot shown in terms of students asking their own questions, finding their own resources to answer questions, designing their own investigations, etc. This is a major shift for instruction and this still does not seem to be very clear in the framework.	61 cont.	Do Not Recommend Discussion: Could possibly add as a resource, but not appropriate to add at this time.

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535	6G	Public Comment, Lawrence Flammer			You should find a logical place to insert the following: 1.It's important for students to realize that evolution is a natural process, characteristic of all life. When examined and testedscientifically (critically), evolution shows no signs of having a purpose, or design, or intentions, or fulfilling a need. To suggest such attributes is Lamarckian. Species do not evolve in order to survive. Evolution just happens, involving random mutations and non-random selection in changing environments. As a result, species may survive, give rise to new species, or die out entirely (go extinct). Students could be asked to search for lines of evidence that point to those features of evolution. 2.There does not seem to be any reference to the problems with monocultures in agriculture, or inbreeding in zoos andpurebred animals. Would be nice to do that somewhere, perhaps in connection with page 6G-64 in the Ch. 6 HS Four Course Model - Life Science/Biology draft 3. Where are instructions for teaching about the requirements for Cause and Effect (vs association or coexistence)?	86d	Do Not Recommend

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536	6G	Public Comment, Lawrence Flammer	51		**Original text:** "...from microscopic proteins..." **Revised text:** ...from sub-microscopic proteins... **Rationale for change:** proteins are not microscopic	86d	Do Not Recommend
537	6G	Public Comment, Kenelee Henderson	59-60	2	6G-2 lines 59-60 states “Students begin with phenomena and use them to enhance their understanding of core ideas in biological science.” however the example instructional segments don’t all clearly use this approach. As this is a new piece for many teachers, it would be helpful if there was consistency. For instance I think 6-G8 lines 139-144 are setting up the phenomena for IS1, IS 2 is very vague about the phenomena being used, IS3 6G-17 lines 322 - 333 explicitly identifies the phenomena example. IS3 page 6-G lines 424 - 428 starts with a quote from Aldo Leopold. Is this the phenomena? If not, I didn’t connect any phenomena with this IS. The format used for IS3 is very clear and if used consistently through the ISs, it would be helpful for teachers. Just a comment that the consistent use of engineering connections are very helpful.	61 cont.	Do Not Recommend

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538	6G	Public Comment, Joanne Michael	104	2	Table 5G-1 I like this table!	75b	General Comment
539	6G	Public Comment, Joanne Michael	107	4	From Molecules to Organisms: Structures and Processes This is a good segment.	75b	General Comment
540	6G	Public Comment, Joanne Michael	137-144	6	Instructional Segment 1 Positive	75b	General Comment
541	6G	Public Comment, Lawrence Flammer	218	pp.7-8	**Original text:** "...to reach new light..." **Revised text:** ...until they reach new light... **Rationale for change:** "to..." suggests intention (Lamarckian language; see note 1 below)	86d	Recommend-minor edit
542	6G	Public Comment, Lawrence Flammer	222	p.11	**Original text:** "...that can to predict outcomes..." **Revised text:** ...that can predict outcomes... **Rationale for change:** "to" doesn't fit here	86d	Recommend-minor edit

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543	6G	Public Comment, Lawrence Flammer	256	p.11	**Original text:** "...cells need to produce more cells." **Revised text:** ...cells produce more cells. [Ask "Why do organisms grow by adding more cells? Why not just increase a single cell in size?" You might insert discovery lab showing how surface area : volume ratio changes with growth, and problems that creates.] **Rationale for change:** "Need to" suggests intention (Lamarckian language); also, Opportunity to raise a question that students could research. See note 1 below.	86d	Recommend to omit "need to."
544	6G	Public Comment, Lawrence Flammer	265	p.13	**Original text:** "...continuous evolution." **Revised text:** ...continuous process. **Rationale for change:** restrict "evolution" to its biological use.	86d	Recommend
545	6G	Public Comment, Lawrence Flammer	268	p.13	**Original text:** "...that reproduce sexually, contain..." **Revised text:** ...that reproduce sexually (involving meiosis) contain..." **Rationale for change:** Useful connection between sexual reproduction, meiosis, and two sets of chromosomes.	86d	Recommend-minor edit

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546	6G	Public Comment, Lawrence Flammer	269	p.13	**Original text:** "...one variation from each parent." **Revised text:** ...one set from each parent. **Rationale for change:** Refers to sets of chromosomes, not variations in those chrom.	86d	Recommend-minor edit
547	6G	Public Comment, Joanne Michael	314-320	p.13	Instructional Segment 3 This section needs more examples.	75b	General Comment
548	6G	Public Comment, Joanne Michael	321-332	16	Good segment	75b	General Comment
549	6G	Public Comment, Joanne Michael	376-386	17	Great!	75b	General Comment
550	6G	Public Comment, Joanne Michael	443	19	Positive	75b	General Comment
551	6G	Public Comment, Lawrence Flammer	639 Box	23	**Original text:** "What types... ultimately effect populations?" **Revised text:** ...ultimately affect populations? **Rationale for change:** see 34/642: "...they affect..."	86d	Recommend-minor edit

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552	6G	Public Comment, Lawrence Flammer	706	33	**Original text:** "...but not all need too as long as..." **Revised text:** ...but not all need to as long as... **Rationale for change:** wrong "too"	86d	Recommend-minor edit
553	6G	Public Comment, Lawrence Flammer	900 Box	37	**Original text:** HS-LS3-3 (last line, about Hardy-Weinberg) **Revised text:** Omit that assessment boundary? **Rationale for change:** Why not include Hardy-Weinberg calculations?	86d	Do Not Recommend
554	6G	Public Comment, Lawrence Flammer	922	45	**Original text:** "...mutations in DNA contained can result..." **Revised text:** ...mutations in DNA can result... **Rationale for change:** "contained" makes no sense here	86d	Recommend-minor edit
555	6G	Public Comment, Lawrence Flammer	1004	47	**Original text:** "...the livens of evidence..." **Revised text:** ...the lines of evidence... **Rationale for change:** typo	86d	Recommend-minor edit
556	6G	Public Comment, Lawrence Flammer	1017	50	**Original text:** "...alive today are not found..." **Revised text:** ...alive today (including humans), are not found... **Rationale for change:** important to include humans here.	86d	Recommend-minor edit

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557	6G	Public Comment, Lawrence Flammer	1034	51	**Original text:** "...the homologous differences as evidence..." **Revised text**: ...the homologous structures as evidence... **Rationale for change**: wrong word to use here.	86d	Recommend-minor clarification
558	6G	Public Comment, Lawrence Flammer	1070	51	**Original text:** "...summarize of our understanding..." **Revised text:** ...summarize our understanding... **Rationale for change:** "of" not needed here.	86d	Recommend-minor edit
559	6G	Public Comment, Kenelee Henderson	1064-1069	52	**Original text:** Visual depictions of this tree of life (followed by four empty lines **Revised text:** Were there suppose to be pictures here? **Rationale for change:** My download didn’t have the pictures.	61 cont.	Recommend-format change
560	6G	Public Comment, Lawrence Flammer	1121	52	**Original text:** "...distinguish between this different possibilities,..." **Revised text:** ...distinguish between the different possibilities,... **Rationale for change:** replace "this" with "the". "this" doesn't not fit here.	86d	Recommend-minor edit

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561	6G	Public Comment, Lawrence Flammer	1133-4 Box	55	**Original text:** top line: "...[does not] include allele frequency calculations.. **Revised text:** [my question: WHY NOT???] **Rationale for change:** Such calculations would be easy and natural in this context.	86d	General Comment-no recommended changes
562	6G	Public Comment, Lawrence Flammer	1195	56-7	**Original text:** "…bigger or smaller, individuals…" **Revised text:** …bigger or smaller; individuals… **Rationale for change:** Replace comma with semicolon.	86d	Recommend-minor edit
563	6G	Public Comment, Lawrence Flammer	1203	60	**Original text:** "…appears 'slow' because changes…" **Revised text:** …appears 'slow' because most changes… **Rationale for change:** changes not always slow; some can happen in single generation.	86d	Recommend-minor edit
564	6G	Public Comment, Lawrence Flammer	1209-10	60	**Original text:** "…white cards die but none of the…" **Revised text:** …white cards but none of the… **Rationale for change:** "die" is redundant, not needed.	86d	Recommend-minor edit

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565	6G	Public Comment, Lawrence Flammer	1241	60	**Original text:** "…populations that now become two…" **Revised text:** …populations that thereby becometwo… **Rationale for change:** "thereby" assigns speciation process to isolation due to inability to reproduce; "now" does not.	86d	Recommend-minor edit
566	6G	Public Comment, Lawrence Flammer	1274	63	**Original text:** Performance Expectations inserted again **Revised text:** [Remove this extra copy of the PEs] **Rationale for change:** These PEs already inserted on pp. 61-63; not needed again here.	86d	Recommend-minor edit
567	6G	Public Comment, Lawrence Flammer	1380	65	**Original text:** "…food morsels eaten at each …" **Revised text:** …food morsels "eaten" at each… **Rationale for change:** simulation; not actually eaten.	86d	Recommend-minor edit
568	6G	Public Comment, Lawrence Flammer	1606	71	**Original text:** "…and prepare an arguments about…" **Revised text:** …and prepare arguments about… **Rationale for change:** wrong syntax	86d	Recommend-minor edit

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569	6H	Public Comment, Christie Pearce	Gen. All	79	Overall conceptual flow is not evident in this model (as compared to 3 course ESS Chem, and	44 cont.	Do Not Recommend: Reviewer is suggesting a major rewrite.
570	6H	Public Comment, Christie Pearce	Gen.		PE HS-PS1-3 **Original text:** missing math? **Revised text:** need to add mathematical representation to support reasoning **Rationale for change:** Students need to practice algebra skills throughout the year.	44 cont.	Do Not Recommend
571	6H	Public Comment, Christie Pearce	Gen.		Instructional segment 2 should be FIRST thing we do!	44 cont.	Do Not Recommend: This would take a major revision.
572	6H	Public Comment, Christie Pearce	Gen.		Instructional segment 1 does NOT need to be its own segment (other than observations and design an experiment) but instead integrated throughout the year within the other segments.	44 cont.	Do Not Recommend: This would take a major revision.

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573	6H	Public Comment, Han Stoddard	Gen.		The framework will create achievement gaps due to lacks of classroom resources, teacher training, funding, and student readiness. For instance, our district is still behind for NGSS implementations. Many of our students do not have vast science backgrounds as they enter high school as stated on page 6H-9. In addition, we are not technology equipped to gear up for century classrooms to engage in real world problems or to deliver engineering processes. Many engineering processes and project-based learning require computer literacy and hardware components. In order for teachers to implement NGSS, classroom teachers must be trained properly with technologies, and classrooms must be equipped with student computers (a 1:1 ratio) and other technologies for laboratory investigations.	52	General Comment

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574	6H	Public Comment, Simon Moon	Gen.		This e-mail is regarding 4-course Chemistry framework at the high school level. You may have already caught this but shouldn't line #92 read "This example course is divided into five instructional segments" NOT "This example course is divided into four instructional segments"? I see 5 instructional segments instead of 4 on Table 6H-1 as well as in the rest of the draft work.	123	Recommend-minor edit
575	6H	Public Comment, Joanne Michael	66-68, 70, 84-87		These were lines that the reader found interesting	75b	General Comment
576	6H	Public Comment, Christie Pearce	95	4	**Original text:** Significance of Chem to Society diagram is great! **Revised text:** Add direct connections WITHIN the segments to this diagram	44 cont.	Do Not Recommend
577	6H	Public Comment, Joanne Michael	95	5	Tanle 6H-1 Summary Tale for Example High School Chemistry Course Row 2 – is this atomic theory Row 3 – is this stoichiometry or energy? Row 4 – is this equilibrium Row 5 – is this thermo	75b	Do Not Recommend: This would take a major revision.

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578	6H	Public Comment, Joanne Michael	114	5	Table Need clarification on bulk properties of matter. Is there a better word?	75b	Do Not Recommend
579	6H	Public Comment, Han Stoddard	105	6	One of PE for Properties of Matter is nuclear processes (p. 6H-6, line 105). This is a broad topic but the framework has not addressed it enough, nor properly. About 16 lines-from line 176 (p. 6H-9) to line 191 (p. 6H-10)-describe the atomic structure, but barely mentioned nuclear processes. High school teachers will need more examples and directions of how to implement nuclear processes content in their classrooms.	52	Do Not Recommend
580	6H	Public Comment, Josephine Golcher	108	6	Original text: …. Revised text: . Rationale for change: Single period at end of sentence	83	Recommend-minor edit
581	6H	Public Comment, Joanne Michael	117-119	6	The reason that students consider chemistry challenging because of math, but not because of the size of the particles.	75b	General Comment
582	6H	Public Comment, Joanne Michael	167-170	7	Students should have, not have received formal instruction in chemistry starting in the 2nd grade.	75b	General Comment

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583	6H	Public Comment, Han Stoddard	167-175	9	Lines 167-175, page 6H-9: the expectations of students come to high school with vast knowledge from elementary and middle schools are unrealistic at my district right now. Majority of my students do not have vast science backgrounds compared to students from different districts. High school (HS) teachers need to teach students not only the HS requirement concepts but also lower grade level concepts. If students do not know the terms melting point, we will need to teach them with demonstration. It will take our district at least another 3 to 4 years to implement NGSS to high school students effectively. I also have not heard about implementation of NGSS at elementary schools in my district. Therefore, students come to middle schools won’t have strong science foundation, and middle school and high school teachers will have to fill in the gaps.	52	General Comment

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584	6H	Public Comment, Christie Pearce	195-200	9	**Original text:** the wording: "structure at the bulk scale to infer the strength of electrical forces between particles" **Revised text:** Line 195-200 should be in the beginning. **Rationale for change:** 1)"bulk scale" is vague term 2) Introduction seems to be missing	44 cont.	Do Not Recommend
585	6H	Public Comment, Joanne Michael	201-206	10	This is a good list.	75b	General Comment
586	6H	Public Comment, Han Stoddard	214	10	Line 214 (page 6H-11) "The more I heat water up, the less dense it becomes…" How can students observe and measure the "dense" of water as they heat it up? What kind of tools we (teachers) need to have to address?	52	General Comment
587	6H	Public Comment, Christie Pearce	222	11	**Original text:** mental models **Revised text:** "sketches" of mental model? **Rationale for change:** How are they letting everyone know what their thinking?	44 cont.	Do Not Recommend

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588	6H	Public Comment, Han Stoddard	267-272	11	HS students are not equipped nor informed enough scientific backgrounds from elementary and middle schools. Page 6H-14Line 267-272: Middle grade students are introduced to models [SEP-2] of atomic and molecular structure (MS-PS1-1), and are familiar with basic properties of matter such as density, melting point, boiling point, solubility, and flammability (MS-PS1-2). . Majority of my students have no ideas when terms such as melting points, freezing points were brought up. High school (HS) teachers need to teach students not only the HS requirement concepts but also lower grade level concepts. When students do not know the terms such as melting point or vapor pressure, we first will need to teach them with demonstration before we can discuss the reasons why. It will take our district at least another 3 to 4 years to implement NGSS to high school students effectively.	52	General Comment
589	6H	Public Comment, Josephine Golcher	285	14	**Original text:** Orders **Revised text:** Arranges **Rationale for change:** More precise word	83	Recommend-minor edit

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590	6H	Public Comment, Josephine Golcher	382	14	**Original text:** Seventh **Revised text:** Seventeenth **Rationale for change:** In line with international periodic table	83	Recommend-minor edit
591	6H	Public Comment, Josephine Golcher	422	18	**Original text:** Fourth **Revised text:** Fourteenth **Rationale for change:** In line with international periodic table	83	Recommend-minor edit

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592	6H	Public Comment, Han Stoddard	482	20	Table 6H-3: Instructional shift for chemical bonding (p. 6H-23. This is a great approach. However, funding and resources must be addressed to support effective instruction. Attachment 52 Our chemistry department’s budget for year 2016-2017 is $300. How can we (6 chemistry teachers) provide lab or hands-on activities for students? High School Chemistry Snapshot: Chemical Energetics We are not technology equipped to implement NGSS. As a whole science department (biology, physics, and chemistry), we have about 40 labtops to share. Each science classroom is not equipped with student computers. This is the biggest concern in terms of supporting students to become century learners or preparing them for the century workforce. One example, on page 6H-30, from line 636, a great example to conduct investigation while using technology (this is a real world model). How do we (teachers) to carry it out when we don’t have sufficient resources such as thermometer probes, and computers?	52	General Comment

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593	6H	Public Comment, Josephine Golcher	559	23	**Original text:** Middle grades **Revised text:** Middle grade **Rationale for change:** Correct description	83	Recommend-minor edit
594	6H	Public Comment, Kathy Dervin	1365	27	**Current text:** "Natural gas is primarily methane and can leak from old pipelines, and students can obtain information [SEP-8] about cutting edge technologies to monitor leaks in real time." **Revised text:** "Natural gas is primarily methane which can leak into the atmosphere during production, processing, transport, storage, and distribution. Students can obtain information [SEP-8] about cutting edge technologies to monitor leaks in real time."	112	Recommend: change to " "Natural gas is primarily methane and often leaks many places between where it is pumped from the ground and where it is eventually used by people."
595	6I	Public Comment, Rodney Olson	623	65	**Original text:** but in **1819**, Hans Christian Øersted discovered **Revised text:** but in **1820,** Hans Christian Øersted discovered **Rationale for change:** See the historical timeframe discussed here: https://www.aps.org/publications/apsnews/200807/physicshistory.cfm	68	Recommend-minor edit

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596	6I	Public Comment, Rodney Olson	660	9	**Original text:** Students know that they can sit beneath regular lights all day long and not receive a sunburn, so microwaves with even lower energy photons. **Revised text:** Students know that they can sit beneath regular lights all day long and not receive a sunburn, so microwaves with even lower energy photons surely can’t cause a sunburn either. **Rationale for change:** Just completing the thought of the authors...	68	Recommend-minor clarification

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597	6I	Public Comment, Rodney Olson	659	pp.4-6	**Original text:** Students can make a physical model [SEP-2] of the photoelectric effect with water representing continuous waves of light energy and different size marbles and ball bearings representing different frequencies of discrete photons of light energy. Additional marbles... **Revised text:** (I would recommend cutting this segment from the text or significantly rewriting it - I don't have a suggestion for how to rewrite it though). **Rationale for change:** The example of a model to explain the photoelectric effect using water and marbles seems like a big stretch and could lead to more confusion in the minds of the students.	68	Do Not Recommend
598	6I	Public Comment, Rodney Olson	646	pp. 5-16	**Original text:** Nuclear fission, fusion, and radioactive decay of unstable nuclei involve the release or absorption of energy, **though student.** **Revised text:** (I am not sure what the authors were trying to convey, so I can't make a good recommendation, but the sentence is clearly not useful as it currently stands.)	68	Recommend: Writer to delete the 'though student' and revise the next two sentences to mention something about students having no direct observations of nuclear processes despite their importance to many everyday and scientific purposes.

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599	6J	Public Comment, Joanne Michael		26-28	Column “We” meaning the Earth? People? What? I don’t like the terminology. Be specific on elements.	75b	Recommend-minor clarification
600	6J	Public Comment, Joanne Michael	159	6	Where does the course model begin and end? This is confusing.	75b	Do Not Recommend any changes
601	6J	Public Comment, Joanne Michael	273-274	7	Move theses references to the top of the chart.	75b	Do Not Recommend
602	6J	Public Comment, Joanne Michael		15	Table HS-ESS3-6 paragraph Student models are good, but based on published results is problematic.	75b	Do not Recommend

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603	6J	Public Comment, Kathy Dervin		18	**Add 3 new performance expectations:** **1. HS-ESS3-7.** Explain how current global climate trends are heading planetary systems toward climate instability, which threatens all life systems. **[Clarification Statement: Since current carbon dioxide levels are equivalent to the time of the Great Permian Extinction, students should be able to explain how the impacts on terrestrial and marine life from temperatures, ocean acidity, etc. could affect ecosystems throughout the planet. Understand the implications of exceeding the IPCC adopted Global Carbon Budget.]**	112	Do Not Recommend: Reviewer is suggesting that we add a PE. The standards have already been adopted by the State Board and cannot be changed in the Framework.

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604	6J	Public Comment, Kathy Dervin		18	**Add 3 new performance expectations:** **2. HS-ESS3-8.** Analyze effectiveness of various methods and timelines to avert and/or reverse climate change. **[Clarification Statement: Students should be able to compare the effectiveness of various methods for the world to keep within the Global Carbon Budget, as well as major means for carbon dioxide removal, if the budget is exceeded. Students should be able to explain the strengths and weaknesses of the major proposals including energy efficiency, conservation, renewable energy systems, biofuels, soil carbon storage, seaweed , sequestration, etc.]** Dept. Note: see footnotes in attachment.	112	Do Not Recommend: Reviewer is suggesting that we add a PE. The standards have already been adopted by the State Board and cannot be changed in the Framework.

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605	6J	Public Comment, Kathy Dervin		18	**Add 3 new performance expectations:** **3. HS-ESS3-9.** Analyze how societal dynamics affect implementation of science and technology to avert and/or reverse climate change. **[Clarification Statement: Students should be able to explain the social forces affecting the implementation or lack thereof of known scientific methods and technologies that could avert the next major extinction and possible ways to involve the desired societal forces.]** Dept. Note: see footnotes in attachment.	112	Do Not Recommend: Reviewer is suggesting that we add a PE. The standards have already been adopted by the State Board and cannot be changed in the Framework.
606	6J	Public Comment, Kathy Dervin	425, 426	18	**Current text:** "These changes balance each other out." **Revised text:** "These changes are opposite, but may or may not balance each other out, depending on the specifics involved."	112	Recommend: "These changes are opposite and can balance each other out." Linked to comment 472.

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607	6J	Public Comment, Kathy Dervin	513	23	**Current text:** "Models [SEP-2], as defined in the CA NGSS, represent a system that allows for predicting outcomes, so the output of a computational [SEP-5] model can sometimes be more useful at anticipating the future than simply examining historical data." **Insert footnote:** While models are instrumental in understanding climate change, the models to which students are introduced, which predict how climate is "expected" to change as more energy is trapped in the atmosphere have limitations. Students should study a model's assumptions and ask if it can account fully for major climatic changes as a result of feedback impacts."	112	Do Not Recommend

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608	6J	Public Comment, Kathy Dervin	859, 860	28	**Current text:** "The reason for making this designation is that point sources are easy to identify and therefore eliminate." **Revised text:** "The reason for making this designation is that point sources can be easier to identify and therefore eliminate. [**Insert footnote:** The contamination of aquifers by oil and gas production does, however, illustrate a difficulty in isolating point sources. The path followed by underground contamination can be difficult to predict and may bypass any monitoring wells.]"	112	Recommend
2000	7	CDE Staff	Gen.	49	Change chapter 7 title from "Assessment of Student Learning" to "Assessment"		Recommend
609	7	Public Comment, Lisa Hegdahl	Gen.		Yes - This chapter gives many examples of ways to assess the 3 dimensions at many grade levels. Don’t cut any of the examples in order to make the larger doc. shorter!	46b cont.	General Comment

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610	7	Public Comment, Hope Oliver	Gen.		Original text: “Evidence statements available on the Achieve website (Achieve 2015) describe specific forms of evidence that indicate different levels of understanding.” Revised text: Add a footnote to indicate that the link this document posted at the Achieve website appears in the References. Then add this document to the References Rationale for change: Unable to search Achieve website and find a list matching forms of evidence from evidence statements to understanding levels Only found the evidence statements at http://www.nextgenscience.org/evidencestatements	54b	Recommend add to references

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611	7	Public Comment, Kathy DiRanna	Gen.		In reviewing the assessment chapter for Roll Out #4, where the team was hoping to be able to pull useful information for teachers to use in designing/selecting assessments for their classroom, we found the chapter to be lacking in a variety of things. We strongly recommend that the chapter be re-constructed to address several of these issues described below. Issue number 1 The majority of the chapter addresses using practices as the "lead in" for 3 dimensional assessment, and then continues to address ONLY the practices. California can NOT have a framework that only addresses 1 dimension of a 3 dimensional learning experience. Issue number 2 There is no context for what makes a quality classroom assessment. I believe the original chapter included the CAESL assessment triangle that situates assessment as an interaction between/among learning goals, assessments and use of data from assessments.	85	Recommendation: Writer will include foundational boxes under each of the assessment strategy examples to include short narrative on how tasks meet the dimension (with strengths and weaknesses of the current examples) . Also, will clarify what the evidence statements are, how they can be used, and link to where they can be found. Discussion focused on what is possible for revision and then reviewed by the IQC before forwarding to the SBE in November. Noted that more is being learned in the field about assessment of NGSS but samples/examples are still under development. Writer discussed possibility of removing section on concept development and replacing with a case study still being created but that was not recommended at this time because it was not completed in time for review prior to SBE meeting.

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612	7	Public Comment, Kathy DiRanna	Gen.		Issue number 3 Although the framework is not a how to guide, there is nothing in this chapter that might help teachers think about their assessments. Something, even a list of questions, might be helpful to help their thinking Issue number 4 Evidence statements are not utilized in the examples and they, along with the progression charts (Appendix F) should be introduced and explain as to how they help teachers design assessments.	85	See recommendation above.
613	7	Public Comment, Naomi Eason	Gen.		This chapter provides a lengthy overview of the purposes of assessment in long-, medium- and short-term cycles followed by a description of three dimensional learning, example performance tasks, and strategies for developing assessments. The majority of the chapter describes performance tasks for different SEPs. Requiring two dimensions as a minimum for assessment can make them more accessible to students due to their more contextualized nature and capture progressively complex concepts (236).	124	General Comment

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614	7	Public Comment, Naomi Eason	Gen.		Add specific references to assessment considerations for people of color or women based on the needs of these subgroups outlined in Chapter 8 (e.g., language needs).	124	Do Not Recommend
615	7	Public Comment, Jonathan Osborne	Gen.		The following comments are provided by the Stanford Next Generation Science Assessment project led by Dr Jonathan Osborne, Graduate School of Education, Stanford University	122	General Comment
616	7	Public Comment, Jonathan Osborne	Gen.		Upto line 177 is textbook material on assessment, none of what is written is specific to science. It invites the question of whether it is needed.	122	General Comment
617	7	Public Comment, Jonathan Osborne	39		Opening sentence appears strange.	122	Recommend: "Assessment is like science, and three-dimensional science learning should be assessed by applying the same three dimensions as the learning itself."
618	7	Public Comment, Jonathan Osborne	44	1	Uses a split infinitive	122	Recommend-minor edit

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619	7	Public Comment, Naomi Eason	47	1	Although line states that, the Framework “does not provide recommendations for district or state testing”, a plan for statewide assessments is presented in line 178. This is confusing and should be clarified.	124	Do Not Recommend
620	7	Public Comment, Kathy Long	148	1	false preconception (need both words? isn't preconception by definition not right? and if right we don't call it a preconception.)	126	Do Not Recommend
621	7	Public Comment, Kathy Long	174	4	Figure 7-1: are the elipses supposed to be targets? Don't really like this figure, but not sure how to change it.	126	General Comment
622	7	Public Comment, Naomi Eason	182-192	5	Specifies that assessments are computer-based and cumulative, but will not last more than 2.5 hours in grades 5, 8 and 10, 11 or 12. These seem like specific requirements for tests that are not yet developed.	124	General Comment

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623	7	Public Comment, Kathy Long	191-195	6	*Table says that scores depend only on 5th grade PEs, but in statements below (193-195 Is says that the assessment will, for the first time, include science PEs taken from all grades in a span, not just the grade in which the test takes place. Comment: This is confusing. I hope it will be that the test includes PEs from all grades. The state test should be about school progress and not just one grade or one teacher; and as the document states: this is to promote science instruction across grades...yay!	126	CDE will consult with Assessment Division on this edit and adjust accordingly.
624	7	Public Comment, Kathy Long	213	6	Table: Change "Possible rationale/motivation" top "Rationale/Motivation" This should not be a tentative description. Teachers need to be confident in what they are reading. *Also need to define matrix sampling for teachers (point to table below that describes this under Test Features that May Affect Interpretation...	126	Recommend: CDE will consult with Assessment Division on this edit and adjust accordingly.
625	7	Public Comment, Kathy Long	219	7	Is this meant to be part of the state assessment description or for the classroom? [I think it should be part of state tests and a subheading for reasons explained below.]	126	Recommend-minor clarification

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626	7	Public Comment, Kathy Long	228	8	Instead of "scientific engineering practices" should be "science and engineering" to be consistent with NGSS and Framework.	126	Recommend-minor edit
627	7	Public Comment, Kathy Long	230	9	"...together the components need to support inferences about students' three-dimensional science learning as described in a given performance expectation." Comment: If this referes to State tests, OK. If it refers to classroom assessment it should not refer to every assessment given to students in the course of a lesson (all assessments three dimensional). You can't just teach a PE and then assess it. The NGSS do not profess to be a curriculum. So other assessments will be needed for diagnosing progress, apropo to the curriculum, as it is building. I think this is better explained later in the document. PEs are sampling of what students should be able to do after instruction, but not the goal of instruction itself (because just a sampling and not coherent curriculum.) Separate from in class assessments? Although you do still want to be including the three dimensions, just not in the same way.	126	Do Not Recommend

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628	7	Public Comment, Kathy Long	248	9	Not sure that this is a good example of models. Models need to be explanatory and these seem mostly like drawing diagrams to illustrate recall understanding.	126	General Comment
629	7	Public Comment, Lisa Hegdahl	248	9	**Original text:** Subtask 2. Use your model to explain what happens with the plate and what happens at the hot spot **when a volcano forms.** **Recommended text:** Subtask 2. Use your model to explain what happens with the plate and what happens at the hot spot **that would result in the formation of a volcano.** **Rationale for change:** The volcano does not affect the hotspot; the hotspot causes the volcano.	46b	Recommend-minor edit
630	7	Public Comment, Lisa Hegdahl	248	9	**Original text:** Subtask 4. Use your model to explain **what happens when a volcano forms near a plate boundary.** **Recommended text:** Subtask 4. Use your model to explain **what happens at a plate boundary that causes a volcano to form.** **Rationale for change:** Assessing, I assume, why the volcano forms at this boundary, not what happens as a result of it forming.	46b cont.	Recommend-minor edit

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631	7	Public Comment, Kathy Long	273	10	The CA NGSS were constructed using Evidence-Centered Design (This is a process for assessment design. A standard might be the focus of ECD, but not usually the process used to design the standard???.)	126	General Comment
632	7	Public Comment, Kathy Long	281	10	Tasks and evidence statements. This seems like it is meant for textbook programs that need separate tasks set up to see if they can use all three dimensions. I think a different model needs to be set up for active inquiry curriculum in which students are doing these sorts of tasks all the time. Because they are engaged in planning and carrying out investigations all the time, there should be no need for separate "tasks" to assess this in the classroom. Teachers should be guided to assess what is already happening on a daily basis, rather than breaking the sequence of that instruction to do a "task." The rub with this is that the NGSS are essentially a sampling of what students should be able to do, but the standards themselves are not a coherent curriculum and the NGSS doc itself states very clearly that the NGSS are not a curriculum.	126	General Comment-no changes recommended

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633	7	Public Comment, Kathy Long	314	10	This bullet needs to include that the task can be part of a curriculum package as well as the other options. Teachers should not have to reinvent the wheel. Better to start with something and improve it if necessary.	126	Recommend
634	7	Public Comment, Naomi Eason	315	12	Clarify the nature of teacher-developed performance tasks. Teachers will need more support to design such tasks, especially at the elementary level. This is not particularly realistic. Many teachers struggle to create formative embedded assessments for components of ELA/ELD.	124	Do Not Recommend
635	7	Public Comment, Naomi Eason	305-316	12	Delete the following descriptor: “Include multiple tasks that may focus on individual SEPs, CCCs or DCIs.” Although the sample tasks include two of the three dimensions, it is not sufficient to measure SEPs or CCCs without a corresponding DCI. Recommend that the assessment tasks be adapted to pair SEPs with DCIs or CCCs with DCIs to most accurately portray the intent of the NGSS as well as the nature of science.	124	Do Not Recommend
636	7	Public Comment, Kathy Long	318	12	Again, need to include curriculum programs that have these included	126	General Comment

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637	7	Public Comment, Kathy Long	333	12	relationship (not plural)	126	Recommend-minor edit
638	7	Public Comment, Naomi Eason	344-477	13	These performance tasks measure SEPs and CCS with DCIs not aligned to the grade level. Example Performance Task 1 measures sinking and floating, which is not represented in any of the second grade DCIs for ESS. Example Performance Task 2 does not clearly outline what DCIs students would need to learn prior to completing the task (e.g., cellular respiration, photosynthesis).	124	Recommend to keep. Discussion focused that example was good but DCI is in wrong grade-level. Writer will call out that DCI is in wrong grade level and will label it as a "primary example."

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639	7	Public Comment, Kathy Long	367	13-18	Prompt for Question 1. Where is the practice here? First you are telling kids how to do the investigation, very prescribed. Then you ask them to write an explanation of what will happen. OK "explanation" is a practice, but you're not really asking for an explanation, only what will happen. If I were a student in grade 2 I might write it will float, and possibly not be straight, but there needs to be a prompt that asks students why this will happen, especially this young, if you really want an explanation. Also since they aren't actually doing this, teacher needs to demo washer placement to clarify for young students. The 3 point rubic is unrealistic if you don't change the prompt.	126	Recommend to keep. Discussion focused on that the progressions are very basic but are appropriate for K-2 level. Writer will include a sentence that this is a good example at this level.
640	7	Public Comment, Kathy Long	389	14	While I think Grade 2 students might think in terms of stability, not so sure about force in this case. Has this task been tested with Grade 2 students? Without testing, I think students in Grade 2 might not consider the fact that the disk is off centered in their mental model with no experience.	126	Do Not Recommend: This is a published example that has been tested.

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641	7	Public Comment, Kathy Long	403	15	Need to ask for what happened and why that happened if you want more than just a description of what students saw.	126	Do Not Recommend
642	7	Public Comment, Kathy Long	403	15	Describing what happened is not an explanation. It's an observation.	126	Do Not Recommend
643	7	Public Comment, Kathy Long	414	15	This is no longer a prediction, it's an observation.	126	Do Not Recommend
644	7	Public Comment, Kathy Long	418	15	This rubric is not fair since you have not asked students to explain why it tilted.	126	Do Not Recommend
645	7	Public Comment, Kathy Long	426-429	16	Not clear how 3 points is different from 2 points. Are you suggesting in the prompt that the boat has to be "loaded" so if a student asks what happens with two large discs, that is less of an answer. If this is the case, way too subtle for 2nd graders. Either question is legit for Grade 2.	126	General comment-no recommended changes
646	7	Public Comment, Kathy Long	438	16	So sink is the key word? A 2-point score is still thinking about stability and change, not just specifically sinking. This is especially problematic since earlier we weren't thinking about sinking at all. Students can ask lots of good questions without it sinking. Need to revise this.	126	General comment-no recommended changes

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647	7	Public Comment, Kathy Long	446	16	If you are looking for consistent scoring from one teacher to the next, it can't happen with this rubric. Don't know how to make this more detailed, and I'm assuming this is just for classroom assessment, so maybe OK.	126	General Comment
648	7	Public Comment, Kathy Long	468	17	Table: "A ship made from metal can be loaded with iron and still float." This statement in particular is problematic since this seems like it refers more to real life than what happened in the classroom "a metal ship" "loaded with iron". Maybe need to clarify in prompt that all statements refer to the "metal ship" we investigated.	126	General Comment
649	7	Public Comment, Kathy Long	475	17	The claim is made that the item learned can be related to DCIs about forces and weight. But there are no DCIs designated for Grade 2 about force and weight. Further, what PE is this supposed to be assessing at Grade2? The only one that looks close to me is 2-PS1-2 "Analyze data obtained from testing different materials to determine which materials have the properties that are best suited for an intended purpose." This performance task does not do a good job with this...so what PE are we assessing?	126	General Comment-no recommended changes

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650	7	Public Comment, Lisa Hegdahl	478	18	**Original text:** Subtask 4. Oakland Unified School District (OUSD), **an early NGSS implementer,** Recommended text: Oakland Unified School District (OUSD), **a California K-8 NGSS Early Implementation Initiative district,** **Rationale for change:** Many districts and programs ‘say’ they are ‘early implementers’ because they are attempting to implement, but are not one of the 10 districts participating in the California K-8 NGSS Early Implementation Initiative as is Oakland.	46b cont.	Recommend
651	7	Public Comment, Kathy Long	492	18	one-page (add hyphen)	126	Recommend-minor edit
652	7	Public Comment, Hope Oliver	561	18	**Original text:** “Water (H2O) taken up by roots “ **Recommended text:** Provide units of measure or specify this is a % or a rate **Rationale for change:** Unable to identify data	26b,54b	Recommend-minor edit

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653	7	Public Comment, Kathy Long	footnote	22	"The potential misalignment illustrates the challenge of developing authentic performance tasks with coherent storylines that also fit into the narrow specifications of the CA NGSS PEs." This is something that needs to be made very clear because some of the PEs are extremely narrow; and some additional latitude needs to be given when developing assessments.	126	General Comment
654	7	Public Comment, Kathy Long	607	23	Importance of this paragraph is permission to start with some questions that assess one or two dimensions. I think this needs to be made clear in earlier pages. Idea is that a set of questions will cover the three dimensions. Also if teachers are using a curriculum that already includes these sorts of tasks, they need to be critical consumers, but won't necessarily need to make up their own.	126	Recommend-minor clarification
655	7	Public Comment, Kathy Long	631	25	What is a snapshot? confusing here because you are titling these "Assessment snapshots" and then you are using the word again as if it is a short lesson or something like that.	126	General Comment

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656	7	Public Comment, Kathy Long	637	26	This is actually a very good question for students to ask. If they have experienced mealworms or silkworms in the classroom, they have not seen insects "drink water" since they get the water they need from the food they eat. Revise scenario? The idea behind it is OK, just the detail is not so good.	126	Do Not Recommend
657	7	Public Comment, Kathy Long	678	26	This could be a perfect example of formative assessment. Teacher here could take notes about well formulated questions and decide what to do as a next instructional step. To "grade" or give students points on every single thing, including this type of activity, seems counterproductive according to the research. If not here, please provide an example of this kind of formative assessment as well as something that needs to be scored.	126	Do Not Recommend any changes. Writer noted that in previous meeting he was requested to add more rubrics.
658	7	Public Comment, Kathy Long	683	27	So it's not clear to me now if we are going back to the Biodome scenario or this is something separate. I thought we were in a new section, so I'm surprised that we seem to be talking about the Biodome problem again. Please clarify.	126	Recommend. Set the context for the task better by saying, "Examples from a task interpreting graphs of average global temperature in the 20th century (MS-ESS3-5):"

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659	7	Public Comment, Kathy Long	752	27	Paragraph: really like this example of peer assessment and opportunity to revise	126	General Comment
660	7	Public Comment, Kathy Long	765	30	"9" Should that be "Figure 7-9"?	126	Recommend-minor edit
661	7	Public Comment, Kathy Long	818	31	Nice paragraph on formative assessment strategies	126	General Comment
662	7	Public Comment, Kathy Long	845	33	Better to say: "They ...administer a short one-page assessment to their students at the beginning and again at the end of the year about planning experiments..."	126	Recommend-minor edit
663	7	Public Comment, Kathy Long	883	34	Not sure this is the right section about testing attitudes. Seems to drop in from the sky.	126	General Comment-no recommended changes
664	7	Public Comment, Kathy Long	941	36	At this point, please refer teachers to Figure 7-2 so they will have some idea what is expected in the activity.	126	Recommend-minor clarification
665	7	Public Comment, Kathy Long	947	38	Don't like the wording "If Amara is correct." That should not be the argument here. It should be investigating the best wing position. Sets a bad example of worrying more if prediction is correct than investigating the possibilities to determine design or science concept.	126	General Comment-no recommended changes

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666	7	Public Comment, Kathy Long	976	38	This scenario needs to be changed to airplanes not rockets. Every rocket you see has the wings (fins) in the back or on the bottom. To make this more authentic, you are talking about a glider, which is in essence an airplane, not a rocket (that has a constant force pushing it along, at least for its launch). The results are misleading if a young student were actually to apply this to rockets.	126	General Comment-no recommended changes
667	7	Public Comment, Lisa Hegdahl	1058	39	**Original text:** AAAS **Recommended text:** Define **Rationale for change:** Define all acronyms	46b cont.	Writer to follow CDE style manual.

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668	7	Public Comment, Kathy Long	1092	42	I think the scenario above this part is nice because it emphasizes interative formative assessment. Not sure where she's going with this last paragraph, so would like to delete it or else include the rubric. I know the content isn't the focus, but I need to see where this is going. Not clear how this all fits together. (Layer F's volcano seems like a strange way to talk about this.) Maybe I'm just getting tired of reading, but the last two examples seem to be on the general side without providing specific recommendations. Perhaps a summary paragraph at the end of each to point out the goals the scenario was intended to describe. Some of the scenarios are a bit difficult to picture. Perhaps more illustrations or graphics could be included to clarify the content and practices, etc. that are the goals.	126	General Comment-no recommended changes
669	8	Public Comment, Silvia Carranza	Gen.	43	English Learners are such a huge section of the student population in California that it would be more valuable to separate the information regarding Access and Equity for ELLs in a separate chapter.	63	Do Not Recommend: This would take a major revision.

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670	8	Public Comment, Sue Heraper	Gen.		To support English learners, consider using https://rewordify.com/	84	Recommend to include following content on page 16, line 460: When designing integrated ELD science instruction, educators should carefully consider the level of their English learners and determine how the skills and concepts from the ELD standards can support and provide access to the practice and mastery of grade-level science standards. Educators can provide opportunities for English learners to access rigorous science content by planning for targeted scaffolding in order to promote academic discourse and comprehension, analysis, and creation of written and spoken texts.

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671	8	Public Comment, Naomi Eason	Gen.		The following are some of the highlights and strengths of the chapter: A focus on nine subgroups that have been traditionally marginalized in STEM classrooms and careers (52-62) with an explicitly stated focus to provide “rich, relevant, and engaging” instruction for all students (82-85). In addition, a significant portion of the chapter is devoted to background and instructional considerations for each subgroup. A strong section on “Culturally and Linguistically Responsive Teaching” (1149-1239), which defines the concept and directly relates it to social justice (1170). Furthermore, it reiterates the “additive stance” required to include students from diverse backgrounds in STEM. Two very good snapshots are included here as well (1218–middle school and 1216–high school). Additional resources are included (1226-1241) to expand the reader’s understanding.	124	General Comment

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672	8	Public Comment, Naomi Eason	Gen.		The following are some of the highlights and strengths of the chapter: Differentiation is addressed in the relatively brief section on Universal Design (1039). It includes one snapshot (1060; high school biology) and references the Universal Design for Learning Center twice (http://www.udlcenter.org). A thorough section on “Integrated and Designated ELD and STEM” (1241), which outlines several cognitively and linguistically demanding tasks (1246-1258), highlights critical areas of effective instruction for ELs (1269), contrasts integrated and designated ELD (1307), and provides several examples of instructional strategies (e.g., language frames, 1349) and scaffolding (1420) to support scientific language development. Two very well crafted vignettes are captured in Snapshot 6 for kinder (1520) and Snapshot 7 for 7th grade (1522). Focus on Girls and Young Women and Gender Equity in Science Education (698-817). The chapter includes five specific strategies for creating learning environments that support women, and a list of three references for more information about the status of women in science and engineering.	124	General Comment

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673	8	Public Comment, Naomi Eason	Gen.		Although art may be an “onramp” for STEM (111), recommendations should be mindful of distinguishing between scientifically accurate uses of art (e.g., scientific sketching) and creative or imaginative art (e.g., smiling insect pictures).	124	General Comment
674	8	Public Comment, Naomi Eason	Gen.		DOK (depth of knowledge, Webb, 2005) is only referenced relative to assessment in the section for addressing Advanced and Gifted Learners (860-865). It would serve the Framework well to use this construct to further explain what constitutes “rich, relevant, and engaging” instruction applied to all subgroups.	124	General Comment
675	8	Public Comment, Naomi Eason	Gen.		Move the section on Culturally and Linguistically Responsive Teaching (1149-1239) earlier in the document to frame the larger conversation about access and equity.	124	Do Not Recommend
676	8	Public Comment, Naomi Eason	Gen.		The final section of the chapter (Supporting Students… 1529) contains good ideas, but seems misplaced.	124	General Comment
677	8	Public Comment, Susan Gomez Zwiep	Gen.		Detailed suggestions on improving ELD/Science vignettes	133, 134	Recommend to include suggested changes to ELD vignettes as submitted by Dr. Gomez-Zweip in public comments #133 & 134.

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678	8	Public Comment, Naomi Eason	207-210		Figure 3 includes a reference to the 2011 NAEP performance. Perhaps include a snapshot of science performance in CA specifically. A similar recommendation would apply to the presentation of Figure 7 Women Share of STEM Jobs (716).	124	Do Not Recommend: opportunity to develop as a supporting document.
679	8	Public Comment, Silvia Carranza	235	7	**Original text:** Standard English as it "highly… **Revised text:** Standard English as it is "highly… **Rationale for change:** grammar	63	Recommend-grammar
680	8	Public Comment, Silvia Carranza	319	8	**Original text:** Chicana/Chicano English **Revised text:** Term chicano/chicana refers to Mexican Americans and disenfranchises other language-minority populations from Central or South America who share the same linguistic characteristics. **Rationale for change:** Political correctness	63	Do Not Recommend: This aligns to the ELA/ELD Framework.
681	8	Public Comment, Naomi Eason	458	11	Include reference to Pearson, Moje, & Greenleaf (2010) when describing science and literacy "in service of each other" (See: http://science.sciencemag.org/content/328/5977)	124	Recommend

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682	8	Public Comment, Naomi Eason	499-500	16	No strategies are listed for how to “enroll and retain” long-term English learners in science coursework. Given the long-standing trends of unintentionally tracking students before higher-level sciences in secondary school, this suggestion needs more action.	124	General Comment
683	8	Public Comment, Naomi Eason	583-585	17	Strategies for how to provide “extended learning opportunities” for students living in poverty are not named.	124	General Comment
684	8	Public Comment, Naomi Eason	716	20	See previous comment about science performance in CA specifically for Figure 7.	124	Do Not Recommend: Opportunity to develop as a supporting document.
685	8	Public Comment, Naomi Eason	802	24	The organization/placement of the Performance Expectations in the Snapshots figure is a bit awkward. Perhaps place in the same box as snapshot title or not isolate it in its own box in the table.	124	Recommend-format change

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686	8	Public Comment, Naomi Eason	1226-1241	27	Include additional resources, such as professional organizations for cultural subgroups (e.g., Women or African American and Hispanic Scientists). http://mymaes.org/ http://www.shpe.org/ http://www.sciencemag.org/careers/2001/03/underrepresented-minorities-science-nih-black-scientists-association-addressing-needs Many of these organizations have educational resources for teachers. In general, the Framework needs more links to culturally relevant pedagogy and professional development that provides teachers with tools critical for educating diverse students.	124	Recommend adding noted resources.

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687	9	Public Comment, Mulholland-Beahrs	Gen.	48-49	Emphasize that Learning Environments Extend Beyond the Classroom: We encourage incorporating this statement in Chapter 9 Instructional Strategies for CA NGSS Teaching and Learning in the 21st Century: Student centered learning environments extend beyond the classroom to the schoolyard, the community, parks, outdoor schools, museums, zoos, aquariums and beyond. Throughout this framework, when we refer to learning environments, we are referring to studentcentered learning spaces both in the classroom and in the field. The promotion of learning environments both in and outside of the classroom will allow educators to maximize the tools and resources available to their students. In Chapter 9, we have identified places to mention these types of educational experiences. We hope that the final revision will reflect the potential of outdoor learning to transform classroom and field experiences as fundamental to student success.	58b	Recommend (see #695 for language recommended)
688	9	Public Comment, Joanne Michael			Chapter 9 is such an important concept/chapter/ piece… it should be placed earlier in the document	75a	Do Not Recommend

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689	9	Public Comment, Lawrence Flammer	Gen.		REFERENCES: Two Items To Add To List Of Resources (p. 9-36) and References (p. 9-66, ff): Evolution and Nature of Science Institutes (ENSI) (1998): Freely downloadable interactive lessons for explicitly teaching NOS; http://www.indiana.edu/~ensiweb/natsc.fs.html (accessed July 10, 2016) Flammer, Lawrence. Science Surprises: Exploring the Nature of Science (2014): Interactive NOS e-Text for any secondary science student. http://www.indiana.edu/~ensiweb/ss.book.avail.html (accessed July 10, 2016)	86e	Do Not Recommend

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690	9	Public Comment, Lawrence Flammer	Gen.		Key Features Of Science There are a number of important features of science that are often misunderstood. Somewhere in this Framework, guidelines for explicitly teaching the nature of science must include a clear explanation for at least a few commonly misunderstood and misused concepts, such as the following: Hypotheses It's very important to make clear and explicit the proper meaning and usage of the word "hypotheses" A hypothesis is a tentative testable explanation. Unfortunately, some textbooks and teachers define "hypothesis" as an "educated guess," which is much too vague to be meaningful. "Educated guess" about what? A guess (educated or otherwise) could be about anything, like guessing what your friend had for breakfast, or guessing what somebody is thinking. Those are not hypotheses. Those are guesses. A hypothesis is typically a testable tentative explanation for some natural phenomenon. Some textbooks and teachers treat a hypothesis as a prediction, or expected result of an experiment, which it's not. A hypothesis is a tentative explanation for some natural phenomenon: a statement for how the phenomenon might work, or why it happens. Testing the hypothesis means describing particular observations you can look for if the hypothesis is correct (say, in a crime scene), and alternative observations if it's wrong. Those are the predictions. Or a test could be an experiment, where you perform a certain procedure that could	86e	Do Not Recommend: Useful for a textbook but has no focus on strategies relevant to Chapter 9.

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690 cont.	9	Public Comment, Lawrence Flammer			hypothesis, you should be able to predict the outcome of that procedure if the hypothesis is correct, and a different outcome if the hypothesis is wrong. Degrees of Tentativeness Scientific knowledge can be modified as new empirical evidence dictates. Although that statement is true, many fail to realize that there are degrees of tentativeness. Many people think that all scientific knowledge is equally tentative, that any scientific idea can be turned around at any time. Those people don't fully understand how science works. New hypotheses are clearly tentative. But as they survive repeated testing, they become increasingly durable, less likely to change. Theories (well-established broad explanations based on a collection of observations and well-tested hypotheses over time) are least likely to change, at least to any substantial degree. Scientific explanations, as compared with any other way of knowing, have an excellent track record. Most of our successes in space and medical research reflect the considerable reliability and durability of science. Would you expect us to discover someday that the Sun actually revolves around the Earth? It's technically possible, but extremely unlikely. Our Sun-centered solar system is an example of a well-established theory. Virtually all established scientific theories are like that - very unlikely to be overturned, or even significantly changed.	86e	Do Not Recommend: Useful for a textbook but has no focus on strategies relevant to Chapter 9.

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690 cont.	9	Public Comment, Lawrence Flammer	Gen.		Natural vs Supernatural Explanations, and Scientific Testing Do you know that science must use natural explanations, never supernatural? That's true, but many do not know that. Do you know why that is? An important part of science is testing possible explanations (hypotheses) for natural phenomena or processes. That means critically trying to show that an explanation does not work - trying to disprove an explanation. If that effort fails, after repeated trials, then that explanation is strengthened, and is considered to be at least close to the real explanation. One of the early goals of science was to discover natural explanations for what appeared to be supernatural phenomena. For example, it was thought by some people that disease epidemics were expressions of displeasure by the gods (a supernatural explanation). But science cannot use supernatural explanations because supernatural powers cannot be critically tested; they cannot be disproved. Any test applied involves making predictions for its outcome based on the required predictability of that explanation. But supernatural powers can, by definition, supposedly override natural processes, making it impossible to reliably predict outcomes. Therefore, supernatural explanations, as such, are beyond the realm of science.	86e	Do Not Recommend: Useful for a textbook but has no focus on strategies relevant to Chapter 9.

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691	9	Public Comment, Lawrence Flammer	Gen.		Supernatural powers may exist, but science can neither support nor refute supernatural explanations. Science must hold a neutral position regarding supernatural phenomena as such.	86e Cont.	Do Not Recommend: Useful for a textbook but has no focus on strategies relevant to Chapter 9.

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691 cont.	9	Public Comment, Lawrence Flammer	Gen.		Another reason that science cannot use supernatural explanations is that those explanations are typically based on authority. That is, supernatural explanations have been claimed for mysterious happenings as written by ancient writers in documents considered by many to be totally literally reliable, e.g., the Bible, or the Koran. But scientific explanations, by intention, must be based on empirical material evidence subject to critical testing. That requirement for science is based on the fact that observable material evidence has been shown to be more reliable than the verbal explanations by ancient wise people. In other words, well-tested scientific explanations (theories) work. Predictions based on those theories are consistently confirmed. On the other hand, careful and critical observations in the natural world often fail to fit statements made by ancient wise people. For example: if all life forms were created at one short period of time, as many believe, we would expect to find fossils of all life forms first appearing about the same time, in the same level of sediments. We do not find this. Instead, we find patterns of fossil sequences clearly showing that life has changed significantly over time. In addition, those changes look like they involved gradual modifications of early features into new features, rather than suddenly appearing totally new and well designed. Although this fact may raise doubt about the validity of the claim for special creation, it is not definitive evidence against it. Supernatural powers	86e Cont.	Do Not Recommend: Useful for a textbook but has no focus on strategies relevant to Chapter 9.

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691 cont.	9	Public Comment, Lawrence Flammer	Gen.		Bias in Science Because scientific explanations are presented with empirical evidence supporting them, we tend to think of science as being unbiased and totally objective. However, for many reasons, scientific studies can be quite biased - favoring a particular world-view or even a belief system. Scientists are people, and all people have biases, often without them realizing it. For example, if you work for a pharmacy company or an oil company, and are dependent on that company for your income and medical benefits, you are not likely to be too critical of the company. That's a bias (a conflict of interest bias). If a scientist works for the company that is paying her for her scientific work, she would probably be reluctant to publish results of a study that would be critical of that company (another conflict of interest bias). However, because we recognize that we all have biases, and that science must be as objective as possible, the culture of science is specifically structured to neutralize or avoid those biases. First of all, most science today is done by at least 2-3 scientists working on the same project, often with several such scientists. As a result, the biases of each scientist tend to be countered by the other scientists. In addition, any possible conflicts of interest for any of the authoring scientists must be revealed in their paper. In that paper, there must also be a clear description of the evidence presented to support the claims, along with the	86e Cont.	Do Not Recommend: Useful for a textbook but has no focus on strategies relevant to Chapter 9.

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691 cont.	9	Public Comment, Lawrence Flammer	Gen.		When the report of a scientific study is to be published in a scientific journal (as most scientific reports are), the publisher sends the paper to several scientists in the same field for peer review. Those peer scientists critically review the paper and point out all weaknesses and flaws to the publishers. The papers must be revised accordingly before they are reconsidered for publication. If any fraud, bias or errors are discovered after publication, then pressure from other scientists may lead to the withdrawal of that paper, and the authors are professionally discredited. As a result of all of these "rules" (and more), scientific knowledge tends to be objective and relatively devoid of bias. On the other hand, when scientific claims are made in advertising, or even in books published by scientists, no such peer review is required, and the claims made there should be suspect (unless backed by reports published in scientific journals).	86e Cont.	Do Not Recommend: Useful for a textbook but has no focus on strategies relevant to Chapter 9.

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692	9	Public Comment, Naomi Eason	Gen.		This chapter provides a detailed description of instructional strategies for implementing the CA-NGSS with an eye for 21st Century learning. There are features in this chapter that represent an instructional perspective that embraces a “begin where they are” stance that builds on students’ prior knowledge and engages them in making meaning. There are also strategies that promote equity in how students demonstrate knowledge and in their engagement. In addition, the resource list under each section is helpful, especially the reference to Famous Black Inventors (686), Women in STEM (689), and the Girls Go Global unit Snapshot (1038).	124	General Comment
693	9	Public Comment, Naomi Eason	Gen.		Rename chapter title from “Strategies” to “Approaches” for a clear representation of the content in the chapter.	124	Do Not Recommend
694	9	Public Comment, Naomi Eason	Gen.		Add resource sections for the ELA and Math sections. For Language Demands, specifically, include Understanding Language from Stanford: http://ell.stanford.edu/	124	Recommend
695	9	Public Comment, Gerald Lieberman	Gen.		Dr. Lieberman submitted an addition regarding Instructional Strategies Using Outdoor Learning Experiences	94	Recommend including suggested language submitted in public comment #94 on outdoor learning experiences.

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696	9	Public Comment, Jennifer Hierons	Gen.		The California Outdoor Engagement Coalition had the pleasure of collaborating with ChangeScale to host a feedback session with the unifying goal of connecting children with the outdoors. We focused our efforts on Chapter 9: Instructional Strategies, where we offered specific language to explicitly incorporate field-based learning into the recommended instructional strategies for k-12 students throughout California. For example, we encouraged them to incorporate the following sentences: Student-centered learning environments extend beyond the classroom to the schoolyard, the community, parks, outdoor schools, museums, zoos, aquariums and beyond. Throughout this framework, when we refer to learning environments, we are referring to student-centered learning spaces both in the classroom and in the field.	106	General Comment

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697	9	Public Comment, Matthew Biggar	Gen.		Please include the following in Chapter 9 to explicitly incorporate field-based learning into the recommended instructional strategies for k-12 students. Student-centered learning environments extend beyond the classroom to the schoolyard, the community, parks, outdoor schools, museums, zoos, aquariums and beyond. Throughout this framework, when we refer to learning environments, we are referring to student-centered learning spaces both in the classroom and in the field.	107	General Comment (see next item 698)
698	9	Public Comment, Craig Strang	45-46		"Teachers must support that shift with the tools and techniques they use in their classrooms **and outdoors**."	47b,56a, 57a, 65b	Do Not Recommend Where to address a classroom setting is both inside a structure and outside. See edit for page 3 line 80 that was recommended (#706).
699	9	Public Comment, Deborah Zierten	45-46	2	"Teachers must support that shift with the tools and techniques they use in their classrooms **and in the field**."	53b, 125	Do Not Recommend - see #706 for recommendation.
700	9	Public Comment, Craig Strang	49	2	"…choices about which strategies to employ **in and outside of the classroom**."	47b cont.	Do Not Recommend - see #706 for recommendation.

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701	9	Public Comment, Deborah Zierten	49	2	"…choices about which strategies to employ **in and out of the classroom**."	53b,56a, 57a, 65b, 125	Do Not Recommend - see #706 for recommendation.
702	9	Public Comment	59	2	"and minute-by-minute **instructional** techniques..."	47b cont., 53b, 56a, 57a, 65b	Recommend
703	9	Public Comment	70	3	"Content and **practices** build on students existing experience to learn about and solve real-world **societal and environmental problems**."	47b cont., 53b, 56a, 57a, 65b, 125	Recommend
704	9	Craig Strang	72	3	**Original text:** "...students' ideas are at the center of..." **Revised text:** ...students' ideas and questions are at the center of ... **Rationale for change:** emphasize high motivational value of questions from students	86e	Recommend

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705	9	Public Comment	80	3	**Original text:** AFTER the sentence "Engaging students in relevant issues requires connecting to students' everyday experiences." **Recommended text:** INSERT: **"Student-centered learning environments extend beyond the classroom to the schoolyard, the community, parks, outdoor schools, museums, zoos, aquariums and beyond. Throughout this framework, when we refer to learning environments, we're referring to student-centered learning spaces both in the classroom and in the field."**	47b cont. 53b,56a, 57a, 65b, 125	Recommend Include "virtual platforms" after aquariums, so it will read, "…zoos, aquariums, virtual platforms, and beyond."
706	9	Public Comment, Craig Strang	85	3	Table 9-1 Add a row: More of this… **Learning takes place routinely in a variety of settings: in the classroom, outdoors, in school gardens and in the field, in museums and aquariums and in the community** Less of this… **Learning only occurs indoors in the classroom**	47b cont., 53b, 56a, 57a, 65b, 125	Recommend

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707	9	Public Comment, Craig Strang		3	Table 9-1 “Students build science and engineering understanding using a variety of practices in investigations, experiments, and project-based experiences **in the classroom and the field**.”	47b cont., 53b, 56a, 57a, 65b, 125	Do Not Recommend
708	9	Public Comment, Craig Strang		4	Table 9-1 “Student reasoning and argumentation play a central role in understanding labs, **field investigations and text**.”	47b cont., 53b, 56a, 57a, 65b, 125	Do Not Recommend
709	9	Public Comment, Craig Strang		4	Table 9-1“Engineering **and problem solving** are integrated into all science disciplines.”	47b cont., 53b, 56a, 57a, 65b	Do Not Recommend
710	9	Public Comment, Lawrence Flammer	86	4	**Original text:** [bottom of box]: "Teacher questioning prompts and facilitates students..." **Revised text:** "Teacher questioning prompts facilitates students..."**Rationale for change:** "and" makes for confusing sentence.	86e	Do Not Recommend

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711	9	Public Comment, Craig Strang	102	5	“Providing students common exploratory and open-ended classroom **and field-based** experiences...”	47b cont., 53b, 56a, 57a, 125	Recommend: Include this language.
712	9	Public Comment, Craig Strang	122	5	“…make these valuable connections **both in the classroom and the field**.”	47b cont., 53b, 56a, 57a, 65b, 125	Do Not Recommend
713	9	Public Comment, Craig Strang	138	6	“The tasks that students are asked to do, whether in the classroom, **the field**, for homework, or for assessment purposes,...”	47b cont., 53b, 56a, 57a, 65b, 125	Do Not Recommend
714	9	Public Comment, Deborah Zierten	158	6	Table 9-2, Level 1- Recall and Reproduction “Represent in words or diagrams a scientific concept or relationship, **ecological process** or relationship...”	53b, 56a, 57a, 65b, 125	Do Not Recommend
715	9	Public Comment, Deborah Zierten	158	7	Table 9-2, Level 2- Skills and Concepts “Describe and explain examples and nonexamples of science **and/or environmental** concepts...”	53b, 56a, 57a, 65b, 125	Do Not Recommend

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716	9	Public Comment, Deborah Zierten	158	8	Table 9-2, Level 3 - Strategic Thinking “Research or explain a scientific **and/or environmental concept...**”	53b, 56a, 57a, 65b, 125	Do Not Recommend
717	9	Public Comment, Craig Strang	181	8	“The first instructional practice centers around planning lessons so that they focus on specific phenomena **that can be directly observed in the classroom and in the field**, that are illustrative manifestations of DCIs.”	47b cont., 53b, 56a, 57a, 65b, 125	Do Not Recommend

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718	9	Public Comment, Craig Strang	182	10	“For the next instructional practice, teachers must elicit students’ emerging ideas about these phenomena in a **constructivist way**.”	47b cont., 53b, 56a, 57a, 65b, 125	Recommend: Include the following writer's edit: "Research on how people learn demonstrates that students build new knowledge by relating it to what they already know, so the second instructional practice requires that teachers elicit students emerging ideas about phenomena. This stage is an essential component of Ambitious Science Teaching and effective science instruction that is not explicitly represented in any of the three dimensions, but does relate to the CA NGSS principles of having a coherent curriculum and relating to student interest and prior experience"

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719	9	Public Comment, Craig Strang	220	10	Table 9-3 (Engage) "Engage segments pique student curiosity and generate interest through activities **in the classroom and in the field that are personally relevant**."	47b cont., 53b, 56a, 57a, 65b, 125	Do Not Recommend
720	9	Public Comment, Deborah Zierten	220	11	"The 5E sequence can be effective for sequences of lessons within a multi-week unit and to the individual activities within a single day's lesson plan, **with particular relevance to environmental learning over time**."	53b, 56a, 57a, 65b, 125	Do Not Recommend
721	9	Public Comment, Craig Strang	235	11	AFTER "…to novel situations, and solve problems [SEP-6]." ADD: **All segments can occur in a variety of learning environments, outdoors and in the community, as well as in the classroom.**	47b cont., 53b, 56a, 57a, 65b, 125	Recommend
722	9	Public Comment, Lawrence Flammer	238	13	**Original text:** "...expand student thinking inspire..." **Revised text:** ...expand student thinking, inspire... **Rationale for change:** insert comma in series of items.	86e	Recommend-minor edit

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723	9	Public Comment, Joanne Michael	260	13	**Revised text:** “She has student predict…” **Rationale for change:** Should be “She has students predict…”	75a	Recommend-minor edit
724	9	Public Comment, Lawrence Flammer	275	14	**Original text:** "During the activities, the Mrs. S employs..." **Revised text:** During the activities, Mrs. S employs... **Rationale for change:** "the" not needed here.	86e	Recommend-minor edit
725	9	Public Comment, Holly Steele	363-425	14	Lines 363-425: Consider moving the science talk moves section to section beginning at line 1192. Or, make reference in section beginning at line 1192 to earlier work on science discourse. -Table 9-7: Include a sample of each type of notebook entry -Dedicate more time and attention to explaining the difference between the science notebook and an engineering notebook -The science section was fairly detailed, in that they each included a definition and a purpose, but the engineering section lacks this specificity	73	Do Not Recommend

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726	9	Public Comment, Craig Strang	374		"establish a supportive **student-centered learning environment with norms that respect sharing of 'first draft thinking**'"	47b cont., 53b, 56a, 57a, 65b, 125	Do Not Recommend
727	9	Public Comment, Craig Strang	380	17	"explicitly state that science talk in the classroom and in **the field** mirrors the practice of professional…"	47b cont., 53b, 56a, 57a, 65b, 125	Do Not Recommend
728	9	Public Comment, Craig Strang	397	18	"to cultivate a **learning environment culture** where students feel comfortable sharing their ideas and recognize that they are expected to do so. Discussing class norms and posting them as reminders in the classroom..."	47b cont., 53b, 56a, 57a, 65b, 125	Recommend
729	9	Public Comment, Deborah Zierten	433	19	"They vary in complexity depending on grade level **and can be individual-based or collaborative**. (Figure 9-1 and Figure 9-2)."	47b cont., 53b, 56a, 57a, 65b, 125	Recommend

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730	9	Public Comment, Craig Strang	434	20	“and formal lab **or field reports**”	47b cont., 53b, 56a, 57a, 65b, 125	Recommend
731	9	Public Comment, Craig Strang		20	Table 9-6, Support differentiated instruction “Science notebooks can be helpful in addressing the needs of students with mixed ability levels" Delete " In the classroom".	47b cont., 53b, 56a, 57a, 65b, 125	Do Not Recommend
732	9	Public Comment, Craig Strang	456	21	Table 9-7 Entry Type: Drawings, under Definition “Student generated drawings of animals, plants, **the environment**, materials, scientific investigation set-up, observation or concepts.”	47b cont.	Do Not Recommend
733	9	Public Comment, Deborah Zierten	456	22	Table 9-7 Entry Type: Drawings, under Definition “Student generated drawings of **nature, animals, plants**, materials, scientific investigation set-up, observation or concepts.”	53b, 56a, 57a, 65b	Do Not Recommend

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734	9	Public Comment, Craig Strang	456	22	Table 9-7 Entry Type: Drawings, under Definition “2. Scientific Illustrations: Detailed, accurate, labeled drawings of observations **in the natural world or** science concepts.”	47b cont.	Do Not Recommend
735	9	Public Comment, Deborah Zierten		22	Table 9-7 Entry Type: Drawings, under Definition “2. Scientific Illustrations: Detailed, accurate, labeled drawings of **nature-based** observations or concepts.”	53b, 56a, 57a, 65b, 125	Do Not Recommend
736	9	Public Comment, Craig Strang	456		Table 9-7 Entry Type: Drawings, under Purpose “Students use drawings to make their thinking and observations of concrete or abstract ideas visible. **Teachers can offer examples of scientific drawings to help students realize that any level of drawing skill is valuable.** Drawings access diverse learning styles, allow…”	47b cont., 53b, 56a, 57a, 65b, 125	Do Not Recommend

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

737	9	Public Comment, Deborah Zierten	456	22	Table 9-7 Entry Type, Drawings, under Purpose “Drawings access diverse learning styles, allow entry to the writing process for special needs students and emergent writers, and assist in vocabulary development (e.g. oral explanations, group discussions, labels, **notebook illustration examples from real scientists**)”	53b, 56a, 57a, 65b, 125	Do Not Recommend
738	9	Public Comment, Craig Strang	456	22	Table 9-7 Entry Type: Notes and Practice Problems, under Definition “A record of ideas, observations, or descriptions of information from multiple sources, including but not limited to direct instruction, **nature-based experiences, videos, readings, research, demonstrations…**”	47b cont., 57a, 65b, 125	Do Not Recommend
739	9	Public Comment, Deborah Zierten	456	23	“Examples include, but are not limited to, Venn diagrams, “Box” and “T” charts, and concept maps, **including different nature cycles.**”	53b, 56a, 57a, 65b, 125	Do Not Recommend

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740	9	Public Comment, Craig Strang	456	23	Table 9-7 Entry Type: Reflective and Analytical Entries, under Purpose “Students use reflective and analytical entries to think about scientific content from their own perspective, make sense of data, ask questions about their ideas and learning processes and clarify and revise their thinking. **Teachers can utilize outside space as reflective spaces**.”	47b cont., 56a, 65b, 125	Do Not Recommend
741	9	Public Comment, Deborah Zierten	456	23	“Students use reflective and analytical entries to think about scientific content from their own perspective, make sense of data, ask questions about their ideas and learning processes and clarify and revise their thinking. **Teachers might consider utilizing outside space as reflective spaces**.”	53b, 57a, 65b, 125	Do Not Recommend

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The "IQC Recommendations" column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

742	9	Public Comment, Deborah Zierten	456	23	Table 9-7 Entry Type: Notes and Practice Problems, under Definition "A record of ideas, observations, or descriptions of information from multiple sources, including but not limited to direct instruction, **nature based experiences**, videos, readings, research, demonstrations…"	53b, 56a, 57a, 65b	Do Not Recommend
743	9	Public Comment, Craig Strang	456	23	Table 9-7 Entry Type: Writing Frames, under Definition "Writing prompts used to focus a student's thinking. Examples include, but are not limited to, "I smelled…I felt… I observed…", **"I noticed", "I wonder…," "It reminds me of…,** "My results show…", "The variable I will change is…", or "I think that because…"	47b cont.	Recommend
744	9	Public Comment, Deborah Zierten	456	24	"Writing prompts used to focus a student's thinking. Examples include, but are not limited to, "I smelled…I felt… I observed…", "**I noticed a difference between…**", "My results show…", "The variable I will change is…", or "I think that because…"	53b, 56a, 57a, 65b, 125	Recommend

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The "IQC Recommendations" column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

745	9	Public Comment, Deborah Zierten	456	24	Table 9-7 Entry Type: Inserts, under Purpose "Students use inserts to document and to enrich their learning. **Personalization of science notebooks also serves to push students to take ownership of their learning process**."	53b, 56a, 57a, 65b	Recommend
746	9	Public Comment, Deborah Zierten	456	24	Table 9-7 Entry Type: Investigation Formats, under Purpose "Students also use these formats to reflect on, **modify** and discuss their findings and ideas."	53b, 56a, 57a, 65b, 125	Recommend
747	9	Public Comment, Holly Steele	496-499	24	Lines 496-499 - It may be unwise to link to a template as many teachers then see it as the sole archetype to follow for every engineering-style activity. -Include suggested resources for discrepant events?	73	Do Not Recommend
748	9	Public Comment, Lawrence Flammer	535-6		**Original text:** "A large empty flask and matches sit beside the bowl." **Revised text:** Beside the bowl is a large empty flask and some matches. **Rationale for change:** a bit clearer.	86e	Recommend-minor edit

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749	9	Public Comment, Lawrence Flammer	582	28	**Original text:** "...she puts attaches a second candle into the bowl." **Revised text:** ...she attaches a second candle in the bowl. **Rationale for change:** Avoid two verbs in tandem. Attaching refers to place in the bowl, so "into" not appropriate.	86e	Recommend-minor edit
750	9	Public Comment, Naomi Eason	665	29	Table 9-10 includes four women (Marie Curie, Rachel Carson, Deborah Fouts – listed with her husband, Roger, Mayim Bialik, actress with a PhD), all white, among nearly a dozen men, one of whom is African American (George Alcorn). The list includes two rock stars that happened to study science. Replace these “pop culture” artists with more diverse scientists.	124	Do Not Recommend
751	9	Public Comment, Lawrence Flammer	Box	33	**Original text:** [box, next to last line]: "...most likely structure of the DNA allows..." **Revised text:** ...most likely structure of DNA allows... **Rationale for change:** Article (the) usually not used with DNA.	86e	Recommend-minor edit

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752	9	Public Comment, Lawrence Flammer	669 Box	34	**Original text:** [list of NOS resources] **Revised text:** [add 2 items to list: [See "References" bottom of this page] **Rationale for change:** Two teaching resources designed to explicitly address the many aspects of NOS	86e	Do Not Recommend
753	9	Public Comment, Naomi Eason	669	36	Add resources for other people of color to the Nature of Science resource list.	124	Do Not Recommend
754	9	Public Comment, Craig Strang	697	36	“effective **instructional strategies** but is not yet capturing...”	47b cont., 53b, 56a, 57a, 65b, 125	Recommend-minor edit
755	9	Public Comment, Lawrence Flammer	751-2	36	**Original text:** "...a hypothesis is not a prediction or necessarily even an "educated guess..." **Revised text:** ...a hypothesis is not a prediction or even an "educated guess... [See "Hypotheses" bottom of this page] **Rationale for change:** "Educated guess" is always much too vague to ever be considered equivalent to hypothesis. Widespread oversimplification that must be totally eliminated.	86e	Recommend: Writer will cut the word 'even' but not adopt the lengthy discourse attached at the bottom of the page.

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756	9	Public Comment, Lawrence Flammer	788	38	**Original text:** "...point out how the activity..." **Revised text:** ...point out, or prompt students to point out, how the activity... **Rationale for change:** always best if students point out how previously learned concepts apply in new situations.	86e	Recommend-minor edit
757	9	Public Comment, Deborah Zierten	822	40	“in **the student-centered learning environment**, she tells students…”	53b, 56a, 57a, 65b, 125	Recommend
758	9	Public Comment, Lawrence Flammer	840	41	**Original text:** "..how common it is for scientific ideas to change." **Revised text:** ...how common it is for new scientific ideas to change. **Rationale for change:** Degrees of uncertainty must be emphasized, otherwise students may get the mistaken impression that all science is equally tentative. See my "Degrees of Tentativeness" discussion on attached sheet.	86e	Do not recommend

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759	9	Public Comment, Holly Steele	896-900	41	Lines 896-900 - It may be helpful to reference the NSTA article “Minding Design Missteps” (Crismond, Gellert, Cain & Wright, 2003) as additional support for seeing the design process as more than a discrete set of steps a la Scientific Method -Include a broader exploration of CGI as it relates to CA NGSS instruction as this is an area of focus for many CA districts as they move forward in their CCSS Math implementation	73	Recommend

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760	9	Public Comment, Holly Steele			**Table 9-14** - Add in more suggestions for how technology can transform science education. Here are a few additional suggestions: SEP-1: TodaysMeet and Padlet can both be used to share questions SEP-2: Many teachers use Explore Learning’s gizmos or PhET from University of Colorado Boulder as models for exploration (Yes, I recognize that they aren’t student-created models). Can also suggest using a screencasting tool to capture student oral explanations in conjunction with hand-drawn models. o SEP-3: Google document to collaboratively plan an investigation and for teachers to provide real-time feedback for all groups during the planning process o SEP-4: Tuva Labs is an example of a website that allows for students to manipulate data and look for relationships between variables -Good to see Norm Herr’s work referenced here -Insert a carriage return before line 1218, in order to make the critical sentence, “Science class should not, however, be a vocabulary class” appear more readily. It appears to blend in with the bulleted list above.	73	Do Not Recommend

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761	9	Public Comment, Holly Steele			Table 9-16 is helpful, but a snapshot demonstrating the interplay between NGSS and CCSS for ELA/literacy would be very powerful.	73	Do Not Recommend: Opportunity to develop as a supporting document.
762	9	Public Comment, Holly Steele			-The connections between CCSS for Math and NGSS are weak. Possible to create a table similar to Table 9-16 for math?	73	Do Not Recommend: Opportunity to develop as a supporting document.
763	9	Public Comment, Naomi Eason	1062		Only one curriculum resource is included by name (the Global Systems Science developed by the Lawrence Hall of Science).	124	General Comment
764	9	Public Comment, Naomi Eason	1122	50	Clarify the Decision Matrices vignette.	124	Do Not Recommend
765	9	Public Comment, Craig Strang	1151	56	Table 9-14 SEP -3 "to direct investigation **in the classroom or in the field**."	47b cont., 53b, 56a, 57a, 65b, 125	Do Not Recommend, not appropriate for this context.
766	9	Public Comment, Craig Strang	1193	57	"Teachers can begin cultivating a **learning environment** that welcomes…"	47b cont., 53b, 56a, 57a, 65b, 125	Recommend

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767	9	Public Comment, Craig Strang	1200	60	“In delete (the) science, delete (classroom) every student is learning new academic language.”	47b cont., 53b, 56a, 57a, 65b, 125	Do Not Recommend
768	9	Public Comment, Lawrence Flammer	1221	60	**Original text:** "...based how often..." **Revised text:** ...based on how often... **Rationale for change:** "on" is missing	86e	Recommend-minor edit
769	9	Public Comment, Lawrence Flammer	1225	61	**Original text:** "domain-specific..." **Revised text:** Domain-specific... **Rationale for change:** not capitalized	86e	Recommend-minor edit
770	9	Public Comment, Lawrence Flammer	1250	61	**Original text:** "...by noticing that the synergy..." **Revised text:** ...by noticing the synergy..." **Rationale for change:** "that" not needed	86e	Recommend-minor edit

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771	10	Public Comment, Jill Grace	Gen.	62	Overall, I’m mindful that some parts of this document feel old. I would like to suggest that the authors contact Anthony Quan, John Spiegel, and Yamileth Shimojyo to see if they would alter Figure 1. The CA NGSS Implementation Pathway Model and its description (line 125). This was originally made well in advance of many teachers and districts actually begin implementing. Two years later, what still holds true but also, what would they add to or change about the model. There is frequent mention of partner organizations such as the CSP, CSTA, K-12 Alliance and others. I suggest for consistency in how these organizations are listed (the order is sometimes switched).	71b	Do Not Recommend: Many Districts are in the Awareness Phase.

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772	10	Public Comment, Jill Grace	Gen.		In most places where “formative assessment” is mentioned, I suggest emphasizing that teachers need help in developing a classroom assessment system (teachers today are often quite married to the idea of a large state test or quiz/test system in the classroom – without realizing the importance of multiple measures of formative assessment throughout the learning sequence). The language, “classroom assessment system”, emphasizes the importance of multiple measures which has always been important, but even more so with the shifts called for by the NGSS.	71b	Do Not Recommend: This would require a major revision.
773	10	Public Comment, Jill Grace	Gen.		The document touches on the need to prepare teachers to support ELL students in a few places, but should give equal time to addressing the needs of special education students. The paragraph beginning on line 221 connects back to the CA ELA/ELD framework – but is there a comparable document for special education that can be referenced?	71b	Do Not Recommend: Opportunity to add as a supporting resource in the future.

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774	10	Public Comment, Jill Grace	Gen.		I would like to see something in this chapter (perhaps the beginning of the section “ongoing professional learning for in-service teachers”) to address the importance of districts allocating appropriate funding for this in order to be in compliance with LCAP Priority 2 (especially in light of the loss of MSP funds).	71b	Do Not Recommend: Already included in Chapter 10, page 40, last bullet.
775	10	Public Comment, Jill Grace	Gen.		Consider including the following items to the list: -Understand the difference between integrated and coordinated science -Convey support to science teachers as they adjust instruction to the CA NGSS Create a growth mindset culture in your school/district -Modify policies and procedures that support ALL science for ALL students -Develop a communication plan for teachers, parents, and community that ensures consistent messaging and emphasizes the need to support teachers transitioning to CA NGSS	71b	Recommend writer add some of the content of what administrators should do.

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776	10	Public Comment, Lawrence Flammer	Gen.	39-40	Encouraging and financially supporting the attendance of science teachers to science teacher conferences, institutes, and workshops (e.g., NSTA, CSTA, NABT). These experiences provide valuable opportunities for teachers to network with other science teachers, learn about effective teaching practices, present workshops to share effective strategies, and generally absorb the enthusiasm from fellow teachers. Especially valuable for young teachers in their 2nd or 3rd year of teaching, and for older teachers to re-energize them and to present workshops that share effective teaching with others.	86f	Recommend writer add some content about conferences, workshops.

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777	10	Public Comment, Naomi Eason	Gen.		This chapter defines the support required for the implementation of high-quality science instruction, including professional learning, leadership and systemic supports. Although the term “ecosystem approach” is not introduced until the conclusion of the chapter, there are consistent reminders that the implementation of the CA-NGSS will require significant shifts in practice beyond the individual teacher level. Implementation of strategies in this chapter will require boards to budget for, invest in and solicit contracts with professional learning organizations that include equity and access as explicit outcomes of their program offerings (this is a high-demand area). The key highlights of the chapter include that it: Is well grounded in the most current educational reform literature. Presents “critical shifts” (44) to the education system to implement the CA-NGSS effectively, similar to “key shifts” described in chapter 9. These shifts incorporate the outcomes for professional learning approved in the QPLS (90). Provides an implementation pathway model (Figure 1, 125), which helps LEAs examine their current placement with respect to CA-NGSS. Emphasizes equity and access are one of the “critical issues” to address with teacher leadership (939) and professional learning (1170).	124	General Comment

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778	10	Public Comment, Naomi Eason	Gen.		Line 1167 refers to "major shifts" while the chapter refer to "critical shifts", "key shifts", and "critical issues". Recommend that that the chapter distinguish between these terms or use consistent terms.	124	Recommend-clarify use of terms
779	10	Public Comment, Sue Heraper	173, 187, 1554		mention the school library it fits under a) teachers (teacher librarians), and also under information learning environments	84	Recommend including where appropriate
780	10	Public Comment, Jill Grace	288	8, 57	**Original text:** This section is organized into six sub-sections… **Revised text:** This section is organized into five sub-sections… **Rationale for change:** As best as I can tell, there are only five sections, not six	71b	Recommend-minor edit
781	10	Public Comment, Jill Grace	420	10	**Revised text:** Add new row to table: Effective integration of engineering that motivates the need for understanding the core ideas of science **Rationale for change:** This is a very new thing for science teachers that must be addressed in a teacher preparation program	71b	Recommend with writer's edits.
782	10	Public Comment, Jill Grace	420	17	**Revised text:** Add new row to table Experiences with bundling core ideas	71b	Recommend with writer's edits.

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783	10	Public Comment, Jill Grace	420	17	**Original text:** Science methods classes that address pedagogical content knowledge that facilitates student understanding of disciplinary core ideas and how to address incorrect and alternative student conceptions of those ideas **Revised text:** Science methods classes that address pedagogical content knowledge that facilitates student conceptual understanding of disciplinary core ideas over time and how to address incorrect and alternative student conceptions of those ideas **Rationale for change:** We should be clear that we want conceptual understanding (not rote memorization) and content exposure in multiple contexts – not a one shot deal	71b	Recommend
784	10	Public Comment, Lawrence Flammer	426	17	**Original text:** "...section in Chapter 11 of..." **Revised text:** ...section in Chapter 10 (p. 257) of... **Rationale for change:** Wrong reference.	86f	Recommend-minor edit

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785	10	Public Comment, Jill Grace	442-447	18	**Original text:** Mentoring for a beginning science teacher ideally includes another science teacher as part of the teacher induction system rather than delegating induction efforts only to general teacher induction specialists or programs. This connection may also address the need for inclusion and a sense of ownership to the content and science department, leading to greater teacher retention. **Revised text:** Mentoring for a beginning science teacher ideally includes another science teacher, ideally at the same school, as part of the teacher induction system rather than delegating induction efforts only to general teacher induction specialists or programs. This connection may also address the need for inclusion and a sense of ownership to the content and science department, leading to greater teacher retention. **Rationale for change:** In order to build a strong department, mentors should come from the same school whenever possible	71b	Do Not Recommend

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786	10	Public Comment, Jill Grace		18	**Original text:** Ensuring that beginning science teachers have equitable access to science teaching resources for hands-on instruction as other science teachers in their school. **Revised text:** Ensuring that beginning science teachers have equitable access to science teaching resources **and teaching space** for hands-on instruction as other science teachers in their school. **Rationale for change:** Teaching space is often overlooked as a resource and not often equitable among teachers with many new science teachers being the ones that do not have their own classroom and have to shuffle room-to-room	71b	Recommend Suggested Edit from "School Facilities" Ensuring that beginning science teachers have "comparable access" to science teaching resources and “teaching space” for hands-on instruction as other science teachers in their school.

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787	10	Public Comment, Lawrence Flammer	460		**Original text:** [List of support programs for new teachers] **Revised text:** Insert here, or elsewhere, the paragraph below regarding science conferences and workshops. • Encouraging and financially supporting the attendance of science teachers to science teacher conferences, institutes, and workshops (e.g., NSTA, CSTA, NABT). These experiences provide valuable opportunities for teachers to network with other science teachers, learn about effective teaching practices, present workshops to share effective strategies, and generally absorb the enthusiasm from fellow teachers. Especially valuable for young teachers in their 2nd or 3rd year of teaching, and for older teachers to re-energize them and to present workshops that share effective teaching with others. **Rationale for change:** All teachers, especially beginning teachers, should be encouraged to participate in science teacher conferences.	86f	Recommend: Write to add the short bullet: "Encouraging new teachers to attend science teacher conferences, institutes, and workshops (and financially supporting them to do so)."

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788	10	Public Comment, Jill Grace	502-505	19	**Original text:** For example, teachers must shift from teaching procedures and rules to facilitating student reasoning around DCIs and CCCs and from having students memorize facts to engaging them in critical thinking around the three dimensions of the CA NGSS. **Revised text:** For example, teachers must shift from teaching procedures and rules to facilitating student reasoning around DCIs, SEPs, and CCCs and from having students memorize facts to engaging them in critical thinking around the three dimensions of the CA NGSS. **Rationale for change:** Missing SEP	71b	Recommend
789	10	Public Comment, Jill Grace		20	Add new item #6 to table: Seek out opportunities for teachers partnerships with IHE and industry. Teachers strongly benefit by having an expert in the field they can collaborate with or go to for help.	71b	Do Not Recommend

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790	10	Public Comment, Jill Grace	675	27	**Original text:** Participate in the professional development offerings of local science organizations **Revised text:** Participate in the professional learning offerings of local science organizations **Rationale for change:** Replace development with learning (consistent with the rest of the document)	71b	Recommend

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791	10	Public Comment, Jill Grace	686-690	27	**Original text:** 1) Plan for leadership training for teachers and administrators. Leadership is key to sustaining professional learning for districts and schools (see the section on teacher and administrator leadership). The plan must include strategic opportunities for teachers and administrators to be utilized as leaders! **Revised text:** 2) Plan for leadership training for teachers and administrators. Leadership is key to sustaining professional learning for districts and schools (see the section on teacher and administrator leadership). The plan must include strategic opportunities for teachers and administrators to be supported and fostered as leaders! **Rationale for change:** We should view leadership as something to be supported and fostered, not utilized	71b	Recommend

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792	10	Public Comment, Jill Grace	692	27	**Original text:** Although not included in Innovate, districts **can** also encourage teachers to take additional course work in their content area, with an emphasis on courses that involve the teachers in active learning. **Revised text:** Although not included in Innovate, districts **should** also encourage teachers to take additional course work in their content area, with an emphasis on courses that involve the teachers in active learning. **Rationale for change:** We need strong language suggesting this needs to be done (should vs. can)	71b	Do Not Recommend
793	10	Public Comment, Jill Grace	776-777	27	**Original text:** How can teachers learn to use the EQuiP Rubric from Achieve to evaluate instructional units or lessons? **Rationale for change:** I suggest contacting Achieve for an update. They are currently developing an EQuiP screening tool (and perhaps other things?)	71b	Do Not Recommend: Already noted in Chapter 11.

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794	10	Public Comment, Jill Grace	780-785	30	**Original text:** Departments and schools must institute policies and procedures that support teacher collaboration, risk taking, collegiality with other teachers, including specialists for English learners and those supporting students with disabilities, as well as with experts outside of the school environment and teachers taking on leadership roles within, and outside of, the school. **Revised text:** Departments and schools must institute policies and procedures that support teacher collaboration (within grade-levels, across grade-levels, as well as within a subject and across subjects), risk taking, collegiality with other teachers, including specialists for English learners and those supporting students with disabilities, as well as with experts outside of the school environment and teachers taking on leadership roles within, and outside of, the school. **Rationale for change:** Collaboration in multiple ways should be encouraged (many will assume collaboration within a grade and within one subject otherwise)	71b	CDE recommends removing the word "must".

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795	10	Public Comment, Jill Grace	843-847	30	**Original text:** For example, if the goal is to increase teacher content knowledge for the CA NGSS, selecting a short-term workshop may not be the wisest choice, whereas a multiple-day institute might provide more opportunities for teachers to learn the disciplinary core ideas and how they apply to the science and engineering practices and crosscutting concepts. **Revised text:** For example, if the goal is to increase teacher content knowledge for the CA NGSS, selecting a short-term workshop may not be the wisest choice, whereas a multiple-day institute might provide more opportunities for teachers, **like their students, to use SEPs and CCCs to develop DCI understanding.** **Rationale for change:** This was just worded poorly and will promote the false idea that the DCI comes first	71b	Recommend

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796	10	Public Comment, Jill Grace	897-901	33	**Original text:** Identifying these “early adopters” and giving them both support for their own learning and leadership roles in supporting other teachers to adapt their teaching to meet the demands of these new standards can be an effective way to strengthen a school or district’s professional learning networks for science. **Revised text:** Identifying these “early adopters” and giving them both support for their own learning and leadership roles (by providing additional learning opportunities and networking opportunities outside of the district) in supporting other teachers to adapt their teaching to meet the demands of these new standards can be an effective way to strengthen a school or district’s professional learning networks for science. **Rationale for change:** Networking between districts hasn’t yet been mentioned, but is critical for growth.	71b	Recommend

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797	10	Public Comment, Jill Grace	955	34	**Original text**: the California Math and Science Partnership grants and other such programs. **Rationale for change:** There are no more MPS grants – instead this money will be folded into ESSA Title IV block grants and ultimately controlled locally (and in competition with other priorities) along with Title II A and Title II B Grants Not sure how you want to describe that.	71b	Recommend: Writer correct and update current language to match current policy.
798	10	Public Comment, Jill Grace	980-982	37	**Original text:** Teacher leaders must be given opportunities to lead. The challenge for most schools/districts is finding resources (time, personnel, and funding) to support it. **Revised text:** Teacher leaders must be given opportunities to lead. The challenge for most schools/districts is finding resources (time, personnel, and funding) to support it **and this must be made a priority.** **Rationale for change:** Stronger language needed	71b	CDE recommends removing the word "must" and change to "should".

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799	10	Public Comment, Jill Grace	983-1005	38	**Revised text:** Add new item: Elementary science specialists that build a culture of science with students and teachers, collaborate with teachers in planning, co-teach with teachers, and provide content and material support. **Rationale for change:** The role of an elementary science specialist (and use of one as content support, not just a “prep period”) is critical for supporting elementary teachers and should be added to this list.	71b	Recommend

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800	10	Public Comment, Jill Grace	1042-1044	38	**Original text:** Attend science professional conferences (e.g., NSTA, CSTA, State CA NGSS Roll Outs) with other leaders to exchange and reflect on their own experiences. **Revised text:** Attend science professional conferences (e.g., CSTA’s California Science Education Conference, State CA NGSS Roll Outs, and programs offered by the local county office of education) with other leaders to exchange and reflect on their own experiences. **Rationale for change:** Because they are unable to take a strong NGSS focus (and not necessarily CA NGSS), I would remove NSTA from this particular list. Teachers new to CA NGSS need conferences targeted to them. Thus the addition of workshops at the county office level, *I didn’t edit text to reflect this, but you might also consider including the Administrator Symposium offered by the CA NGSS K-8 Early Implementation Initiative	71b	Do Not Recommend: Do not remove NSTA, however add "and programs offered by the local county office of education." since these are only examples (e.g.).

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801	10	Public Comment, Jill Grace	1084-1091	40	Discussion of an observation tool One has also been developed in the CA NGSS K-8 Early Implementation Initiative (a version of this is in Roll Out 3 materials with more being developed by administrators in the grant. Work with K-12 Alliance to see how this could be also listed here – we are currently updating the website, so there is potential for sharing.	71b	Do Not Recommend: opportunity to add as a supporting resource in the future.
802	10	Public Comment, Jill Grace	1204	41	Under Tools for Implementation – California Classroom Science (CSTA publication) has a regular column from the CA NGSS K-8 Early Implementation Initiative. In addition, things are being developed by the grant. Work with K-12 Alliance to see how this could be also listed here – we are currently updating the website, so there is potential for sharing.	71b	Recommend: Add link that references and connect to CA NGSS K-8 Early Implementation Initiative
803	10	Public Comment, Naomi Eason	1204-1234	45	List resources for equity-focused professional learning organizations among the suggested resources.	124	Do Not Recommend

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804	10	Public Comment, Jill Grace	1261-1266	45	**Original text:** The full list is hosted on the CSTA Website at http://www.cascience.org/csta/res_equipmentlists.asp. It is worth noting that this list represents only the permanent equipment list and makes no commentary about consumable materials (for example, plastic straws, cups, grocery store chemicals, balloons, plastic bags) that are a critical component to the science classroom. **Revised text:** The full list is hosted on the CSTA Website at http://www.cascience.org/csta/res_equipmentlists.asp. It is worth noting that this list represents only the permanent equipment list and makes no commentary about consumable materials (for example, plastic straws, cups, grocery store chemicals, balloons, plastic bags) or teacher preferred materials (like density boxes) that are a critical component to the science classroom. **Rationale for change:** There are likely other materials teachers will need but will depend on phenomena they choose to design instruction around.	71b	Recommend

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805	10	Public Comment, Jill Grace	1424	47	**Original text:** Groups at the state level, including the California Science Teachers Association, the California Science Project, the California County Superintendents Educational Services Association and its Curriculum Instruction and Steering Committee, the Association of California School Administrators, the California STEM Learning Network, and other state-wide networks provide a wide range of resources and opportunities for educators and other partners interested in supporting science education. **Revised text:** Groups at the state level, including the California Science Teachers Association, the California Science Project, K-12 Alliance/WestEd, the California County Superintendents Educational Services Association and its Curriculum Instruction and Steering Committee, the Association of California School Administrators, Children Now, and other state-wide networks provide a wide range of resources and opportunities for educators and other partners interested in supporting science education. **Rationale for change:** K-12 Alliance was left off this list. In addition, CSNet is no longer in existence (and is folded into Children Now)	71b	Recommend

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806	10	Public Comment, Jill Grace	1455-1459	53	You might consider adding resources from the Howard Hughes Medical Institute to this list.	71b	Recommend
807	10	Public Comment, Jill Grace	1537-1542	54	**Original text:** Professional development partnerships provide opportunities for science educators to augment their professional learning. Some examples include the Industry Initiatives for Science and Math Education (IISME) and the California Science Project, a collaboration among K–12 and higher education science educators, the California Math Science Partnership Grant funded programs, and the K–12 Alliance/WestEd. **Revised text:** Professional development partnerships provide opportunities for science educators to augment their professional learning. Some examples include the Industry Initiatives for Science and Math Education (IISME) and the California Science Project, a collaboration among K–12 and higher education scienceeducators, and programs offered by the K–12 Alliance/WestEd. **Rationale for change:** No more CAMSP	71b	Recommend

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808	11	Public Comment, Lisa Hegdahl	Gen.	57	**Original text:** The Evidence Statements are not in this Chapter **Revised text:** The Achieve Evidence Statements http://www.nextgenscience.org/evidencestatements) should be in this Chapter perhaps in Category 5: Instructional Planning and Support on page 14 Or Accessible Instructional Resources On page 21 Also recommended to be added that the Achieve Screening Tool (Condensed Version of the EQuIP rubric) will soon be released for evaluating curriculum **Rationale for change:** NGSS Evidence Statements provide educators with additional detail on what students should know and be able to do. These Evidence Statements describe a detailed look at the NGSS performance expectations. Evidence Statements are essential at this time until other tools are developed to help teachers with the transition to NGSS.	98	Do Not Recommend inclusion in Chapter 11. However, it is more appropriate to reference the evidence statements and include the link in the Assessment chapter when discussion formative assessment to inform instruction.

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809	11	Public Comment, Naomi Eason	Gen.		This chapter presents a balanced explanation of the role of LEAs in relation to state mandates. This explanation adequately defines the criteria involved in adopting instructional resources, including the process of evaluating local instructional resources not selected from the state-adopted list of curriculum. Most importantly, these criteria are: consistent with the characteristics of high-quality science instruction described in chapters 3-4, attentive to issues of equity and access addressed in chapter 8, insistent on a complete assessment system as described in chapter 7 and inclusive of instructional strategies outlined in chapter 9. The key highlights and strengths of the chapter include that: The definition of alignment (22) is consistent with the goals of CA-NGSS to address fewer topics more deeply. The adoption of instructional materials highlights access and equity, calling for materials to: “provide guidance to support students with special needs, including standard English learners, English learners, long term English learners, students living in poverty, foster youth, girls and young women, advanced learners, students with	124	General Comment

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810	11	Public Comment, Naomi Eason	Gen.		disabilities, gifted learners, students below grade level in reading comprehension or mathematics skills and knowledge, and students below grade level in science skills and knowledge” (184).	124	General Comment

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

811	11	Public Comment, Naomi Eason	Gen.		The materials provide support for students to develop grade-level appropriate academic language and discipline-specific vocabulary through their use in context in classroom discourse around science phenomena (science talk), and through well-written and grade-level appropriate text resources (202). The use of extension resources for supplementing student experiences through field trips, guest speakers and the like is an explicitly stated criterion (482). It recognizes that experiential activities require materials. The chapter states, “Equipment for science, including needed computers and software, must be sufficient to provide access for the number of students in the classroom. Budgeting for science equipment, materials and renewables must be considered as an element in district plans” (545). It promotes resources for students with disabilities: “The CDE Clearinghouse for Specialized Media & Translations (CSMT) provides instructional resources in accessible and meaningful formats to students with disabilities” (616). It promotes diversity by calling for resources that “include examples of people and groups who used their context, learning and intelligence to make important contributions to society through science and technology from different demographic groups…Resources emphasize the importance of science education to all members of our society in a way that is culturally and socially authentic. [EC Sections 51051, 60040(b), and 60044(a)]”.	124	General Comment

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

812	11	Public Comment, Naomi Eason	Gen.		Chapter needs a table of contents to be consistent with other chapter formats.	124	Recommend: Table of Contents to include the intro, five categories, reference to OER and 9-12 information sections, etc.
813	11	Public Comment, Naomi Eason	Gen.		The Framework provides ample guidance for the adoption process of instructional materials; however, most instructional materials available for adoption are merely updated to align with the CA-NGSS and may not address all of the stated performance expectations. Criteria should address how this distinction will be made and include examples of curricular materials that fully meet or partially meet the CA-NGSS so that districts can make strategic purchases or decisions about how to implement the CA-NGSS.	124	Do Not Recommend: The criteria already include coverage of ALL PEs in Category 1. We do not include examples of curriculum.
814	11	Public Comment, Naomi Eason	Gen.		Emphasize the use of Open Educational Resources (OER) materials.	124	Do Not Recommend: Discussion on OERs occurs at the end of the chapter.

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815	11	Public Comment, Naomi Eason	Gen.		Emphasize the use of the EQUIP rubric. Clarify how the use of teacher/school/district created materials will comply with SBE expectations. Include more resources that demonstrate how to apply criteria and/or evaluate materials, especially how the EQUIP rubric works in conjunction with, or instead of the adoption criteria (e.g., http://nstacommunities.org/blog/2014/04/25/equip/).	124	Do Not Recommend: Because lines 580-587 and 601-603 provide this. Note: the use of locally created materials does not necessarily comply with the SBE expectations of a coherent and articulated scope and sequence and certainly often doesn’t comply with the EC 60119 requirement that students have access to standards-aligned materials for each grade level, both at school and at home, by the eighth week of school.
816	11	Public Comment, Naomi Eason	Gen.		Only one commercial curricular resource is referenced (1060). Why are other examples not included?	124	Was unable to locate commercial recommended resource.

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817	11	Public Comment, Naomi Eason	Gen.		Need to distinguish between what curriculum designers describe as “NGSS aligned” and “NGSS designed.” Throughout the Framework, “alignment” is interpreted as a reflection of the vision, intent and philosophy of the guiding documents (including the NRC Framework for K-12 Science Education, the CA-NGSS, and the Framework). However, “alignment” is nuanced. For example: FOSS updated, revised, rearranged and created new units to align to NGSS but it does not mean the units are aligned with all PEs. Amplify Science was designed after NGSS were released (http://www.amplify.com/curriculum/amplifyscience).	124	Do Not Recommend: Because the materials must cover all PEs per Category 1.

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818	11	Public Comment, Naomi Eason	Gen.		Role of Governing Boards - Overall, the Framework appropriately articulates the role of school and county boards. Chapters explicitly state when a decision is to be made at the local level, while state level procedures or policies are cited when appropriate. While the Framework includes guidance to support schools and districts to implement intellectually rich, relevant, and engaging science and engineering programs to ensure that classrooms are supportive, inclusive and inspiring for all students, there are no school or district-level implementation models included. These models can support governing boards as they solicit and share the process of CA-NGSS implementation. The Framework could include examples documenting the processes districts/LEAs have used to design curriculum to meet the CA-NGSS Performance Expectations. As counties, districts and schools move forward with the full implementation of the CA-NGSS, this Framework, along with ongoing support of governing boards, CDE, and other stakeholders will be critical. CSBA will continue to support board members to address issues related to the adoption of instructional resources, transition to new assessments, implementation of professional learning and alignment of resources.	124	Do Not Recommend for this chapter because these criteria are for publishers. As the framework is implemented over the next six to eight years the CDE will work with counties, districts and schools to collaborate and share joint resources.

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818 cont.	11	Public Comment, Naomi Eason	Gen.		The implementation of the CA-NGSS can help to shape a public education system that provides a well-rounded education for all students in every county, district and school, which will continue to be a priority for CSBA.	124 cont.	Do Not Recommend for this chapter because these criteria are for publishers. As the framework is implemented over the next six to eight years the CDE will work with counties, districts and schools to collaborate and share joint resources.
819	11	Public Comment, Naomi Eason	18-23		Clarify this statement: "Alignment is not a superficial matching of topics covered to those mentioned in the CA NGSS."	124	Do Not Recommend: The next sentence is "The concept of three-dimensional learning is defined and explained in Chapter 1-Overview of the *CA Science Framework* and is a critical element of the vision."

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820	11	Public Comment, Lisa Hegdahl	264-266	1	**Original text:** 5. The instructional resources are gradelevel specific and provide instructional content for 180 days of instruction for at least one daily class period, including an estimate of the necessary instructional time. **Revised text:** Incorporate a guideline for appropriate lengths of daily class time to be used for NGSS in K5 classrooms. **Rationale for change:** K5 classrooms would benefit from a guideline of what constitutes a “daily class period” so all grade level content is taught in the 180 days of instruction.	98	Do Not Recommend: The key phrase, which the edit removes, is “at least.” Yes, all instruction happens during the 180 day school year, but only if there is enough content to cover at least 180 days. This edit would mean teachers would need to make the content last for 180 days even if there were not sufficient content resources provided by the publisher for the full school year.

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821	11	Public Comment, Lisa Hegdahl	448-450	8	**Original text:** 1. In most cases student resources will not begin by stating the expected learning prior to instruction because this interferes with instructional strategies for threedimensional learning. **Revised text:** Omit or replace with something NGSS appropriate such as “prior to instruction, introduce a phenomenon or guiding question or the end result of the lesson series” **Rationale for change**:With NGSS, teachers will not “give away” the expected learning. Students will explore and create their own conceptual learning framework.	98	Recommend CDE edit: “In most cases, prior to instruction, teachers will introduce a phenomenon…”

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822	11	Public Comment, Lisa Hegdahl	455	15	Original text: 1. Lessons include instructional strategies aligned to the CA NGSS, the CA Science Framework and based on current and confirmed research (e.g., teacher facilitated studentled conversations, as well as handson activities and laboratories). Resources are clearly connected to and support the goals of the CA CCSSM and CCSS for ELA/Literacy. Revised text: 1. Lessons include instructional strategies aligned to the CA NGSS, the CA Science Framework and based on current and confirmed research (e.g., teacher facilitated tudentled conversations, as well as handson activities and laboratories). Resources are clearly connected to and support the goals of the CA CCSSM and CCSS for ELA/Literacy **with the exception of 6-8 Discipline Specific there is not alignment for CCSSM** Rationale for change: 6-8 Discipline Specific there is not alignment for CCSSM.	98	Do Not Recommend

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823	11	Public Comment, Sue Heraper	572, 590	15	Mention the cost effectiveness and efficiency of providing supplemental instructional resources, including OERs, through the school library.	84	Recommend CDE Edit: Addition to the section on OERs: "A comprehensive school library program may include information regarding open educational resources and also professional development, provided by a credentialed teacher librarian, on the effective use of supplemental resources in the classroom."
2056	App General				Reorder the appendices as they appear in the narrative, change order to: **Appendix 1**: Progression of the Science and Engineering Practices, Disciplinary Core Ideas, and Crosscutting Concepts in Kindergarten Through Grade Twelve. **Appendix 2:** K-12 Connections to Environmental Principles and Concepts **Appendix 3:** Computer Science in Science **Appendix 4:** HS Three-Year Model: Every Science, Every Year **Appendix 5:** Recommended Literature for the Science Classroom	Table of Contents	Recommend

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

824	App. 1	Public Comment, Laura Henriques		19-20	I think they are good. I like the additions to the literacy appendix. The resources at the end are going to be useful. I think that teachers could use guidance on finding articles (current events) for phenomenon and relevancy - especially finding them at reading grade level. Newsela is one source but that’s not going to be sufficient.	66	General comment-no specific recommendations provided
825	App.1	Public Comment, Christie Pearce, OCDE	73-76		**Original text:** Informational text fits naturally into the 5E lesson cycle after students have had prior experience with the science ideas under review. After seeing a phenomena, doing a discrepant event, or exploring with materials students are primed to glean information from written text. **Comment:** This is a crucial point for teachers! We need this message to stay in the Framework and be very explicit as much as possible.	44	General Comment

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826	App.1	Public Comment, Michelle Varnau	112		**Original text:** Literacy strategies regularly employed in other subject areas work in the context of science. **Revised text:** Literacy strategies , regularly employed in other subject areas , also work in the context of science. **Rationale for change:** Commas help identify the subject of sentence and connect to “context of science” point.	51b	Recommend-minor edit
827	App.1	Public Comment, Michelle Varnau	131	4	**Original text:** think, pair, share, **Revised text:** think pair share **Rationale for change:** Unsure of learning strategy terminology	51b cont.	Recommend-minor edit
828	App.1	Public Comment, Michelle Varnau	153	5	**Original text:** student that they **Revised text:** student**s** that they **Rationale for change:** Plural needed for class reference.	51b cont.	Recommend-minor edit
829	App.1	Public Comment, Michelle Varnau	171	6	think, pair share,	51b cont.	Recommend-minor edit
830	App.1	Public Comment, Michelle Varnau	189	6	think, pair share,	51b cont.	Recommend-minor edit

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831	App.1	Public Comment, Michelle Varnau	211-212	7	**Original text:** Questions are critical...4) Literature through… **Revised text:** 4) **Further** questions are critical… 5) Literature through… **Rationale for change:** Five part learning pattern to coordinate with Lines 225-230	51b cont.	Recommend-minor edit
832	App.1	Public Comment, Michelle Varnau	247	8	**Original text:** Mrs. B extends the exploration further by challenging students to make their own instruments. **Revised text:** Mrs. B incorporates engineering practices (K2 ETS1) into the exploration by challenging students to make their own instruments. **Rationale for change:** The extended activity is an example of how engineering can be incorporated as well.	51b	Recommend-minor edit

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833	App.1	Public Comment, Michelle Varnau	254-255	9	**Original text:** ...in the first grade case study work at other grade levels as well. **Revised text:** ...in the first grade case study, work at other grade levels as well, to develop the Disciplinary Core Idea of Wave Properties (PS4.A) **Rationale for change:** Introduction of other grades in boxed paragraphs should include DCI of NGSS.	51b	Recommend-minor edit
834	App.1	Public Comment, Sue Heraper	324	9	students may need guidance on locating and evaluating online resources; science teachers should collaborate with the teacher librarian to teach these skills and refer to highquality subscription databases.	84	Recommend-minor edit
835	App.1	Public Comment, Christie Pearce, OCDE	335	11	**Original text:** The California Department of Education website Recommended Literature: Prekindergarten Through Grade Twelve (http://www.cde.ca.gov/ci/cr/rl/) is a searchable **Rationale for change:** Link is too broad to be helpful. A topic filter (“keyword” search) would be helpful in making the search a bit narrower. The current search is not userfriendly. Simple fix: change word “annotation” to “Topic”	44 cont.	Do Not Recommend

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836	App.1	Public Comment, Michelle Varnau	342		**Original text:** ...related texts it is also valuable… **Revised text:** ...related texts , it is also valuable… **Rationale for change:** Comma helps identify phrase.	51b cont.	Recommend-minor edit
837	App.1	Public Comment, Michelle Varnau	365	13	**Original text:** The standards presume… **Revised text:** The ELA standards presume… **Rationale for change:** Clarify standards the author is referring to for three elements.	51b	Recommend-minor edit

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838	App.1	Public Comment, Michelle Varnau	423-424	13	There is a quick reference to online resources in the Science Framework Resource Section, but the term of Literature may have to be expanded in future frameworks if you start to consider primary sources of scientists’ journals, engineers’ blueprints, photographs, sound recordings, etc. that would also help support the Social Science and listening skills of the ELA standards. Many teachers use articles to engage students when the textbook becomes outdated or students need a change in resources. Newspaper articles (New York Times), and magazines (N ational Geographic Pioneer, Kids Discover, Current Science, Popular Science, Science News), plus a plethora of others online, may have to be included in this Appendix instead of other resources.	51b cont.	General Comment

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839	App.1	Public Comment, Michelle Varnau	434-435	15	**Original text:** Search output in blue & white boxes ...downloaded free of charge at... **Revised text:** Have both search outputs in blue boxes ...ordered from EIE or downloaded free of charge at... **Rationale for change:** Clarifies queries and result outputs. As of July 2016, the printed EIE materials could also be ordered free of charge once an educator attended a webinar and reviewed units after use.	51b	Recommend-format change
840	App.1	Public Comment, Michelle Varnau	444	14,15	**Original text:** grades K2 **Revised text:** grades K-**12** **Rationale for change:** Table 1 has examples for all grades.	51b cont.	Recommend-minor edit
841	App.1	Public Comment, Christie Pearce, OCDE	446	17	**Original text:** Table of Recommended Texts **Rationale for change:** Hyperlink title to the direct book link in (http://www.cde.ca.gov/ci/cr/rl/)		Do Not Recommend
842	App.1	Public Comment, Michelle Varnau	451		Original text: grades K8 Revised text: grades K-12 Rationale for change: Table 2 has examples for all grades.	51b cont.	Recommend-minor edit

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

843	App.1	Public Comment, Michelle Varnau		25	Table 3 Original text: Row entries of table have a large amount of space compared to Page 29 Revised text: Reduced the amount of empty space in entries Rationale for change: Conserve space and printing pages.	51b cont.	Recommend-minor edit
844	App.1	Public Comment, Christie Pearce, OCDE	454	30	**Original text:** Table **Rationale for change:** Give more information about the book or link to info: grade level, contentbase, brief explanation of topic	44	Do Not Recommend

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845	App.2	Public Comment, Michelle Varnau	Gen.		What changes (if any) would you make so that this chapter is a useful resource to teachers? I agree that the EEI lessons and units are a valuable resource for California teachers not only to support science concepts, but to also integrate social studies into the NGSS. It might be best to highly recommend specific units to each grade level, instead of recommending the same EEI unit for two or more grade levels. Otherwise students may end up reading the same literature in consecutive years. For example, Surviving and Thriving is recommended for First Grade (1-LS1-1 & 2-2) and Second Grade (2-LS4-1), when it might be highly recommended for First Grade and only supplementary for Second Grade. The grade level printed on the front of EEI publications, may confuse users who are expected it to support another level.	60b	Do Not Recommend

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846	App.2	Public Comment, Michelle Varnau	Gen.		The recommendations as listed now in the table have 5 Performance Expectations (PE) supported for Kindergarten, 3 PE for First Grade, 4 PE for Second Grade, 7 PE for Third Grade, 3 PE for Fourth Grade, 6 PE for Fifth Grade for a total of 28 PE for Elementary grades. Compared to the 19 PE for Middle School and 15 for High School, it would appear that younger grades have more supplementary offerings. These totals may also correlate with the percentage of grade level users of this appendix and EEI resources. The fourth grade social studies standards blend nicely with learning about the native Californian ecosystems and state symbols, plus geology and human impact behind Gold Mining. I think it will be more difficult to integrate these topics with the new CA NGSS.	60b cont.	General Comment

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

847	App.2	Public Comment, Michelle Varnau			**Original text:** As they learn that …, students should be ... **Revised text:** As **students** learn that …, students should be ... **Rationale for change:** Clarifying the pronoun meaning. Some of the DCIs quoted in the table, also have “they” in the explanations, but the pronouns refers to plant, animals, human populations, etc.	60b cont.	Recommend-minor edit
848	App. 2	Public Comment, Gerald Lieberman	Gen.	pp.1-24	The attached document has a few tracked edits and corrections that I request be considered for the final version of Appendix 2.	89	(see below 849)

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

849	App. 2	Public Comment, Gerald Lieberman	Gen.		I am submitting the attached as a possible replacement for the original Appendix 2. The connections identified in this version of the appendix are the same as those that appeared in the version of Appendix 2 which appears in the June 2016 draft that was distributed for public comment. The only difference between this version and the original is that this version provides teachers with the detailed statements of each of the related PEs, SEPs, CCCs, and DCIs. I developed this augmented version for use during my professional development work this summer. The teachers I worked with appreciate this detail when they are planning lessons and units of study. This version allows them to get all of the detail they need directly from one document rather than “flipping” back-and-forth among multiple documents. If it is not possible to use this as a replacement for the original Appendix 2, then I request that Appendix 2 have a footnote “pointing” to an online version of this augmented document.	102	Recommend replacing original Appendix 2 with new one submitted in public comment #102.

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The "IQC Recommendations" column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

850	App.3	Public Comment, Jennifer Hartigan	Gen.		It requires a lot of thinking to distinguish the differences between the SEP's #1 and 2 for Middle School and High School. Perhaps revising the syntax to make it parallel would improve clarity. The section on Crosscutting Concepts is clear. The explanations in the green boxes add depth to understanding the CCC's.	30a	Do Not Recommend: This would take a major revision.
851	App.3	Public Comment, Crystal LaGrange	14		High School **Original text:** (negative feedback) **Revised text:** (through negative feedback) **Rationale for change:** Consistency of language	82	Do Not Recommend
852	App.3	Public Comment, Crystal LaGrange	7	9	**Original text:** ...from air and water **Revised text:** ...from air, water, and the sun **Rationale for change:** Sun is an important concept for the transfer of energy	82	Do Not Recommend
853	App.3	Public Comment, Jennifer Hartigan		10	ESS2E is missing the subtitle.	30a	Recommend-minor edit

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

854	App.3	Public Comment, Jennifer Hartigan		18	PS1: Elementary and Middle School **Original Text:** (Some of the content is not visible because it did not fit in the box.) **Rationale for change:** Make it visible.	30a	Recommend-format change
855	App.3	Public Comment, Crystal LaGrange		20	PS1 Elementary and Middle School **Original text:** It looks as if some content was not included in text boxes **Revised text:** Adjust formatting to include all information. **Rationale for change:** Completion	82	Recommend-format change
856	App.3	Public Comment, Crystal LaGrange		20	Left Title Margin **Original text:** S2.C **Revised text:** PS2.C **Rationale for change:** Correction	82	Recommend-minor edit
857	App.3	Public Comment, Crystal LaGrange		21	High School **Original text:** Blocking for ...and “electrical…. **Revised text:** Should this be included with PS2.block instead of PS2.C Block? **Rationale for change:** Clarification	82	Recommend-minor clarification

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

858	App.3	Public Comment, Jennifer Hartigan			Energy and Matter; Grades 3-5 **Original Text:** Students learn matter is made of particles and energy… **Recommended Text:** Students learn matter is made of particles, and energy… **Rationale for change:** The comma shows separation of two ideas.	30a	Recommend-minor clarification
859	App.3	Public Comment, Jennifer Hartigan		29	PS3, Middle School **Original Text:** It refers to energy transferred when two objects or systems are at different temperatures. **Recommended Text:** Heat is the process of the transfer of energy when two objects or systems are at different temperatures. **Rationale for change:** clarity	30a	Recommend-minor clarification
860	App.4	Public Comment, Jennifer Hartigan	Gen.		No changes. Appendix 4 presents a clear rationale and sequence for the Three Year Model.	30b	General Comment
861	App.4	Public Comment, Crystal LaGrange	Gen.		The print on the flow charts seemed very small and difficult to read. If possible, I would make these charts larger.	77	Recommend-format change

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

862	App. 5	Public Comment, Maria Simani	Gen.		In the current version of the science framework, the section related to Bifocal Modeling from Stanford has been removed from the main body of the document. I was hoping that this section would reappear in Appendix 5 as part of our discussion of Computer Science in Science. The work from Bifocal Modeling is an excellent research done by Stanford around the interplay of virtual simulation and real labs: https://tltl.stanford.edu/project/bifocal-modeling For me it is an interesting way to balance the idea of coding/simulations with the need of real hands-on experiments. Stanford’s work shows that you cannot do only virtual experiments, but real experiments AND virtual experiments together are really an enriching educational experience for students. I am attaching here the section as it was included in the first version of the Framework. I hope it will find its way into Appendix 5.	93	Recommend to include Bifocal Modeling in the Computer Science Appendix
863	App.5	Dean Reese			Add new Computer Science Vignette to Appendix 5.		Recommend to include new computer science vignette to Appendix 5.

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

864	Resources	Public Comment, Sue Heraper			Add National Science Digital Library https://nsdl.oercommons.org/	84	Recommend
865	Resources	Public Comment, Anna Gaiter (Part 1 of 2)	Gen.		I would like to extend my congratulations on the completion on this document. It has come together very nicely over the last few drafts and I can see teachers being able to really use this resource as a teaching and learning tool. If it is possible, I think the California Science Center (http://californiasciencecenter.org) should be added as a resource in addition to the other informals listed.	111	Recommend

This table is based on Attachment 1 (#1-866)and the Addendum to Attachment 1 (#1000-1011) from the IQC agenda item on September 22, 2016, and October 14, 2016. Attachment 1 was a summary list of public comments received during the second field review (June 28, 2016-August 29, 2016) and public comment from the IQC Teleconference Meeting on October 14,2016 (#2000-2056). All comments were provided to Commissioners in their original form without editing. The comments appear in chapter order, with general comments listed first followed by suggestions specific to the text. The “IQC Recommendations” column contains the actions taken by the IQC on each individual comment/edit. Comments that did not include specific suggested edits are labeled "general comment".

866	Resources	Public Comment, Anna Gaiter (Part 2 of 2)	Gen.		The California Science Center offers high-quality, differentiated professional learning sessions designed to support the awareness, transition and implementation of the Next Generation Science Standards (NGSS) into existing curriculum, including sessions on assessment, curriculum support and planning, resources, and strategies to integrate science into Common Core Math and ELA. In addition, the science center's many exhibits interactive spaces are an excellent resource to educators and parents and lend themselves well to inquiry and hands in science learning. The other informal institutions listed in the framework document are in Northern California. Adding the California Science Center will provide a resource for educators in the southern region.	111	Recommend

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT	
State Performance Plan and Annual Performance Report for Part B of the Individuals with Disabilities Education Act of 2004 covering program year 2015−16.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

As required by the Individuals with Disabilities Education Act (IDEA) of 2004, Part B, the California Department of Education (CDE), Special Education Division (SED), has developed the State Performance Plan (SPP), a six-year plan covering federal fiscal year (FFY) 2013–14 through 2018–19, using the instructions sent to the CDE, SED, by the U.S. Department of Education (ED), Office of Special Education Programs (OSEP). The SED prepares an Annual Performance Report (APR) each year that covers California's progress on five compliance indicators, eleven performance indicators, and one indicator with both compliance and performance components. The attached report is for program year 2015−16.

This report provides an overview of the FFY 2015 APR data that will be submitted to the OSEP on February 1, 2017.

RECOMMENDATION

The CDE recommends that the State Board of Education (SBE) review and approve the Executive Summary of the FFY 2015 APR for Part B of the IDEA covering program year 2015–16 as prepared by the SED.

BRIEF HISTORY OF KEY ISSUES

California is required to have in place an SPP to guide the state's implementation of Part B of the IDEA and to describe how the state will meet implementation targets. California's initial plan was submitted to OSEP on December 2, 2005, as approved by the SBE and the State Superintendent of Public Instruction. Each year, the SPP has been updated to reflect changes in federal requirements. The SPP remains current through FFY 2015, program year 2015–16.

The APR is presented to the SBE annually for review and approval as part of the CDE's annual report to the public on the performance of its local educational agencies (LEAs). The APR documents describe the progress of the LEAs and the state toward meeting the targets and benchmarks identified in the SPP. It also summarizes the statewide activities associated with each of the target indicators in the SPP. A stakeholder workgroup assisted the SED in establishing and re-benching performance indicators at meetings held from December 2014 through June 2015. The new targets are included in the Executive Summary.

Similar to last year, this item contains indicators 1 through 16 that document overall progress as measured by state data. Indicator 17 describes improvement activities of the state in the State Systemic Improvement Plan (SSIP), which will be prepared for a March 2017 SBE item, that must be submitted to the OSEP in April 2017. The SSIP covers multiple years and is focused on improving academic achievement for children with disabilities. The SSIP contains broad strategies with detailed improvement activities related to data analysis, identification of areas for improvement, and infrastructure to support improvement and build capacity based on the theory of action presented last year.

On February 1, 2017, the SPP and APR for indicators 1 through 16 will be submitted to the OSEP. Indicator 17 will be presented to the SBE at its March 2017 meeting and submitted to the OSEP on April 1, 2017.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In January 2016, the SBE approved the FFY 2014 APR Executive Summary which reported on the progress of the 2014–15 compliance and performance indicators as required by the IDEA.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact.

ATTACHMENT(S)

Attachment 1: Executive Summary of the FFY 2015 Annual Performance Report for Part B of the Individuals with Disabilities Education Act covering program year 2015–16 (36 pages).

California Department of Education

Special Education Division

Individuals with Disabilities Education Act of 2004

State Annual Performance Report

Executive Summary

Federal Fiscal Year 2015 (Program Year 2015–16)

November 2016

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Special Education in California

The California Department of Education (CDE) provides state leadership and policy direction for school district special education programs and services for students with disabilities, birth to twenty-two years of age. Special Education is defined as specially designed instruction and services, at no cost to parents, to meet the unique needs of children with disabilities. Special education services are available in a variety of settings, including day-care, preschool, regular classrooms, classrooms that emphasize specially designed instruction, the community, and the work environment.

Special education leadership provided by the CDE includes providing families with information on the education of children with disabilities. The CDE works cooperatively with other state agencies to provide a range of services from family-centered services for infants and preschool children with disabilities to planned steps for transitions from high school to employment and quality adult life. The CDE responds to consumer complaints and administers programs related to the federal Individuals with Disabilities Education Act (IDEA) and the Every Student Succeeds Act (ESSA) for students with disabilities in California.

Accountability and Data Collection

In accordance with the IDEA of 2004, California is required to report annually to the U.S. Department of Education (ED) on the performance and progress under the State Performance Plan (SPP). This report is the State Annual Performance Report (APR). The APR requires the CDE to report on 17 indicators (Table 1) that examine a comprehensive array of compliance and performance requirements relating to the provision of special education and related services. The California Special Education Management Information System (CASEMIS) is the data reporting and retrieval system used by the CDE. CASEMIS provides the local educational agencies (LEAs) a statewide standard for maintaining a core of special education data at the local level that is used for accountability reporting and to meet statutory and programmatic needs in special education.

The CDE is required to publish the APR for public review. The current APR reflects data collected during Federal Fiscal Year (FFY) 2015, which is equivalent to California's school year 2015–16. Please note that Indicators 1, 2, and 4 are reported in lag years using data from school year 2014–15. The 17 federal indicators include eleven performance indicators, five compliance indicators, and one indicator (Indicator 4) with both performance and compliance components. All compliance indicator targets are set by the ED at either 0 or 100 percent. Performance indicator targets were established based on recommendations of a stakeholder group, and approved by the State Board of Education (SBE) in November 2014 (Table 5).

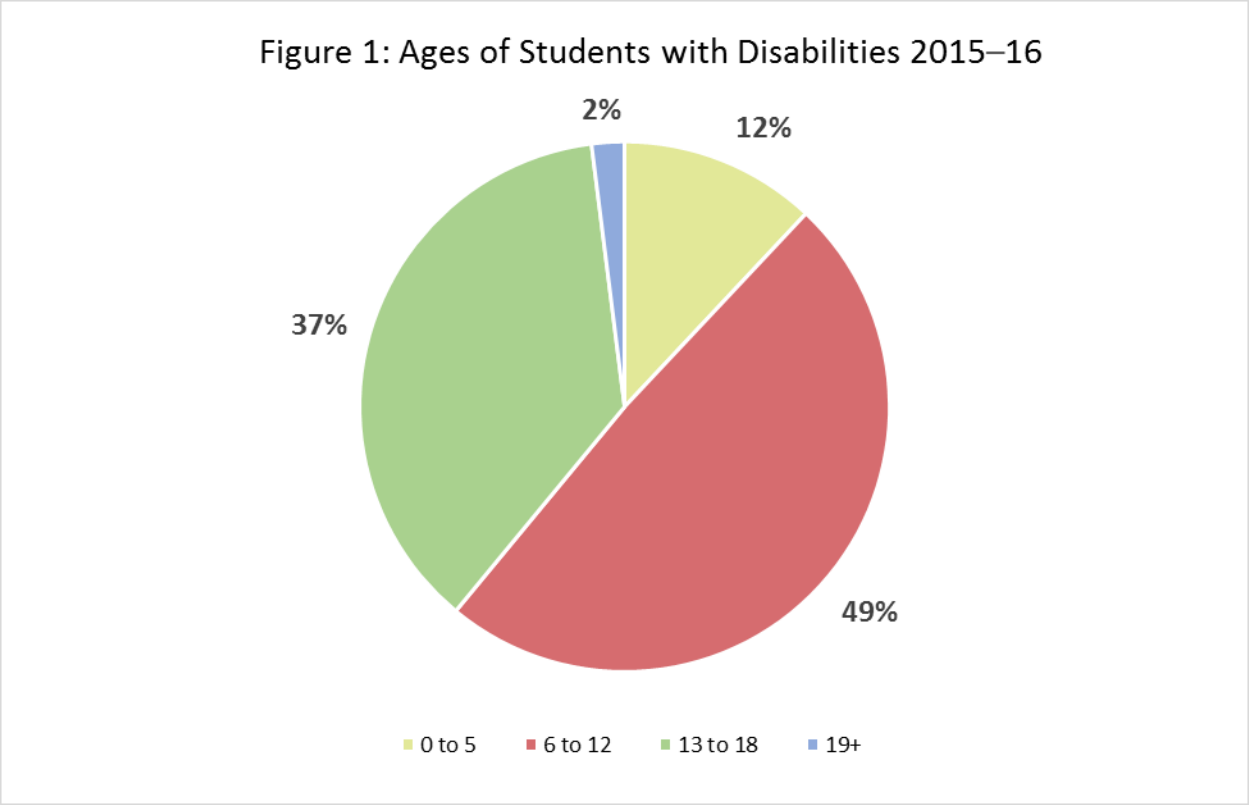
Table 1: California State Indicators

Indicator Type	No.	Description
Performance	1	Graduation Rates
Performance	2	Dropout Rates
Performance	3	Statewide Assessments
		3A – Districts Meeting AYP/AMO for Disability Subgroup
		3B – Participation for Students with IEPs
		3C – Proficiency for Students with IEPs
Combined	4	Suspension and Expulsion
Performance		4A – Rates of Suspension and Expulsion
Compliance		4B – Rates of Suspension and Expulsion by Race or Ethnicity
Performance	5	Education Environments
		5A – Education Environments (In Regular Class ≥ 80% of day)
		5B – Education Environments (In Regular Class < 40% of day)
		5C – Education Environments (Served in separate school or other placement)
Performance	6	Preschool Environments
		6A – Preschool Environments: Services in the regular childhood program
		6B – Preschool Environments: Separate special education class, school, or facility
Performance	7	Preschool Outcomes
		7A – Preschool Outcomes: Positive social-emotional skills
		7B – Preschool Outcomes: Acquisition/use of knowledge and skills
		7C – Preschool Outcomes: Use of Appropriate Behaviors
Performance	8	Parent Involvement
Compliance	9	Disproportionate Representation
Compliance	10	Disproportionate Representation in Specific Disability Categories
Compliance	11	Child Find
Compliance	12	Early Childhood Transition
Compliance	13	Secondary Transition
Performance	14	Post-school Outcomes
		14A – Enrolled in higher education within one year of leaving high school
		14B – Enrolled in higher education or competitively employed within one year of leaving high school
		14C – Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school
Performance	15	Resolution Sessions
Performance	16	Mediation
Performance	17	State Systemic Improvement Plan

Overview of Population and Services

During Fiscal Year (FY) 2015–16, a total of 734,422 students from ages birth to twenty-two years of age, were enrolled in special education. Compared to the total student enrollment in California of 6,226,737, special education students comprise about 10.6 percent of K–12 students. As shown in Figure 1, the majority of students with disabilities in California (48 percent) are between six and twelve years of age. The majority of special education students (68 percent) are male, and 29.5 percent are English-language learners. All tables and figures are based on students birth to twenty-two years of age.

California students identified with at least one disability are eligible for services to meet their need(s). There are 13 disability categories, as displayed in Table 2. The majority (39.25 percent) of students are identified as having a “Specific Learning Disability” as their primary disability category. The second most common primary disability designation for students (21.75 percent) is a “Speech/Language Impairment.”



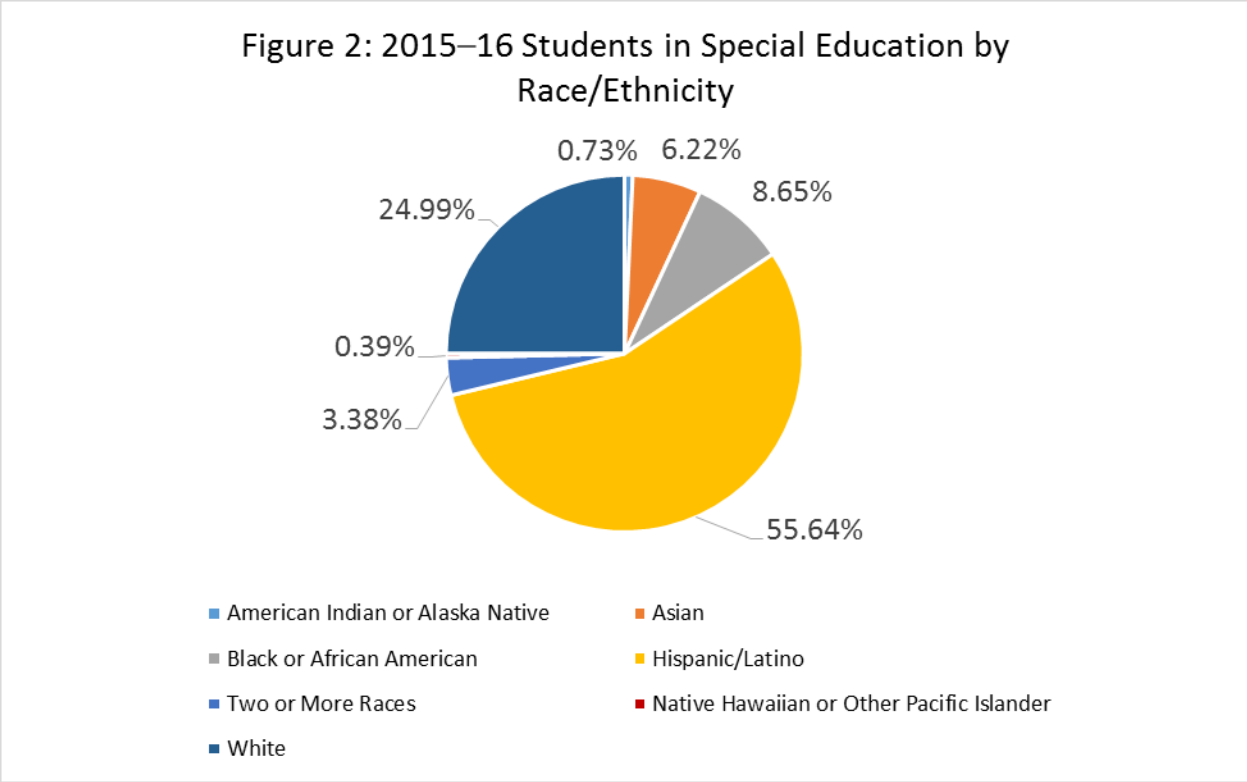
CASEMIS, Dec 2015

Table 2: Enrollment of Special Education Students by Disability Type

Disability	Percentage	Number of Students
Specific Learning Disability (SLD)	39.25%	288,296
Speech or Language Impairment (SLI)	21.75%	159,755
Autism (AUT)	13.23%	97,162
Other Health Impairment (OHI)	11.28%	82,855
Intellectual Disability (ID)	5.98%	43,913
Emotional Disturbance (ED)	3.31%	24,316
Orthopedic Impairment (OI)	1.60%	11,745
Hard of Hearing (HH)	1.41%	10,326
Multiple Disability (MD)	0.90%	6,620
Visual Impairment (VI)	0.50%	3,670
Deafness (DEAF)	0.47%	3,449
Traumatic Brain Injury (TBI)	0.23%	1,706
Established Medical Disability (EMD)	0.07%	506
Deaf Blindness (DB)	0.01%	103

CASEMIS, Dec 2015

Of all special education students in California, Hispanic/Latino youth represent the greatest numbers of students in need of services. Figure 2 shows the total number of special education students by race/ethnicity.



CASEMIS, Dec 2015

The CDE also tracks the type of school or program in which special education students receive the majority of their instructional services. These include public schools, private schools, independent study, charter schools, community schools, correctional programs, higher education, and transition programs. Table 3 shows that the greatest proportion (85.72 percent) of special education students is enrolled in a public day school.

Table 3: **Enrollment of Special Education by Type of School**

School Type	Percentage	Number of Students
Public Day School	85.72%	629,568
Charter School (Operated by a LEA)	3.74%	27,467
Charter School (Operated as a LEA)	2.49%	18,296
Nonpublic Day School	1.55%	11,420
Special Education Center or Facility	1.20%	8,839
Continuation School	0.74%	5,414
No School	0.69%	5,089
Other Public School or Facility	0.68%	4,959
Child Development or Child Care Facility	0.36%	2,675
Private Day School	0.36%	2,659
Community School	0.31%	2,309
Home Instruction	0.30%	2,228
Adult Education Program	0.26%	1,906
Parochial School	0.24%	1,745
Juvenile Court School	0.23%	1,686
Independent Study	0.21%	1,552
Head Start Program	0.21%	1,565
State Preschool Program	0.19%	1,371
Nonpublic Residential School	0.10%	713
Public Residential School	0.08%	620
Alternative Work Education Center/Work Study	0.08%	554
Private Preschool	0.08%	600
Extended Day Care	0.04%	306
Correctional Institution or Incarceration Facility	0.03%	204
Hospital Facility	0.03%	254
Community College	0.03%	238
Nonpublic Agency	0.02%	156
Private Residential School	0%	29

CASEMIS, Dec 2015

Special education students in California receive a variety of services to address their unique needs. During 2015–16, there were 1,663,883 services provided to California special education students. Many students receive multiple services. Table 4 describes

the type of services provided to students. The most common service provided was Specialized Academic Instruction, followed by Language and Speech Services.

Table 4: **Services Provided To Special Education Students**

Services	Percentage	Number of Students
Specialized Academic Instruction	34.72%	600,552
Language and Speech	20.64%	357,002
Vocational/Career	9.69%	167,713
Mental Health Services	7.60%	131,394
College Preparation	5.78%	99,890
Occupational Therapy	4.16%	71,945
Other Transition Services	3.35%	57,969
Adapted Physical Education	2.43%	42,110
Services for Deaf Students	1.11%	19,265
Specialized Services for Ages 0-2	0.80%	13,842
Intensive Individual Services	0.79%	13,712
Health and Nursing	0.77%	13,415
Other Special Education Services	0.68%	11,840
Physical Therapy	0.59%	10,218
Services for Visually Impaired	0.59%	10,318
Travel Training	0.46%	7,954
Individual/Small Group Instruction	0.45%	7,764
Specialized services/Low Incidence Disabilities	0.37%	6,408
Assistive Technology Services	0.35%	6,086
Agency linkages	0.35%	6,098
Specialized Orthopedic Services	0.24%	4,156
Interpreter services	0.11%	1,931
Recreation Services	0.06%	1,062
Day treatment services	0.03%	518
Residential Treatment	0.03%	557
Reader and Note Taking	0.01%	164

CASEMIS, Dec 2015

2015−16 Annual Performance Report Indicators

During FFY 2015, California met 43 percent of the 16 target indicators due by February 2017. Table 5 identifies each indicator, its target, the FFY 2015 state results, and whether or not the target was met. The pages following Table 5 provide an overview of each individual indicator, including a description of the indicator, the target, the data collected, and the results.

Table 5: Federal Fiscal Year 2015 Indicators, Targets, and Results

Indicators	Target	Results	Met Target
1 Graduation Rate	90%	64.5%	No
2 Dropout Rate	≤13.72%	14.46%	No
3 Statewide Assessment 3A Adequate Yearly Progress 3B Participation 3C Elementary, High, and Unified Districts	3A. Not Reported 3B. 95% ELA/Math 3C. 12.9 % ELA, 10.6% Math	3A. Not Reported 3.B 93.4% ELA 94.6% Math 3C Multiple Results	-- No Yes
4 Suspension/Expulsion 4A Suspension and Expulsion Rate Overall 4B Suspension and Expulsion Rate by Race/Ethnicity	≤10% 0%	2.31 5.74	Yes No
5 Education Environments 5A Regular class 80 percent or more 5B Regular class less than 40 percent 5C Separate schools, residential facilities, or homebound/hospital placements	≥49.2% ≤24.6% ≤4.4%	54.07% 21.53% 3.63%	Yes Yes Yes
6 Preschool Least Restrictive Environment 6A. Regular preschool 6B. Separate schools or classes	>32.9% <34.4%	36.59% 31.45%	Yes Yes
7 Preschool Assessment 7A (1 and 2) 7B (1 and 2) 7C (1 and 2)	7A. 67.6% / 72.5% 7B. 68.6% / 71.2% 7C. 68.7% / 70.4%	7A. 67.6% / 72.5% 7B. 68.6% / 71.2% 7C. 68.7% / 70.4%	Yes Yes Yes
8 Percent of Parents Reporting the Schools Facilitated Parental Involvement	90%	93.8%	Yes
9 Disproportionate Representation	0%	0%	Yes
10 Disproportional Representation by Disability Category	0%	.75	No
11 Child Find	100%	98.76%	No
12 Early Childhood Transition	100%	86%	No
13 Secondary Transition	100%	99.6%	No
14 Post-School Outcomes 14A Enrolled in higher education 14B Enrolled in higher education or competitively employed within a year 14C Enrolled in higher education, postsecondary education or training, or competitively employed	 52.3% 72.4% 81%	 52.3% 75.5% 83.2%	 Yes Yes Yes
15 Resolution Sessions	57%	32.17%	No
16 Mediation	57%	60.06%	Yes
17 State Systemic Improvement Plan	N/A	Not yet available	

Indicator 1: Graduation Rates

Description

This is a performance indicator that measures the percent of youth with individual education programs (IEPs) graduating from high school with a regular diploma (20 *United States Code [U.S.C]* 1416 [a][3][A]). The calculation methods for this indicator were revised in 2008–09 and again in 2009–10, to align with reporting criteria under Title I of the Elementary and Secondary Education Act (ESEA). A new reporting methodology was implemented for the FFY 2012 APR. The graduation rate uses 2014−15 data and when students took the exam the California High School Exit Exam (CAHSEE) was still being administered. State law provides an exemption from this testing requirement for students who otherwise meet the district requirement for graduation. As the new accountability for ESSA is implemented, these data will change in future years.

Target for 2015–16

- Have a 2015 graduation rate of 90 percent or more **or**
- Meet the 2015 fixed growth rate of 72.96 percent or more **or**
- Meet the 2015 variable growth rate of 72.84 percent or more

Measurement

The data are reported in lag years using California Longitudinal Pupil Achievement Data System (CALPADS) data from FFY 2014 (2014–15). The calculation is based on data from California's ESEA reporting.

Results for 2015−16

The graduation rate for FFY 2015 demonstrated that 64.50 percent of students with disabilities graduated with a high school diploma.

Target Met: No

Graduation Rate Targets and Results for FFY 2013–18

Indicator 1	2013	2014	2015	2016	2017	2018
Target	90%	90%	90%	90%	90%	90%
Result	61.8	62.2%	64.5%	--	--	--
Target Met	No	No	No	--	--	--

*Or other approved consolidated state performance report rate, updated annually

Indicator 2: Dropout Rates

Description

This is a performance indicator that measures the percent of youth with IEPs dropping out of high school (20 *U.S.C* 1416 [a][3][A]). The calculation methods for this indicator were revised in 2009–10 to create a more rigorous target and approved by the OSEP in April 2010. Dropout rates are calculated from data reported for grades nine through twelve. The CDE uses the annual (one-year) dropout rate. The rate is an estimate of the percent of students who would drop out in a four-year period based on data collected for a single year.

Target for 2015–16

No more than 13.72 percent of students with disabilities will drop out of high school. These targets represent changes approved by the SBE and the OSEP in FFY 2014 and will be in effect for FFY 2013–18.

Measurement

The data are reported in lag years using CASEMIS data from FFY 2014 (2014−15). The CDE uses the annual (one-year) dropout rate.

Results for 2015–16

For FFY 2015, the Dropout Rate was 14.46 percent.

Target Met: No

Drop Out Rate Targets and Results for FFY 2013–18

Indicator 2	2013	2014	2015	2016	2017	2018
Target	15.72%	14.72%	13.72%	12.72%	11.72%	10.72%
Result	15.7%	17.5%	14.46%	--	--	--
Target Met	Yes	No	No	--	--	--

Indicator 3: Statewide Assessments

Description

This is a performance indicator that measures the participation and performance of children with IEPs on statewide assessments including: (1) Percent of the districts with a disability subgroup that meets the state's minimum "n" size, that meet the state Adequate Yearly Progress (AYP) for English-Language Arts (ELA) and Mathematics targets for the disability subgroup; (2) Participation rate for children with IEPs; and (3) Proficiency rate for children with IEPs against grade-level, modified, and alternate academic achievement standards (20 *U.S.C*. 1416 [a][3][A]).

Targets for 2015–16

These targets represent changes approved by the SBE and the OSEP in FFY 2014 and will be in effect for FFY 2013–18.

3A. The annual benchmarks and six-year target for the percent of districts meeting the state AYP objectives for progress for the disability subgroup is 60 percent.

3B. The annual benchmark and target for participation on statewide assessments in ELA and math, 95 percent (rounded to nearest whole number), as established under ESEA.

3C. Consistent with the ESEA accountability framework, the 2015–16 annual benchmarks for the percent proficient on statewide assessments are broken down by subject and subgroup.

ELA = 12.9 percent

Math = 10.6 percent

Measurement

The AYP percent equals the number of districts with a disability subgroup that meets the state minimum "n" size and meets the state AYP targets for the disability subgroup divided by the total number of districts that have a disability subgroup that meets the state minimum "n" size.

Participation rate percent equals the number of children with IEPs participating in the Smarter Balanced Assessment Consortium (SBAC) tests divided by the total number of children with IEPs enrolled on the first day of testing, calculated separately for reading and math.

Proficiency rate percent equals number of children with IEPs enrolled for a full academic year scoring at or above proficient divided by the total number of children with IEPs enrolled for a full academic year, calculated separately for reading and math.

Results for 2015–16

A. In FFY 2015 for Target A, the results are as follows:

Percent of Districts Meeting AYP for Disability Subgroup (3A)

Indicator 3A	2013	2014	2015	2016	2017	2018
Target	58%	59%	60%	61%	62%	63%
Result	17%	78.5%	*	--	--	--
Target Met	No	Yes	*	--	--	--

* Not reported in 2015

B. In FFY 2015 for Target B, the results are as follows:

Percent of Participation for Students with IEPs (3B)

Indicator 3B	2013	2014	2015	2016	2017	2018
ELA Target	95%	95%	95%	95%	95%	95%
Result	18%	94.2%	93.4%	--	--	--
Target Met	No	No	No	--	--	--
Math Target	95%	95%	95%	95%	95%	95%
Result	13%	93.8%	94.6%	--	--	--
Target Met	No	No	No	--	--	--

C. In FFY 2015 for Target C (Proficiency), the results are as follows:

Type of LEA	ELA Target	ELA Result	Target Met	Math Target	Math Result	Target Met
Elementary School Districts	12.%	14.0%	Yes	10.6%	11.8%	Yes
High School Districts	12.9%	15.6%	Yes	10.6%	6.6%	No
Unified School Districts and County Offices of Education	12.9%	13.1%	Yes	10.6%	10.4%	No

Target Met: 3A Not Reported **3B** No **3C** Yes/No

Indicator 4A: Rates of Suspension and Expulsion

Description

This is a performance indicator that measures the percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs (20 *U.S.C.* 1416[a][3][A] and 1412[a][22]). A district is considered to have a significant discrepancy if the districtwide rate for suspension and expulsion exceeds the statewide rate for suspension and expulsion. Districts identified to have a significant discrepancy are required to review their policies, procedures, and practices related to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. The data reported here are from 2014–15.

Target for 2015–16

No more than 10 percent of districts will have rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year. These targets represent changes approved by the SBE and the OSEP in FFY 2014 and will be in effect for FFY 2013–18.

Measurement

The data are reported in lag years using the CALPADS data from the FFY 2014 (2014–15). The percent is calculated by the number of districts that have a significant discrepancy in the rates of suspensions and expulsions of children with IEPs for greater than 10 days in a school year divided by the number of districts in the state, multiplied by 100.

Results for 2015–16

In FFY 2015, there were 23 districts (2.31 percent) that had a rate of suspension and expulsion for students with disabilities greater than the statewide rate.

Target Met: Yes

Suspension and Expulsion Targets and Results for FFY 2013–18

Indicator 4A	2013	2014	2015	2016	2017	2018
Target	≤10%	≤10%	≤10%	≤10%	≤10%	≤10%
Result	1.2%	2.13%		--	--	--
Target Met	Yes	Yes	Yes	--	--	--

Indicator 4B: Rates of Suspension and Expulsion by Race or Ethnicity

Description:

This is a compliance indicator that measures the percent of districts that have: (1) Significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (2) Policies, procedures, or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards (20 *U.S.C.* 1416[a][3][A] and 1412[a][22]).

Target for 2015–16

Zero percent of districts will have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year for children with disabilities by race.

Measurement

The data are reported in lag years using the CALPADS data from the FFY 2014 (2014–15). This percent is calculated by the number of districts that have: (1) A significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (2) Policies, procedures, or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards divided by the number of districts in the state, multiplied by 100.

Results for 2015–16

In FFY 2015, there were 5.74 percent of districts with significant discrepancies examined, by race or ethnicity, in the rates of suspension or expulsion of greater than 10 days for students with IEPs.

Target Met: No

Suspension/Expulsion by Race or Ethnicity
Targets and Results for FFY 2013–18

Indicator 4B	2013	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%	0%
Result	1.89%	2.31%	5.74%	--	--	--
Target Met	No	No	No	--	--	--

Indicator 5: Education Environments

Description

This is a performance indicator that measures the percent of children with IEPs, ages six through twenty one, served inside the regular class 80 percent or more of the day; inside the regular class less than 40 percent of the day, and are served in public or private separate schools, residential facilities, or homebound/hospital placement.

Targets for 2015–16

These targets represent changes approved by the SBE and the OSEP in FFY 2014 and will be in effect for FFY 2013–18.

5A. 49.2 percent or more of students will be in regular class 80 percent of the day or more;

5B. No more than 24.6 percent will be removed from regular class more than 60 percent of the day; **and**

5C. No more than 4.4 percent are served in public or private separate schools, residential placements, or homebound/hospital placements.

Measurement

5A. The number of children with IEPs served inside the regular class 80 percent or more of the day divided by the total number of students aged six through twenty-one with IEPs.

5B. The number of children with IEPs served inside the regular class less than 40 percent of the day divided by the total number of students aged six through twenty-one with IEPs.

5C. The number of children with IEPs served in public or private separate schools, residential facilities, or homebound/hospital placements divided by the total number of students ages six through twenty-one with IEPs.

Results for 2015–16

California did meet the targets for 5A (54.07 percent of students were in regular class 80 percent of the day or more); for 5B, (21.53 percent of students were in regular class less than 40 percent of the day); and for 5C, (3.63 percent were served in public or private separate schools and facilities).

Target Met: 5A Yes **5B** Yes **5C** Yes

Education Environment Targets and Results for FFY 2013–18

Indicator 5	2013	2014	2015	2016	2017	2018
5A Target – LRE > 80%	49.2%	49.2%	49.2%	50.2%	51.2%	52.2%
Result	56.3%	53.3%	54.07%	--	--	--
Target Met	Yes	Yes	Yes	--	--	--
5B Target – LRE < 40%	24.6%	24.6%	24.6%	23.6%	22.6%	21.6%
Result	23.6%	22%	21.53%	--	--	--
Target Met	Yes	Yes	Yes	--	--	--
5C Target – LRE: Separate School	4.4%	4.4%	4.4%	4.2%	4%	3.8%
Result	3.9%	3.3%	3.63%	--	--	--
Target Met	Yes	Yes	Yes	--	--	--

Indicator 6: Preschool Environments

Description

This is a performance indicator that measures the percent of children with IEPs ages three through five, attending a:

- Regular early childhood program and receiving the majority of special education and related service in the regular early childhood program; and

- Separate special education class, separate school, or residential facility (20 *U.S.C.* 1416[a][3][A]).

Target for 2015–16

These targets represent changes approved by the SBE and the OSEP in FFY 2014 and will be in effect for FFY 2013–18.

A. 32.9 percent or more of students will be served in settings with typically developing peers.

B. No more than 34.4 percent of students will be served in a separate special education class, separate school, or residential facility.

Measurement

A. Percent = ([# of children ages three through five with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program] divided by the [total # of children ages three through five with IEPs]), multiplied by 100.

B. Percent = ([# of children ages three through five with IEPs attending a separate special education class, separate school, or residential facility] divided by the [total # of children ages three through five with IEPs]), multiplied by 100.

Results for 2015–16

A. 36.59 percent of children ages three through five with IEPs attended a regular early childhood program and received the majority of special education and related services in the regular early childhood program.

B. 31.45 percent of children ages three through five with IEPs attended a separate special education class, separate school, or residential facility.

Target Met: 6A Yes **6B** Yes

Preschool Environments Targets and Results for FFY 2013–18

Indicator 6	2013	2014	2015	2016	2017	2018
6A Target – Preschool Regular Setting	32.9%	32.9%	32.9%	33.9%	34.9%	35.9%
Result	32.9%	32.9%	36.59%	--	--	--
Target Met	Yes	Yes	Yes	--	--	--
6B Target – Preschool Separate Class, School, or Facility	34.4%	34.4%	34.4%	33.4%	32.4%	31.4%
Result	34.4%	34.4%	31.45%	--	--	--
Target Met	Yes	Yes	Yes	--	--	--

Indicator 7A: Preschool Outcomes – Positive Social-Emotional Skills

Description

This is a performance indicator that measures the percent of preschool children with IEPs who demonstrate improvement in Outcome A: Positive Social-Emotional Skills, including social relationships.

Targets for 2015–16

- Of those children who entered the program with below age expectations in Outcome A, 72.7 percent will substantially increase their rate of growth by the time they turned six years of age or exited the program.

- Of those children who were functioning within age expectations in Outcome A, 82.1 percent will function within age expectations by the time they turn six years of age or exit the program.

Measurement

Outcome A: Positive social-emotional skills, including social relationships:

- Number of preschool children who did not improve functioning divided by the number of preschool children with IEPs assessed, multiplied by 100.

- Number of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers divided by the number of preschool children with IEPs assessed, multiplied by 100.

- Number of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it divided by the number of preschool children with IEPs assessed, multiplied by 100.

- Number of preschool children who improved functioning to reach a level comparable to same-aged peers divided by the number of preschool children with IEPs assessed, multiplied by 100.

- Number of preschool children who maintained functioning at a level comparable to same-aged peers divided by the number of preschool children with IEPs assessed, multiplied by 100.

Results for 2015–16

For FFY 2015, for Outcome A, 67.6 percent of students substantially increased their rate of growth by the time they turned six years of age or exited the program, and 72.5 percent of students were functioning within age expectations by the time they turned six years of age or exited the program.

Target Met: Yes

Preschool Outcomes - Positive Social-Emotional Skills Targets and Results for FFY 2013–18

Indicator 7A	2013	2014	2015	2016	2017	2018
Target	72.7% / 82.1%	72.7% / 82.1%	67.6%/ 72.5%	69.6%/ 74.5%	71.6%/ 76.5%	73.6%/ 78.5%
Result	59.4%/ 60.8%	60.9%/ 60.3%	67.6%/ 72.5%	--	--	--
Target Met	Yes	No	Yes	--	--	--

Indicator 7B: Preschool Outcomes – Acquisition/Use of Knowledge and Skills

Description

This is a performance indicator that measures the percent of preschool children with IEPs who demonstrate improvement in Outcome B: Acquisition and Use of Knowledge and Skills, including early language/communication and early literacy.

Targets for 2015–16

- Of those children who entered the program with below age expectations in Outcome B, 70 percent will substantially increase their rate of growth by the time they turn six years of age or exit the program.

- Of children who were functioning within age expectations in Outcome B, 82.5 percent will function within age expectations by the time they turn six years of age or exit the program.

Measurement

Outcome B: Acquisition and use of knowledge and skills, including early language/communication and early literacy:

- Number of preschool children who did not improve functioning divided by the number of preschool children with IEPs assessed, multiplied by 100.

- Number of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers divided by the number of preschool children with IEPs assessed, multiplied by 100.

- Number of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it divided by the number of preschool children with IEPs assessed, multiplied by 100.

- Number of preschool children who improved functioning to reach a level comparable to same-aged peers divided by the number of preschool children with IEPs assessed, multiplied by 100.

- Number of preschool children who maintained functioning at a level comparable to same-aged peers divided by the number of preschool children with IEPs assessed, multiplied by 100.

Results for 2015–16

In FFY 2015, for Outcome B, 68.6 percent of students substantially increased their rate of growth by the time they turned six years of age or exited the program; and 71.2 percent of students were functioning within age expectations by the time they turned six years of age or exited the program.

Target Met: Yes

Preschool Outcomes – Acquisition/Use of Knowledge and Skills Targets and Results for FFY 2013–18

Indicator 7B	2013	2014	2015	2016	2017	2018
Target	70% / 82.5%	70% / 82.5%	68.6% / 71.2%	70.6% / 73.2%	72.6% / 75.2%	74.6% / 77.2%
Result	60.9% / 60.3%	60.2% / 59.6%	68.6% / 71.2%	--	--	--
Target Met	No	No	Yes	--	--	--

Indicator 7C: Preschool Outcomes – Use of Appropriate Behaviors

Description

This is a performance indicator that measures the percent of preschool children with IEPs who demonstrate improvement in Outcome C: Use of Appropriate Behaviors to meet their needs (20 *U.S.C.* 1416[a][3][A]).

Targets for 2015–16

- Of those children who entered the program with below age expectations in Outcome C, 75 percent will substantially increase their rate of growth by the time they turn six years of age or exit the program.

- Of those children who were functioning within age expectations in Outcome C, 79 percent will function within age expectations by the time they turn six years of age or exit the program.

Measurement

Outcome C: Use of Appropriate Behaviors to meet their needs:

- Number of preschool children who did not improve functioning divided by the number of preschool children with IEPs assessed, multiplied by 100.

- Number of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers divided by the number of preschool children with IEPs assessed, multiplied by 100.

- Number of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it divided by the number of preschool children with IEPs assessed, multiplied by 100.

- Number of preschool children who improved functioning to reach a level comparable to same-aged peers divided by the number of preschool children with IEPs assessed, multiplied by 100.

- Number of preschool children who maintained functioning at a level comparable to same-aged peers divided by the number of preschool children with IEPs assessed, multiplied by 100.

Results for 2015–16

In FFY 2015, for Outcome C, 68.7 percent of students substantially increased their rate of growth by the time they turned six years of age or exited the program; and 70.4 percent of students were functioning within age expectations by the time they turned six years of age or exited the program.

Target Met: Yes

Preschool Outcomes – Use of Appropriate Behaviors Targets and Results for FFY 2013–18

Indicator 7C	2013	2014	2015	2016	2017	2018
Target	75% / 79%	75% / 79%	68.7% / 70.4%	70.7% / 72.4%	72.7% / 74.4%	74.7% / 76.4%
Result	65.9% / 65.7%	65.8% / 65.8%	68.7% / 70.4%	--	--	--
Target Met	No	No	Yes	--	--	--

Indicator 8: Parent Involvement

Description

This is a performance indicator that measures the percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities (20 *U.S.C.* 1416[a][3][A]). These data are one question in a survey distributed, collected, and reported by the Special Education Local Plan Areas (SELPAs). The measure is the percentage of parents responding "yes" to the following question: "Did the school district facilitate parent involvement as a means of improving services and results for your child?"

Target for 2015–16

Ninety percent of parents will report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. These targets represent changes approved by the SBE and the OSEP in FFY 2014 and will be in effect for FFY 2013–18.

Measurement

The number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities divided by the total number of respondent parents of children with disabilities.

Results for 2015–16

The result for Indicator 8 in FFY 2015 was 93.8 percent of parents with a child receiving special education services reported that schools facilitated parental involvement.

Target Met: Yes

Parent Involvement/Input – Targets and Results for FFY 2013–18

Indicator 8	2013	2014	2015	2016	2017	2018
Target	90%	90%	90%	91%	92%	93%
Result	99.1%	99.2%	93.8%	--	--	--
Target Met	Yes	Yes	Yes	--	--	--

Indicator 9: Disproportionate Representation

Description

This is a compliance indicator that measures the percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification (20 *U.S.C.* 1416[a][3][C]). Currently, California combines the disparity measure with the e-formula in a race-neutral approach to identify which districts may have disproportionate rates. The first test is to identify those districts that have a disparity that is higher than the annual benchmark. The second test, based on the e-formula, looks at the over representation of each ethnic group compared to the distribution of those ethnic groups in the general education population.

Target for 2015–16

Zero percent of districts will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

Measurement

The number of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification divided by the number of districts in the state.

Results for 2015–16:

For FFY 2015, zero percent of districts had disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. The CDE requires these districts to implement corrective actions.

Target Met: Yes

Disproportionate Representation Targets and Results for FFY 2013–18

Indicator 9	2013	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%	0%
Result	.09%	.09%	0%	--	--	--
Target Met	No	No	Yes	--	--	--

Indicator 10: Disproportionate Representation in Specific Disability Categories

Description

This is a compliance indicator that measures the percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification (20 *U.S.C.* 1416[a][3][C]). The calculation for Indicator 10 (Ethnicity by Disability) has been changed at the direction of the OSEP during their September 2010 verification visit. Effective FFY 2010, the CDE measures disproportionality using two measures: (1) the e-formula and (2) the Alternate Risk Ratio.

Target for 2015–16

Zero percent of districts will have disproportionate representation of racial and ethnic groups in specific disability categories that are the result of inappropriate identification.

Measurement

The number of districts with disproportionate representation of racial and ethnic groups in specific disability categories, as identified by both the e-formula and Alternate Risk Ratio, which is the result of inappropriate identification divided by the number of districts in the state.

Results for 2015–16:

For FFY 2015, 0.75 percent of districts had disproportionate representation of racial and ethnic groups in specific disability categories that are the result of inappropriate identification. The CDE requires these districts to implement corrective actions.

Target Met: No

Disproportionate Representation in Specific Disability Categories Targets and Results for FFY 2013–18

Indicator 10	2013	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%	0%
Result	.57%	.87%	.75%	--	--	--
Target Met	No	No	No	--	--	--

Indicator 11: Child Find

Description

This is a compliance indicator that measures the percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the state establishes a timeframe within which the evaluation must be conducted, within that timeframe (20 *U.S.C.* 1416[a][3][B]). These data were calculated using CASEMIS data fields related to parental consent date and initial evaluation date. Determination of eligibility was made using the data field which includes the type of plan a student has (IEP, Individualized Family Support Plan, Individual Service Plan), if the student is eligible, or no plan if the student is determined ineligible. If the parent of a child repeatedly failed or refused to bring the child for the evaluation, or a child enrolled in a school of another public agency after the timeframe for initial evaluations had begun, and prior to a determination by the child's previous public agency as to whether the child is a child with a disability, then the child was eliminated from both the numerator and the denominator.

Target for 2015–16

Eligibility determinations will be completed within 60 days for 100 percent of children for whom parental consent to evaluate was received.

Measurement

- The number of children for whom parental consent to evaluate was received.
- The number of children whose evaluations were completed within 60 days (or a state-established time line).

Results for 2015–16

For FFY 2015, 98.76 percent of eligibility determinations were completed within 60 days for children whom parental consent to evaluate was received.

Target Met: No

Child Find Targets and Results for FFY 2013–18

Indicator 11	2013	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%	100%
Result	98.1%	96%	98.76%	--	--	--
Target Met	No	No	No	--	--	--

Indicator 12: Early Childhood Transition

Description

This is a compliance indicator that measures the percent of children referred by Part C prior to age three, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays (20 *U.S.C.* 1416[a][3][B]). These data were collected through CASEMIS and data from the Department of Developmental Services.

Target for 2015–16

One hundred percent of children referred by the IDEA Part C prior to age three and who are found eligible for the IDEA Part B will have an IEP developed and implemented by their third birthday.

Measurement

- Number of children who have been served in Part C and referred to Part B (LEA notified pursuant to the IDEA section 637[a][9][A] for Part B eligibility determination).
- Number of children referred determined to be **not** eligible and whose eligibilities were determined prior to their third birthdays.
- Number of children found eligible who have an IEP developed and implemented by their third birthdays.
- Number of children for whom parental refusal to provide consent caused delays in evaluation or initial services.

Results for 2015–16

For FFY 2015, 86 percent of children referred by Part C of IDEA prior to age three and who were found eligible for Part B of IDEA had an IEP developed and implemented by their third birthday. To increase this rate, the CDE is partnering with the IDEA Part C agency, the California Department of Developmental Services, to increase timely referrals.

Target Met: No

Early Childhood Transition Targets and Results for FFY 2013–18

Indicator 12	2013	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%	100%
Result	98.5%	93.5%	86%	--	--	--
Target Met	No	No	No	--	--	--

Indicator 13: Secondary Transition

Description

This is a compliance indicator that measures the percent of youth with IEPs ages sixteen and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment and transition services, including courses of study that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service needs. There also must be evidence that the student was invited to the IEP team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP team meeting with the prior consent of the parent or student who has reached the age of majority (20 *U.S.C.* 1416[a][3][B]).

Target for 2015–16

One hundred percent of youth ages sixteen and above will have an IEP that includes appropriate and measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment and transition services.

Measurement

Number of youth with IEPs ages sixteen and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment and transition services divided by the number of youth with an IEP ages sixteen and above.

Results for 2015–16

For FFY 2015, 99.6 percent of students with IEPs, ages sixteen and above, have all eight postsecondary goals included in their IEPs which (1) include education, training, employment, and independent living; (2) updated goals according to the student's changing strengths and preferences; (3) age appropriate transition assessment; (4) services in the IEP that will reasonably enable the student to meet his or her goals; (5) inclusion of courses that will reasonably enable the student to meet his or her goals; (6) annual goals related to the student's transition services needs; (7) evidence that the student was invited to the IEP Team meeting, and; (8) evidence that a representative of any participating agency was invited to the IEP Team meeting with prior consent of the parent or student who has reached the age of majority.

Target Met: No

Secondary Transition (Part C to Part B) Targets and Results for FFY 2013–18

Indicator 13	2013	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%	100%
Result	93.5%	99.4%	99.6%	--	--	--
Target Met	No	No	No	--	--	--

Indicator 14: Post-school Outcomes

Description

This is a performance indicator that measures the percent of youth, who are no longer in secondary school that had IEPs in effect at the time they left school, and were:

- Enrolled in higher education within one year of leaving high school;
- Enrolled in higher education or competitively employed within one year of leaving high school; or
- Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school (20 *U.S.C.* 1416[a][3][B]). Data are collected and reported by SELPAs using the June 2014 CASEMIS submission.

Target for 2015–16

These targets represent changes approved by the SBE and the OSEP in FFY 2014 and will be in effect for FFY 2013–18.

A. 52.3 percent or more of youth who had IEPs who are no longer in secondary school will be reported to have been enrolled in some type of postsecondary school within one year of leaving high school.

B. 72.4 percent or more of youth who had IEPs who are no longer in secondary school will be reported to have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.

C. 81 percent or more of youth who had IEPs who are no longer in secondary school will be reported to have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.

Measurement

A. The number of youth who are no longer in secondary school, had IEPs in effect when they left school, and were enrolled in higher education within one year of leaving high school divided by the number of respondent youth who are no longer in secondary school.

B. Number of youth who are no longer in secondary school, had IEPs in effect when they left school, and were enrolled in higher education or competitively employed

within one year of leaving high school divided by the number of respondent youth who are no longer in secondary school.

C. Number of youth who are no longer in secondary school, had IEPs in effect when they left school, and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment divided by the number of respondent youth who are no longer in secondary school.

Results for 2015–16:

A. 52.3 percent of youth who had IEPs who were no longer in secondary school reported to have been enrolled in some type of postsecondary school within one year of leaving high school.

B. 75.5 percent of youth who had IEPs who were no longer in secondary school reported to have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.

C. 83.2 percent of youth who had IEPs who were no longer in secondary school reported to have been enrolled in higher education or in some type of postsecondary school, or training program; or competitively employed in some other employment.

Target Met: A. Yes B. Yes C. Yes

Post-school Outcomes Targets and Results for FFY 2013–18

Indicator 14	2013	2014	2015	2016	2017	2018
14A Target – Postsecondary	52.3%	52.3%	52.3%	52.3%	53.3%	54.3%
Result	52.3%	50.4%	52.3%	--	--	--
Target Met	Yes	Yes	Yes	--	--	--
14B Target – Employed/ Postsecondary	72.4%	72.4%	72.4%	72.4%	73.4%	74.4%
Result	72.4%	72.4%	75.5%	--	--	--
Target Met	No	Yes	Yes	--	--	--
14C Target – Any Education/ Employment	81%	81%	81%	81%	82%	83%
Result	81%	82.1%	83.2%	--	--	--
Target Met	Yes	Yes	Yes	--	--	--

Indicator 15: Resolution Sessions

Description

This is a performance indicator that measures the percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. (20 *U.S.C.* 1416[a][3][B]).

Target for 2015–16

Fifty-seven percent of hearing requests will be resolved through session settlement agreements.

Measurement

Percent = (3.1[a] divided by 3.1) multiplied by 100.

Section C: Due Process Complaints	
(3) Total number of due process complaints filed	4198
(3.1) Resolution meetings	1069
(a) Written settlement agreements	344
(3.2) Hearings fully adjudicated	111
(a) Decisions with time line (including expedited)	30
(b) Decisions within extended time line	86
(3.3) Due process complaints pending	3043
(3.4) Due process complaints withdrawn or dismissed (including resolved without hearing)	3931

Results for 2015–16:

For FFY 2015, 32.17 percent of hearing requests that went to resolution were resolved through resolution session settlement agreements.

Target Met: No

Resolution Sessions Targets and Results for FFY 2013–18

Indicator 15	2013	2014	2015	2016	2017	2018
Target	55%	56%	57%	58%	59%	60%
Result	32.7%	30.2%	32.17%	--	--	--
Target Met	No	No	No	--	--	--

Indicator 16: Mediation

Description

This is a performance indicator that measures the percent of mediations held that resulted in mediation agreements. (20 *U.S.C.* 1416[a][3][B]).

Target for 2015–16

Fifty-seven percent of mediation conferences will result in mediation agreements.

Measurement

- Percent = (2.1[a][i] + 2.1[b][i]) divided by 2.1, multiplied by 100.

Section B: Mediation Requests	
(2) Total number of mediation request received through all dispute resolution processes	4341
(2.1) Mediations held	2286
(a) Mediations held related to due process complaints	2107
(i) Mediation agreements related to due process complaints	1306
(b) Mediations held not related to due process complaints	179
(i) Mediation agreements not related to due process complaints	67
(2.2) Mediations withdrawn or not held (including pending mediations)	1606

Results for 2015–16

For FFY 2015, 60.06 percent of mediation conferences resulted in mediation agreements.

Target Met: Yes

Mediation Targets and Results for FFY 2013–18

Indicator 16	2013	2014	2015	2016	2017	2018
Target	55%	56%	57%	58%	59%	60%
Result	65.1%	62.6%	60.06%	--	--	--
Target Met	Yes	Yes	Yes	--	--	--

Indicator 17: State Systemic Improvement Plan

Description

This indicator describes how the state identified and analyzed key data, including data from SPP/APR indicators, 618 data collections, and other available data as applicable, to: (1) Select the State-identified Measurable Result(s) for Children with Disabilities, and (2) Identify root causes contributing to low performance. The description must include information about how the data were disaggregated by multiple variables (e.g., LEA, region, race/ethnicity, gender, disability category, placement, etc.). As part of its data analysis, the state should also consider compliance data and whether those data present potential barriers to improvement. In addition, if the state identifies any concerns about the quality of the data, the description must include how the state will address these concerns. Finally, if additional data are needed, the description should include the methods and timelines to collect and analyze the additional data. This indicator will be reported to the SBE in March 2017 for approval and will be submitted to OSEP in April 2017.

California Department of Education
Executive Office
SBE-007 Federal (REV. 02/2014)

ITEM #W-01

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

☒ **Federal Waiver**

SUBJECT	
Request by **Middletown Unified School District** 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 Number: Fed-19-2016	☒ **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, or is a public charter school operating secondary vocational and technical education programs, and is unable to join a consortium, 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

☒ Approval ☐ Approval with conditions ☐ Denial

SUMMARY OF KEY ISSUES

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. Middletown Unified School District is located in Lake County, and has a student population of 1,605. Middletown Unified School District is seeking a waiver to function independently in order to meet the needs of the students in the district.

Local board approval date: July 27, 2016

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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:

Middletown Unified School District has a student population of 1,605 and is located in a Rural: Distant (42) area in Lake County.

FISCAL ANALYSIS (AS APPROPRIATE)

Approval will enable the Middletown Unified School District to receive an annual Perkins Act allocation that is listed on Attachment 1. The waiver has no significant effect on the distribution of Perkins Act funds statewide.

ATTACHMENT(S)

Attachment 1: District Requesting Carl D. Perkins Career and Technical Education Waivers (1 page)

Attachment 2: Middletown Unified School District Federal Waiver Request Fed-19-2016 for Middletown 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-19-2016	Middletown Unified School District for Middletown High School	**Requested:** July 1, 2016, to June 30, 2020 **Recommended:** July 1, 2016, to June 30, 2020	July 27, 2016	42	Student population of 1,605 located in Lake County	$10,828

Created by California Department of Education
September 12, 2016

California Department of Education
WAIVER SUBMISSION - Federal

CD Code: 1764055 Waiver Number: Fed-19-2016 Active Year: 2016

Date In: 7/28/2016 9:06:27 AM

Local Education Agency: Middletown Unified School District
Address: 20932 Big Canyon Rd.
Middletown, CA 95461

Start: 7/1/2016 End: 6/30/2020

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: *EC* Section: PL 109-270 Section 131(c) (1)
EC Authority: PL 109-270 Section 131(c) (2)

Outcome Rationale: Middletown Unified School District is seeking the federal grant for CTE, Carl D. Perkins to support our CTE trade industry in Business, Technology, Welding Fabrication and Horticulture to improve, enhance and expand these career pathway. By receiving this grant and waiver approval we can implement a more rigorous and relevant CTE pathway for our students to complete and prepare them for the career and college readiness once they complete the pathway. 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 pathway. 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: 475

City Type: Rural

NCES Code: 43

Local Board Approval Date: 7/27/2016

Submitted by: Mr. William Roderick
Position: Principal
E-mail: bill.roderick@middletownusd.org
Telephone: 707-987-4140 x4111
Fax: 707-987-1446

ITEM #W-02

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

☒ **General Waiver**

SUBJECT Request by **Corcoran Joint Unified School District** to waive *California Code of Regulations,* Title 5, Section 3051.16(b)(3), the requirement that educational interpreters for deaf and hard of hearing pupils meet minimum qualifications as of July 1, 2009, to allow Regina Lanteigne to continue to provide services to students until June 30, 2017, under a remediation plan to complete those minimum requirements. Waiver Number: 12-8-2016	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

The State Board of Education (SBE) must determine if Regina Lanteigne qualifies for an educational interpreter waiver to provide educational interpreter services until June 30, 2017.

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

RECOMMENDATION

☐ **Approval** ☒ **Approval with conditions** ☐ **Denial**

The California Department of Education (CDE) recommends approval of the waiver request for Regina Lanteigne with the individual conditions noted in Attachment 1.

SUMMARY OF KEY ISSUES

The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA 2004) requires that interpreters for pupils who are Deaf or Hard of Hearing meet state-approved or state-recognized certification, registration, or other comparable requirements, as defined in Title 34 of the *Code of Federal Regulations,* Section 300.156(b)(1).

To meet this federal requirement, the *California Code of Regulations,* Section 3051.16(b)(3) require the following:

By **July 1, 2009,** and thereafter, an educational interpreter shall be certified by the national Registry of Interpreters for the Deaf (RID), or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of **4.0** or above on the Educational Interpreter Performance Assessment (EIPA), the Educational Sign Skills Evaluation-Interpreter/Receptive (ESSE-I/R), or the National Association of the Deaf/American Consortium of Certified Interpreters (NAD/ACCI) assessment. If providing Cued Language transliteration, a translator shall possess Testing/Evaluation and Certification Unit (TECUnit) certification, or have achieved a score of **4.0** or above on the EIPA – Cued Speech.

Demographic Information: The Corcoran Unified School District (USD) has a student population of 3,234 and is located in a rural city in Kings County.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2002, the SBE approved regulations that required educational interpreters to be certified by the national RID, or equivalent, by January 1, 2007. As of July 1, 2009, they have been required to be certified by the RID, or equivalent, or to have achieved a score of 4.0 or better on specified assessments.

In November, 2009, the SBE approved a policy regarding educational interpreter waiver requests. That policy is on the CDE Web site at http://www.cde.ca.gov/re/lr/wr/documents/interpreter_000.doc

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: List of Waiver Numbers, Districts, Information Regarding Test Scores and Conditions (1 page)

Attachment 2: Corcoran Joint Unified School District General Waiver Request 12-8- 2016 (4 pages) (Original waiver request is signed and on file in the Waiver Office.)

List of Waiver Numbers, Districts, Information Regarding Test Scores and Conditions

Waiver Number	LEA	Interpreter	Period of Request	Local Board and Public Hearing Approval Date Public Hearing Requirement	Bargaining Unit, Representative(s) Consulted, Date and Position	Advisory Committee Consulted, Date and Position	Previous Waivers (Yes/No) Date	Name, Date, and Score of Most Recent Evaluation	Name, Dates, and Scores of Previous Evaluations	Date of Hire
12-8-2016	Corcoran Joint Unified School District	Regina Lanteigne	**Requested:** 8/15/2016 To 6/30/2017 **Recommended:** 8/15/2016 To 6/30/2017	8/23/2016 Notice in local newspaper and posted notices throughout the district	California School Employees Association, Chapter 214 Octavio Barajas President 7/26/2016 **Support**	Special Education Local Panning Agency Advisory 8/15/2016 **No objections**	No	EIPA Pre-Hire Screen 1/27/2016 "OK to Hire"		7/11/2016
	Conditions: 1. The Corcoran Unified School District must provide Ms. Lanteigne with weekly one-on-one mentorship, based on an individualized professional development plan, by a qualified interpreter. 2. By June 2017, the Corcoran Unified School District must provide CDE with new assessment scores for Ms. Lanteigne.									

Created by California Department of Education
September 6, 2016

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1663891 Waiver Number: 12-8-2016 Active Year: 2016

Date In: 8/25/2016 10:01:14 AM

Local Education Agency: Corcoran Joint Unified School District
Address: 1520 Patterson Ave.
Corcoran, CA 93212

Start: 8/15/2016 End: 6/30/2017

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Special Education Program
Ed Code Title: Educational Interpreter for Deaf and Hard of Hearing
Ed Code Section: *CCR*, Title 5, Section 3051.16(b)(3)
Ed Code Authority: 33050-33053

Ed Code or *CCR* to Waive: Specialized Services for Low Incidence Disabilities
(b) certification requirements for educational interpreters for deaf and hard of hearing pupils.
(3) By July 1, 2009, and thereafter, an educational interpreter shall be certified by national RID, or equivalent, in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the EIPA, the ESSE-I/R or the NAD/ACCI assessment. If providing Cued Language transliteration, a transliterator shall possess T*EC*Unit certification, or have achieved a score of 4.0 or above on the EIPA-Cued Speech.

Outcome Rationale: In order to provide adequate interpretation services to a student in our LEA we have employed our own Educational Interpreter.

Regina took the EIPA Pre-Hire Screening in January 2016. The results indicated that she was OK to hire. In addition it was recommended that she take the full EIPA assessment within one year. Regina is scheduled to take the full EIPA in December 2016. Regina has met and will continue to meet with Pat Thron (RID certified interpreter) weekly, to formally build skills. CUSD has ordered the EIPA Educational Interpreting Practice DVDs which Regina will be using to further build her skills this year.

Student Population: 3234

City Type: Rural

Public Hearing Date: 8/23/2016
Public Hearing Advertised: Through the local Corcoran Journal Newspaper on August 11, 2016 and posted notices throughout the District.

Local Board Approval Date: 8/23/2016

Community Council Reviewed By: Special Education Local Planning Agency (SELPA) Advisory
Community Council Reviewed Date: 8/15/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. DeLinda Chubbuck
Position: School Psychologist
E-mail: delindachubbuck@corcoranunified.com
Telephone: 559-992-8888 x1248
Fax: 559-992-5293

Bargaining Unit Date: 07/26/2016
Name: California School Employees Assoc Chapter 214
Representative: Octavio Barajas
Title: President
Position: Support
Comments:

Certification Remediation Plan (2016-2017)
Corcoran Unified School District
Regina Lanteigne, Educational Interpreter

Effective July 1, 2009 as required by CA Code of Regulations, Sections 3051.16 (b)(3) and 3065, an educational interpreter shall be certified by the national RID; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the EIPA, the ESSE-I/R, or the NIC assessment.

If an educational interpreter has not met the standard, the district may apply for a one year waiver on their behalf. As a condition for waiver approval, a remediation plan must be in place and evidence must be submitted to prove that the educational interpreter is making satisfactory progress toward meeting the certification requirements.

I, Regina Lanteigne, understand that with no EIPA score on file I do not meet the standard for educational interpreters as outlined above and in order to become a certified educational interpreter, I mist meet one of the following score options:
Score 4.0 or above on one of the following assessments:
_____ EIPA _____ ESSE-I/R _____ NIC

With the personal goal of achieving RID National Certification
Actions I will take to complete the above requirements:

- ✓ Participate in test preparation workshops offered through CCRID (Central California Registry for Interpreters for Deaf)
  Dates: TBD during the 2016-2017 school year.

- ✓ Participate in seminars offered at Kings County Office of Education/Deaf and Hard of Hearing Services
  Dates: TBD during the 2016-2017 school year.

- ✓ Meet regularly with certified interpreter mentor for feedback and progress monitoring of the above learning goals.
  Mentor: Mrs. Pat Thron, IC/TC Certified

- ✓ Participate in tri-annual meeting with mentor and Director of Special Services to review educational interpreter learning goals focused on improvement of educational interpreter skills and exam preparation.
  Dates: November 2016, January 2017, April 2017

- ✓ Complete the ESSE-I/R or EIPA by June 1, 2017.
  Dates: TBD during the 2016-2017 school year.

I further understand that the Director of Special Services and I will discuss my Certification Remediation Plan regularly to ensure that I am actively working toward the required interpreter certification. I further understand that meeting this certification requirement or a CDE approval is a condition of continued employment with Corcoran Unified School District.

_____	_____
Regina Lanteigne, Educational Interpreter	Date
_____	_____
Lora Cartwright, Director of Educational Services	Date
_____	_____
DeLinda Chubbuck, School Psychologist	Date
_____	_____
Octavio Barajas, President CSEA Chapter # 214	Date

ITEM #W-03

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

☒ **General Waiver**

SUBJECT Request by **Los Angeles Unified School District** for a waiver of portions of California *Education Code* Section 47652(b), in order to allow the City High School, charter #1710, to receive a full advanced apportionment for students from the former The City School, charter #1410, now merged with the City High School. Waiver Number: 13-8-2016	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

A charter school in its second or later year of operation that is adding at least one grade level may receive a special charter principal apportionment advance on the average daily attendance (ADA) generated by the new grade(s), but *Education Code (EC)* Section 47652(b) caps the ADA at that of the charter's highest grade served in the prior year. For the ADA not funded in the special advance, the charter will have to wait until the first principal apportionment (P-1) reporting period in February 2017 to begin receiving monies. The Los Angeles Unified School District (LAUSD) is requesting the sentence pertaining to capping of ADA in the special advance be waived for City High School, charter #1710.

Authority for Waiver: *EC* Section 33050

RECOMMENDATION

☒ **Approval** ☐ **Approval with conditions** ☐ **Denial**

By waiving the cap on ADA for the special charter advance, City High School will receive advance funding for all of its students, similar to how it would be funded had all of the students attended in the prior year. This will enable the school to make timely payments to the additional staff and teachers needed for the expanded instructional program.

SUMMARY OF KEY ISSUES

LAUSD requests a waiver of the following on behalf of City High School:

> California *Education Code* Section 47652(b). (b) In addition to funding received pursuant to Section 41330, a charter school in its second or later year of

> operation also shall be eligible to receive an advance apportionment pursuant to the process and conditions described in subdivision (a) in any year in which the charter school is adding at least one grade level. ~~The average daily attendance funded for a new grade level shall not exceed the portion of the certified average daily attendance at the second principal apportionment for the prior year that was attributable to pupils in the highest grade served by the charter school.~~ [Note: the preceding sentence contains strikeout or has been stricken.]

The City School, which served grades 6–8 in fiscal year (FY) 2015–16, merged with City High School, which served grade 9. City High School will now serve grades 6–10 starting in the 2016–17 school year and anticipates FY 2016–17 ADA of approximately 522, with 427.50 of it being for the addition of four grades (6, 7, 8 and 10). Without the waiver, the school would only receive special advance funding for a portion of its ADA; approximately 200 ADA would not be funded. The actual amount of the special advance will be based on data submitted by the charter school after the first 20 days of student attendance.

The unusual circumstances for this case is the merging of two charter schools with the majority of the ADA coming from the new grades. The waiver allows the charter school to receive a special advance payment on the full amount of ADA rather than waiting until February when the P-1 reporting period payments start.

Approval of the waiver is recommended so that City High School charter may receive charter special advance monies for the full amount of new grade level ADA.

Demographic Information:

City High School (charter #1710) has a student population of 550 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.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

A similar request to waive the “shall not exceed” sentence in *EC* Section 47652(b) was approved for Gompers Preparatory Academy in 2010 (Waiver Number 21-8-2010). The 2010 waiver was also for two charter schools that had merged.

FISCAL ANALYSIS (AS APPROPRIATE)

Approval will not result in an increased cost to the state. Approval will allow money to flow sooner to the charter school, but will not affect its total entitlement.

ATTACHMENT(S)

Attachment 1: Summary Table (1 page)

Attachment 2: Los Angeles Unified School District General Waiver Request 13-8-2016 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Summary Table

Portion of California *Education Code* Section 47652(b)

Waiver Number	District	Period of Request	Bargaining Unit, Representatives Consulted, Date, and Position	Public Hearing and Board Approval Date	Public Hearing Advertisement
13-8-2016	Los Angeles Unified School District on behalf of City High School, Charter #1710	**Requested:** July 1, 2016 to June 30, 2017 **Recommended:** July 1, 2016 to June 30, 2017	N/A (City High School charter does not have a collective bargaining unit)	8/23/2016	Los Angeles Daily Journal – Newspaper Ad

Created by California Department of Education
September 13, 2016

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1964733 Waiver Number: 13-8-2016 Active Year: 2016

Date In: 8/25/2016 12:46:45 PM

Local Education Agency: Los Angeles Unified School District
Address: 333 South Beaudry Ave.
Los Angeles, CA 90017

Start: 7/1/2016 End: 6/30/2017

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Advanced Apportionment
Ed Code Section: portions of Section 47652(b)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: (b) In addition to funding received pursuant to Section 41330, a charter school in its second or later year of operation also shall be eligible to receive an advance apportionment pursuant to the process and conditions described in subdivision (a) in any year in which the charter school is adding at least one grade level. [The average daily attendance funded for a new grade level shall not exceed the portion of the certified average daily attendance at the second principal apportionment for the prior year that was attributable to pupils in the highest grade served by the charter school.]

Outcome Rationale: Effective 7/1/16, City High School “merged” with The City School (formerly City Charter Middle, charter #1410). Since there is no technical process to formally merge the schools, the middle school closed and the high school added grades 6-8. The existing Ed Code language which limits the ADA funding amount for the special apportionment significantly reduces the amount of cash available to continue operations and make timely payments to both staff and teachers. With the waiver of this limitation, the calculation and payment that would be provided with the special 20-day apportionment would enable to school to meet its obligations. These student have historically attended a City Charter School and can be supported by the middle school’s “P” reports. As such, the risk to the State of CA of overpaying special apportionment funds due to overestimated enrollment for new or expanding schools is eliminated. Since this event is unusual in nature and would not re-occur, the school is requesting a waiver for the 2016-17 school year only.

Student Population: 550

City Type: Urban

Public Hearing Date: 8/23/2016
Public Hearing Advertised: Los Angeles Daily Journal - Newspaper Add

Local Board Approval Date: 8/23/2016

Community Council Reviewed By: LAUSD Board of Education
Community Council Reviewed Date: 8/23/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Jose Cole-Gutierrez
Position: Director, LAUSD Charter Schools Division
E-mail: jose.cole-gutierrez@lausd.net
Telephone: 213-241-0399 x16296
Fax: 213-241-2054

ITEM #W-04

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

☒ **General Waiver**

SUBJECT Request 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: Acton-Agua Dulce Unified School District 12-7-2016 Lakeside Union Elementary School District 8-7-2016 Vista Unified School District 7-8-2016	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

Three local educational agencies (LEAs) are requesting, on behalf of their 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 school to request a non-prospective nonclassroom-based funding determination for their respective funding period.

Each charter school identified in Attachment 1 submitted a determination of funding request after the required deadline, thereby making the request retroactive. If the waivers are approved by the SBE, the charter schools may then submit the retroactive funding determination requests for consideration by the Advisory Commission on Charter Schools (ACCS) and the SBE.

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

RECOMMENDATION

☒ **Approval** ☐ **Approval with conditions** ☐ **Denial**

The California Department of Education (CDE) recommends that the SBE approve the requests by the LEAs to waive specific portions of 5 *CCR*, Section 11963.6(c), in order

to allow the specified charter schools to submit determination of funding requests for the specified fiscal year. Approval of these waiver requests will also allow the SBE to consider the requests, which are retroactive. Without the waiver, the SBE may not consider the determination of funding request and the charter school's nonclassroom-based average daily attendance (ADA) may not be funded for the affected fiscal year.

SUMMARY OF KEY ISSUES

EC sections 47612.5 and 47634.2 established the eligibility requirements for apportionment funding for charter schools that offer nonclassroom-based instruction. The statutes specify that a charter school may receive apportionment funding for nonclassroom-based instruction only if a determination of funding is made by the SBE. The CDE reviews a charter school's determination of funding request and presents it for consideration to the ACCS, pursuant to relevant 5 *CCR*.

Pursuant to 5 *CCR*, Section 11963.6(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 identified in Attachment 1 submitted a determination of funding request after the required deadline, thereby making the request retroactive.

Demographic Information:

Acton-Agua Dulce Unified School District is requesting a waiver for SIATech Academy South (Charter #1700), which serves a student population of 91 and is located in an urban area in Los Angeles County.

Lakeside Union Elementary School District is requesting a waiver for River Valley Charter (Charter #120), which serves a student population of 277 and is located in a suburban area in San Diego County.

Vista Unified School District is requesting a waiver for SIATech (Charter #627), which serves a student population of 1,123 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* Section 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has approved similar waiver requests regarding retroactive funding determination requests for charter schools that offer nonclassroom-based instruction.

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of this waiver request will allow the SBE to consider the charter school's determination of funding request. Subsequent approval of the determination of funding request by the SBE will allow the charter school's nonclassroom-based ADA to be funded at the funding determination rate approved by the SBE for the specified fiscal year.

ATTACHMENT(S)

Attachment 1: Nonclassroom-Based Funding Determination Deadline (1 page)

Attachment 2: Acton-Agua Dulce Unified School District General Waiver Request 12-7-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Lakeside Union Elementary School District General Waiver Request 8-7-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Vista Unified School District General Waiver Request 7-8-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Nonclassroom-Based Funding Determination 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
12-7-2016	Acton-Agua Dulce Unified School District	SIATech Academy South (1700 / 19-75309-0131383)	2014–15	**Requested:** July 1, 2015 to June 30, 2017 **Recommended:** July 1, 2015 to June 29, 2017	6/23/2016	Posted at newspapers and at each school site	Administrative Council 6/15/2016 **No objections**
8-7-2016	Lakeside Union Elementary School District	River Valley Charter (120 / 37-68189-3731072)	1997–98	**Requested:** July 1, 2016 to June 30, 2017 **Recommended:** July 1, 2016 to June 30, 2017	7/14/2016	Public notices posted at all site locations, and the district website	District School Board of Trustees 7/14/2016 **No objections**
7-8-2016	Vista Unified School District	SIATech (627 / 37-68452-0106120)	2004–05	**Requested:** July 1, 2015 to June 30, 2017 **Recommended:** July 1, 2015 to June 29, 2017	8/18/2016	Posting of the agenda	District Level Leadership-Cabinet 6/13/2016 **No objections**

Created by California Department of Education
September 19, 2016

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1975309 Waiver Number: 12-7-2016 Active Year: 2016

Date In: 7/25/2016 1:34:52 PM

Local Education Agency: Acton-Agua Dulce Unified School District
Address: 32248 North Crown Valley Rd.
Acton, CA 93510

Start: 7/1/2015 End: 6/30/2017

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Nonclassroom-Based Funding
Ed Code Section: *CCR*, Title 5, Section 11963.6(c)
Ed Code Authority: *EC* 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: The SIA TECH Academy Sowth Charter School inadvertently failed to meet the CDE deadline.

Student Population: 91

City Type: Urban

Public Hearing Date: 6/9/2016
Public Hearing Advertised: Newspapers and postings at each school site

Local Board Approval Date: 6/23/2016

Community Council Reviewed By: Administrative Council
Community Council Reviewed Date: 6/15/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Steve Budhraja
Position: Chief Financial Officer
E-mail: sbudhraja@aadsdu.k12.ca.us
Telephone: 661-269-5999 x104
Fax:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3768189 Waiver Number: 8-7-2016 Active Year: 2016

Date In: 7/17/2016 7:49:32 PM

Local Education Agency: Lakeside Union Elementary School District
Address: 12335 Woodside Avenue
Lakeside, CA 92040

Start: 7/1/2015 End: 6/30/2016

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Nonclassroom-Based Funding
Ed Code Section: 11963(c)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: 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: River Valley Charter School (RVCS) is a highly successful, independent charter school and has been authorized by our District since 1996. RVCS operates an independent study program for students in grades 7-12, therefore it requires a Nonclassroom-Based Funding Determination approval. The last Funding Determination approved for RVCS was for the five year period of 7/1/2011 through 6/30/2016. Since the last approval was obtained, there has been a turnover in staff at the charter school who were not aware that the funding determination application was due until after the submission date had already passed. We respectfully request that the State Board of Education approve the waiver for the charter's funding determination for fiscal years 2016/17 through 2020/21.

If the waiver is not approved and funding is negatively impacted, the charter school would be significantly impacted in its ability to operate and provide quality education to the 277 students it serves.

Student Population: 277

City Type: Suburban

Public Hearing Date: 7/14/2016
Public Hearing Advertised: public notices were posted at all site locations and on the District website

Local Board Approval Date: 7/14/2016

Community Council Reviewed By: Lakeside Union School District Board of Trustees
Community Council Reviewed Date: 7/14/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N
Submitted by: Ms. Erin Garcia
Position: Assistant Superintendent
E-mail: erin.garcia@lsusd.net
Telephone: 619-390-2641 x2641
Fax:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3768452 Waiver Number: 7-8-2016 Active Year: 2016

Date In: 8/22/2016 1:29:19 PM

Local Education Agency: Vista Unified School District
Address: 1234 Arcadia Ave.
Vista, CA 92084

Start: 7/1/2015 End: 6/30/2017

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Nonclassroom-Based Funding
Ed Code Section: *CCR*, Title 5, Section 11963.6(c)
Ed Code Authority: *EC* 33050

Ed Code or *CCR* to Waive: *EC* 47612.5 and 47634.2 and 5 *CCR* Section 11963

47612.5(d)(1) a charter school that has an approved charter may receive funding for nonclassroom-based instruction only if a determination for funding is made pursuant to Section 47634.2 by the State Board of Education

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: SIATech Charter, a primarily classroom based dropout recovery charter school in existence since 2004, began a non-classroom based Independent
Study program in 2009. Since 2009 this portion of the charter school's total ADA has slowly grown from 1% in 2009 to 15% in 20014-15, causing no requirement to submit a funding determination request to the California Department of Education. This year at P1, SIATech still had a ratio of over 80% classroom based to non-classroom based ADA which was also the case as of the deadline date to submit a funding determination request on February 1, 2016. At P2, however, non-classroom based ADA came in unexpectedly at 20.8%, thus pushing the ratio over the 20% threshold by .8%, and thereby triggering the funding determination requirement. Due to this increase, final apportionment and advance apportionment for the school will not include the non-classroom based portion of the ADA (over $2 million) due to SIATech, placing a financial hardship on the school. A funding determination request has since been completed, showing that SIATech meets all the requirements to be 100% funded on the non-classroom based ADA.

Student Population: 1123

City Type: Urban

Public Hearing Date: 8/18/2016
Public Hearing Advertised: Through posting of the Agenda

Local Board Approval Date: 8/18/2016

Community Council Reviewed By: District Level Leadership-Cabinet
Community Council Reviewed Date: 6/13/2016
Community Council Objection: N
Community Council Objection Explanation:
Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Donna Caperton
Position: Assistant Superintendent-Business Services
E-mail: donnacaperton@vistausd.org
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Fax:

ITEM #W-05

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

☒ **General Waiver**

SUBJECT

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

Waiver Numbers: Clovis Unified School District 5-8-2016
Dixie Elementary School District 3-8-2016
Lakeport Unified School District 13-7-2016
Los Molinos Unified School District 2-7-2016
Marysville Joint Unified School District 9-8-2016
Ross Valley Elementary School District 5-7-2016
San Rafael City Elementary School District 11-7-2016

☒ **Action**

☒ **Consent**

SUMMARY OF THE ISSUES

Clovis Unified School District (CUSD), Dixie Elementary School District (DESD), Lakeport Unified School District (LUSD), Los Molinos Unified School District (LMUSD), Marysville Joint Unified School District (MJUSD), Ross Valley Elementary School District (RVESD), and San Rafael City Elementary School District (SRCESD) seek waivers of the California *Education Code* (*EC*) Section 37202(a), 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 California Department of Education recommends approval of the waivers with conditions. The CUSD, DESD, LUSD, LMUSD, MJUSD, RVESD, and SRCESD will provide information to CUSD, DESD, LUSD, LMUSD, MJUSD, RVESD, and SRCESD families by January 5, 2017, 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 CUSD, DESD, LUSD, LMUSD, MJUSD, RVESD, and SRCESD are requesting to waive *EC* Section 37202(a), the equity length of time requirement for kindergarten programs. Pursuant to *EC* Section 37202(a), any TK program operated by a district must be of equal length to any kindergarten program operated by the same district. The CUSD, DESD, LUSD, LMUSD, MJUSD, RVESD, and SRCESD currently offer extended-day (full day) kindergarten programs which exceed the maximum four-hour school day (*EC* 46111 [a]). The CUSD, DESD, LUSD, LMUSD, MJUSD, RVESD, and SRCESD 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 CUSD, DESD, LUSD, LMUSD, MJUSD, RVESD, and SRCESD 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:

CUSD has a student population of 42,000, and is located in a suburban area in Fresno County.

DESD has a student population of 2,001, and is located in a suburban area in Marin County.

LUSD has a student population of 1,491, and is located in a rural area in Lake County.

LMUSD has a student population of 562, and is located in a rural area in Tehama County.

MJUSD has a student population of 9,600, and is located in an urban area in Yuba County.

RVESD has a student population of 2,311, and is located in a suburban area in Marin County.

SRCESD has a student population of 4,779, and is located in a suburban area 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.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of this waiver would have no known fiscal impact.

ATTACHMENT(S)

Attachment 1: Summary Table (3 pages).

Attachment 2: CUSD General Waiver Request 5-8-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: DESD General Waiver Request 3-8-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: LUSD General Waiver Request 13-7-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: LMUSD General Waiver Request 2-7-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 6: MJUSD General Waiver Request 9-8-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 7: RVESD General Waiver Request 5-7-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.

Attachment 8: SRCESD General Waiver Request 11-7-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Information from Districts Requesting Waivers of Equity Length of Time for Transitional Kindergarten
California *Education Code* Section 37202(a)

Waiver Number	District	Period of Request	Bargaining Unit, Representatives Consulted, Date, and Position	Public Hearing and Board Approval Date	Public Hearing Advertisement	SSC/Advisory Committee Position
5-8-2016	Clovis Unified School District	**Requested:** July 1, 2015 to June 30, 2017 **Recommended:** July 1, 2015 to June 28, 2017	No bargaining unit	**Public Hearing Date**: April 6, 2016 **Board Approval Date**: July 20, 2016	The public hearing notice was posted at each schoolsite, online, and at the district office.	School Assessment and Review Team March 31, 2016 **No Objection**
3-8-2016	Dixie Elementary School District	**Requested:** August 18, 2016 to June 8, 2018 **Recommended:** August 18, 2016 to June 8, 2018	Dixie Teachers Association, Tara Costello President 7/13/2016 **Support**	August 9, 2016	The public hearing notice was posted at the district office and at four schoolsites.	Administration Council June 2, 2016 **No Objection**

Waiver Number	District	Period of Request	Bargaining Unit, Representatives Consulted, Date, and Position	Public Hearing and Board Approval Date	Public Hearing Advertisement	SSC/Advisory Committee Position
13-7-2016	Lakeport Unified School District	**Requested:** August 10, 2016 to May 26, 2017 **Recommended:** August 10, 2016 to May 26, 2017	Lakeport Unified Teacher Association, Pamela Klier President 6/08/2015 **Support**	**Public Hearing Date**: June 23, 2016 **Board Approval Date**: July 14, 2016	The public hearing notice was posted at all three schoolsites, the district office, the alternative education site, and the Healthy Start building.	Lakeport Unified School School District July 14, 2016 **No Objection**
2-7-2016	Los Molinos Unified School District	**Requested:** August 19, 2015 to June 8, 2016 **Recommended:** August 19, 2015 to June 8, 2016	California School Employees Association #806, Veronica Rico President 03/24/2016 **Support** Los Molinos Teachers Association, Cheryl Clark President 12/15/2015 **Support**	June 16, 2016	The public hearing notice was posted at all schoolsites and the district office.	Los Molinos Elementary Schoolsite Council December 17, 2015 **No Objection**
9-8-2016	Marysville Joint Unified School District	**Requested:** July 5, 2016 to June 30, 2018 **Recommended:** July 5, 2016 to June 30, 2018	Marysville Joint Unified Teachers Association, Inge Schlussler President 8/12/2016 **Support**	August 23, 2016	The public hearing notice was advertised online and posted at the meeting site and all schoolsites.	Arboga Elementary Schoolsite Council October 6, 2016 **No Objection**

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
5-7-2016	Ross Valley Elementary School District	**Requested:** August 24, 2016 to June 15, 2017 **Recommended:** August 24, 2016 to June 15, 2017	Ross Valley Teachers Association, Julie Crumrine President 6/14/2016 **Support**	June 21, 2016	The public hearing notice was posted at the meeting site, all five schoolsites, and on the district Web site.	Schoolsite Council June 7, 2016 **No Objection**
11-7-2016	San Rafael City Elementary School District	**Requested:** August 20, 2015 to June 8, 2017 **Recommended:** August 20, 2015 to June 8, 2017	San Rafael Teacher's Association, Katie O'Donnell President 6/14/2016 **Support**	June 27, 2016	The public hearing notice was posted at all schoolsites and on the district Web site.	Cabinet and Administrative Council June 14, 2016 **No Objection**

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1062117 Waiver Number: 5-8-2016 Active Year: 2016

Date In: 8/16/2016 5:18:43 PM

Local Education Agency: Clovis Unified School District
Address: 1450 Herndon Ave.
Clovis, CA 93611

Start: 7/1/2015 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(a)
Ed Code Authority: 33050(a)

Ed Code or *CCR* to Waive: 37202(a) Except if a school has been closed by order of a city or 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: The Clovis Unified School District ("District") is requesting to maintain kindergarten and transitional ("TK") classes at the same school site within the district for different lengths of time during the school day. The District currently maintains extended-day kindergarten classes between 3.75 and 5.6 hours per day at each of the following school sites: Lincoln, Miramonte, Oraze, Pinedale, and Weldon. The District is requesting flexibility in determining the length of its TK program (3.4 - 3.75 hours) at those same sites in order to implement a high-quality TK program that provides a modified instructional day, modified curricula, and developmentally appropriate instructional practices. The District was unaware at the start of the TK program that it was required to obtain a waiver to provide programs differeing in length. Therefore, the District is requesting both a retroactive and future waiver to continue to provide programs at differing lengths for TK and Kindergarten. The District believes the length of the TK program has been appropriate in providing students with the developmentally appropriate activities and experiences both socially and academically preparing them for a full day high quality standard based kindergarten program.

Student Population: 42000

City Type: Suburban

Public Hearing Date: 4/6/2016
Public Hearing Advertised: posted at each school site, posted on-line, posted at the district

office

Local Board Approval Date: 7/20/2016

Community Council Reviewed By: School Assessment and Review Team
Community Council Reviewed Date: 3/31/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Debbie Parra
Position: Assistant Superintendent
E-mail: debbieparra@cusd.com
Telephone: 559-327-9353
Fax: 559-327-9363

California Department of Education
WAIVER SUBMISSION - General

CD Code: 2165318 Waiver Number: 3-8-2016 Active Year: 2016

Date In: 8/10/2016 11:44:40 AM

Local Education Agency: Dixie Elementary School District
Address: 380 Nova Albion Way
San Rafael, CA 94903

Start: 8/18/2016 End: 6/8/2018

Waiver Renewal: Y
Previous Waiver Number: 7-7-2015-W-06 Previous SBE Approval Date: 11/5/2015

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. (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: The Dixie District is a district of 2,001 ADA with three elementary schools and one middle school. Due to the small number of students participating in Transitional Kindergarten and the small size of our district, the district is currently operating a district-wide Transitional Kindergarten class at two of our elementary schools in order to prevent a combination class of K/TK students.

Our teaching staff and administration believe that classes made up only of those younger students is extremely beneficial to those students and will enhance the specific instruction that is needed. To ensure students success, our Transitional Kindergarten (TK) classes are following the requirement that the TK class is intended to be the first year of a two year Kindergarten experience. The district believes that requiring TK students to attend school with the current Kindergarten instructional minutes is not in the best educational interests of those students enrolled in Transitional Kindergarten. We are a requesting a waiver to allow the Dixie District TK program to begin at 8:30 a.m. and run until 12:00 p.m. In addition, an Instructional Aide would be available at this time to assist in this classroom.

The intended structure of our TK program is for the program to be held in the first half of the instructional day with the curriculum being a blend of the Preschool Foundation and the

Kindergarten Common Core State Standards. This structure ensures that our TK students are fully prepared to meet the academic rigor of the second year of the Kindergarten sequence.

Student Population: 2001

City Type: Suburban

Public Hearing Date: 8/9/2016
Public Hearing Advertised: The Public Hearing Notice was posted at the Dixie School District Office, Dixie Elementary School, Mary E. Silveria Elementary School, Vallecito Elementary School, and Miller Creek Middle School.

Local Board Approval Date: 8/9/2016

Community Council Reviewed By: Administration Council
Community Council Reviewed Date: 6/2/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Judith Arrow
Position: Assistant Superintendent, Educational Services
E-mail: jarrow@dixieschooldistrict.org
Telephone: 415-492-3703
Fax:

Bargaining Unit Date: 07/13/2016
Name: Dixie Teachers Association
Representative: Tara Costello
Title: DTA Rep/Teacher
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1764030 Waiver Number: 13-7-2016 Active Year: 2016

Date In: 7/29/2016 12:36:18 PM

Local Education Agency: Lakeport Unified School District
Address: 2508 Howard Ave.
Lakeport, CA 95453

Start: 8/10/2016 End: 5/26/2017

Waiver Renewal: Y
Previous Waiver Number: 10-7-2015-W-06 Previous SBE Approval Date: 11/5/2015

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: Ed Code or *CCR* to Waive: Notwithstanding subdivision(a), a school district that is implementing an early primary program, pursuant to Chapter 8, commencing with Section 8970 of Part 6, may maintain kindergarten classes at school sites within the district for different lengths of time during the school day.

Outcome Rationale: Because Lakeport Unified School District will continue to offer an extended day (full day) kindergarten program for the 2015-2016 school year, which exceeds the maximum four-hour school day (*EC*46110)we are requesting flexibility in determining the length of our TK program in order to provide a modified instructional day, curricula, and developmentally appropriate instructional practices.Particularly since there is a concern that holding TK students in excess of the four hour minimum school day (pursuant to ES 48911) is not in the best educational interest of the TK students.

Student Population: 1491

City Type: Small

Public Hearing Date: 6/23/2016
Public Hearing Advertised: At all 3 school sites, at the district office, at the alternative education site, and at the Healthy Start building

Local Board Approval Date: 7/14/2016

Community Council Reviewed By: Lakeport Unified School District
Community Council Reviewed Date: 7/14/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Anita Swanson
Position: Principal
E-mail: aswanson@lakeport.k12.ca.us
Telephone: 707-262-3005
Fax: 707-262-5531

Bargaining Unit Date: 06/08/2015
Name: Lakeport Unified Teacher Association
Representative: Pamela Klier
Title: President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 5271571 Waiver Number: 2-7-2016 Active Year: 2016

Date In: 7/6/2016 11:52:33 AM

Local Education Agency: Los Molinos Unified School District
Address: 7851 Highway 99-E
Los Molinos, CA 96055

Start: 8/19/2015 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 the elementary day schools established by it for an equal length of time during the school year.

Outcome Rationale: Our Kindergarten program has, for many years, operated on an "extended day" basis significantly in excess of the minimum requirements. The Board strongly felt that for transitional kindergarten, it was more developmentally appropriate to have a shorter school day for the younger students.

Both Kindergarten and Transitional Kindergarten begin at 8:20 am. Kindergarten dismisses at 2:15 pm, Transitional Kindergarten dismisses at 12:50 pm.

Student Population: 562

City Type: Rural

Public Hearing Date: 6/16/2016
Public Hearing Advertised: Posted at all school sites and at the district office.

Local Board Approval Date: 6/16/2016

Community Council Reviewed By: Los Molinos Elementary School Site Council
Community Council Reviewed Date: 12/17/2015
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Charles Ward
Position: Superintendent
E-mail: cward@lmusd.net
Telephone: 530-321-5268
Fax: 530-384-7832

Bargaining Unit Date: 03/24/2016
Name: California School Employees Association #806
Representative: Veronica Rico
Title: President, CSEA #806
Position: Support
Comments:

Bargaining Unit Date: 12/15/2015
Name: Los Molinos Teachers Association
Representative: Cheryl Clark
Title: President, LMTA
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 5872736 Waiver Number: 9-8-2016 Active Year: 2016

Date In: 8/24/2016 8:28:16 AM

Local Education Agency: Marysville Joint Unified School District
Address: 1919 B St.
Marysville, CA 95901

Start: 7/5/2016 End: 6/30/2018

Waiver Renewal: Y
Previous Waiver Number: 7-6-2015-W-06 Previous SBE Approval Date: 9/2/2015

Waiver Topic: Equity Length of Time
Ed Code Title: Equity Length of Time
Ed Code Section: 37202(a)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: Notwithstanding subdivision(a), a school district that is implementing an early primary program, pursuant to Chapter 8, commencing with Section 8970 of Part 6, may maintain kindergarten classes at [different] school sites within the district for different lengths of time during the school day.

Outcome Rationale: Our district is requesting that, as part of our early primary program established in 2007, we may maintain kindergarten and transitional kindergarten (TK) classes at the same school sites within the district for different lengths of time during the school day. Beginning in the 2015/16 school year, we are requesting that based on student need the instructional day for our students in kindergarten and transitional kindergarten classrooms range from a regular day of 210 instructional minutes to an extended day of up 255 instructional minutes per day. We feel that, at this time, allowing our teachers to assess and serve individual needs of students is in our students' best educational interest. Our early primary program provides students with developmentally appropriate, experiential activities and is preparing them for the more academically rigorous second year of schooling.

Student Population: 9600

City Type: Urban

Public Hearing Date: 8/23/2016
Public Hearing Advertised: Advertised by postings at meeting site, all schools and on the district website for 72 hours prior to the board meeting

Local Board Approval Date: 8/23/2016

Community Council Reviewed By: Arboga Elementary School Site Council
Community Council Reviewed Date: 10/6/2016

Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Lennie Tate
Position: Executive Director, Educational Services
E-mail: ltate@mjusd.com
Telephone: 530-749-6902
Fax:

Bargaining Unit Date: 08/12/2016
Name: Marysville Joint Unified Teachers Association
Representative: Inge Schlussler
Title: President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 2175002 Waiver Number: 5-7-2016 Active Year: 2016

Date In: 7/11/2016 11:54:00 AM

Local Education Agency: Ross Valley Elementary School District
Address: 110 Shaw Dr.
San Anselmo, CA 94960

Start: 8/24/2016 End: 6/15/2017

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(a)
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: Ed Code ....."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: The Ross Valley Elementary School District (RVSD) believes that a class comprised of only Transitional Kindergarten (TK) age students is extremely beneficial to those students and will enhance the specific instruction that is needed. To ensure student sucess. our two TK classes are following the requirement that TK is the first year of a two year Kindergarten experience. The District believes that requiring a TK student to attend school with the current Kindergarten instructional minutes is not in the best educational interests of those students enrolled in Transitional Kindergarten. The TK year is a foundation for the next year. We are requesting a waiver to allow the RVSD TK class to be a program that begins at 8:45 am and ends at 12:40 pm (215 instructional minutes exclusive of lunch). In addition, an instructional aide would be available during part of this time to assist in the classroom.

While we continue to offer a developmentally appropriate program to all of our student, our TK program will be a blend of the Preschool Foundation Standards and the Kindergarten Common Core State Standards. This allows RVSD to meet the needs of these young students. this structure ensures that our TK students are fully prepared to meet the academic rigor of the second year of the Kindergarten sequence.

Our teachers are employed for .7FTE and will be able to utilize the additional time in collaborating and planning a program that supportsthe student's developmental needs at an appropriate pace that provides appropriate scaffolding of instruction. RVSD is requesting flexibility in determining the length of the TK day.

Given the small number of students eligible for TK (currently 2 classes of 17 and 18 students respectively) and the small size of our district (ADA-2311), if the District had to be compliant

with *Education Code* 37202 (a), it would limit the district's ability to concurrently provide comprehensive instruction to both the TK students and Kindergarten students by providing paraprofessional support and thereby lowering the ratio of students to staff. Therefore, the Ross valley School District requests that the waiver be approved.

Student Population: 2311

City Type: Suburban

Public Hearing Date: 6/21/2016
Public Hearing Advertised: Public hearing was posted at the meeting site, all 5 schools and on the District website as well as a community email correspondence 72 hours prior to the Board Meeting

Local Board Approval Date: 6/21/2016

Community Council Reviewed By: Round table reviewed, School Site Counsil
Community Council Reviewed Date: 6/7/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Teri Louer
Position: Director Student Services
E-mail: tlouer@rossvalleyschools.org
Telephone: 415-454-4066
Fax: 415-454-1034

Bargaining Unit Date: 06/14/2016
Name: RVTA
Representative: Julie Crumrine
Title: President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - General

CD Code: 2165458 Waiver Number: 11-7-2016 Active Year: 2016

Date In: 7/20/2016 4:17:10 PM

Local Education Agency: San Rafael City Elementary School District
Address: 310 Nova Albion Way
San Rafael, CA 94903

Start: 8/20/2015 End: 6/8/2017

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: *Education Code* Section 37202 Equity Length of Time.

Outcome Rationale: District operates 205 minute program for Transitional Kindergarten, and Extended Day Kindergarten of 250 minutes per day. District was unaware it was required to obtain a waiver to provide programs of differing length. District requests waiver to cover 2015-16 and 2016-17 school years. District wishes to provide a program of differing length, and is requesting flexibility in determining lengths of Transitional Kindergarten and Extended Day Kindergarten programs. This will allow high quality Transitional Kindergarten to be operated in a manner that provides a modified instructional day with curricula that is developmentally appropriate for the Transitional Kindergarten program.

Student Population: 4779

City Type: Suburban

Public Hearing Date: 6/27/2016
Public Hearing Advertised: Notice at each school site in a public location and district website.

Local Board Approval Date: 6/27/2016

Community Council Reviewed By: Cabinet & Administrative Council
Community Council Reviewed Date: 6/14/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Chris Thomas
Position: Chief Business Official
E-mail: cthomas@srcs.org
Telephone: 415-492-3205
Fax:

Bargaining Unit Date: 06/14/2016
Name: San Rafael Teacher's Association
Representative: Katie O'Donnell
Title: President
Position: Support
Comments:

ITEM #W-06

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

☒ **General Waiver**

SUBJECT Request by two school districts to waive California *Education Code* sections specific to statutory provisions for the sale or lease of surplus property. Waiver Numbers: Simi Valley Unified School District 4-8-2016 William S. Hart Union High School District 15-8-2016	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

The Simi Valley Unified School District is requesting a waiver of California *Education Code* (*EC*) sections 17473, and 17474, and portions of *EC* sections 17455, 17466, 17468, 17469, 17470, 17472, 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 of the sale.

The William S. Hart Union High School District is requesting a waiver of California *EC* sections 17470, 17472, 17473, 17474, and 17475, and portions of *EC* sections 17455, 17461(a), 17466, 17478, 17469, 17476, 17477, and 17478, which will allow the district to sell or lease one piece of property using a "request for proposal" process, that will provide the most benefit to the district.

Authority for Waiver: *EC* Section 33050

RECOMMENDATION

☐ **Approval** ☒ **Approval with conditions** ☐ **Denial**

The California Department of Education recommends approval with the following conditions: that the proposals the Simi Valley Unified School District and the William S. Hart Union High School District governing boards determine 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 provisions of *EC* sections 33050 through 33053, the districts are requesting that

specific portions of the *EC* relating to the sale or lease of surplus property be waived.

The Simi Valley Unified School District is requesting to sell one piece of real property located at 875 E. Cochran Street, Simi Valley, California. The district wishes to sell a 12.74 acre site which currently houses the Educational Services Center which consists of the district office, maintenance and operations, and warehouse. Due to the discovery that a portion of the property sits on the Alquist-Priolo Earthquake Zone and subsequent liquefaction issues, the district is requesting flexibility in property disposition by seeking this waiver from the oral and sealed bidding process. Waiving these statutory provisions will allow the district to maximize the value of the property with the proceeds going toward the acquisition of new property with no impact on the general fund.

The William S. Hart Union High School District has previously received (November 2014, 10-8-2014) a waiver for the same specific portions of the *EC* relating to the sale or lease of surplus property. The district states that there have been several failed escrows but that the district is again in escrow to sell the property. The district desires to renew its waiver, which expires in November of 2016, in case the current escrow is unsuccessful. The property is located at 21515 Centre Pointe Parkway in Santa Clarita, California. This property was previously used for administrative operations. The district is currently leasing, with an option to purchase, a larger building allowing the district administrative services to be housed together.

Demographic Information: Simi Valley Unified School District has a student population of 19,000 and is located in a suburban area of Ventura County.

William S. Hart Union High School District has a student population of 22,430 and is located in a suburban area of Los Angeles County.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education has approved all previous waivers regarding the bidding process and the sale or lease of surplus property. The districts are requesting to waive the same or similar provisions for the sale or lease of surplus property.

FISCAL ANALYSIS (AS APPROPRIATE)

The flexibility in property disposition requested herein will allow the Simi Valley Unified School District to maximize revenue. The applicant district will financially benefit from the sale of the property.

The flexibility in property disposition requested herein will allow the William S. Hart Union High School District 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: Simi Valley Unified School District General Waiver Request 4-8-2016 (6 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: William S. Hart Union High School District Waiver Request 15-8-2016 (7 pages). (Original waiver request is signed and on file in the Waiver Office.)

Information from District Requesting Waiver 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
4-8-2016	Simi Valley Unified	Educational Services Center 875 E. Cochran Street, Simi Valley, CA	**Requested:** August 9, 2016 to August 9, 2018 **Recommended:** August 9, 2016 to August 7, 2018	August 9, 2016	August 9, 2016 **Public Hearing Advertised:** District's Website, posted at District office, and other sites where Board agenda is regularly posted	California School Employees Association Rich Rubino President July 21, 2016 **Support** Simi Educators Association (SEA) Dan Ham Office of SEA July 21, 2016 **Support**	Simi Valley Unified School District Finance Committee August 1, 2016 **No objections**
15-8-2016	William S. Hart Union High	21515 Centre Pointe Parkway, Santa Clarita, CA	**Requested:** November 10, 2016 to November 10, 2018 **Recommended:** November 10, 2016 to November 8, 2018	August 17, 2016	August 17, 2016 **Public Hearing Advertised:** Public posting and by publishing the Notice of Hearing in an appropriate newspaper	California School Employees Association, Chapter 349 Mia Reed President **Support** Hart District Teachers Association Jayme Allsman President **Support**	Surplus Property Advisory Committee August 24, 2016 **No objections**

Created by California Department of Education
September 2, 2016

California Department of Education
WAIVER SUBMISSION - General

CD Code: 5672603 Waiver Number: 4-8-2016 Active Year: 2016

Date In: 8/15/2016 2:43:04 PM

Local Education Agency: Simi Valley Unified School District
Address: 875 East Cochran
Simi Valley, CA 93065

Start: 8/9/2016 End: 8/9/2018

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: Ed Code sections 17472, 17473, 17474 & portions of 17455, 17466, 17468, 17469, 17470, and 17475
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: See Attachment Title Waiver of Ed Code Sections Rationale

Outcome Rationale: The Simi Valley 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 Site, located at 875 E. Cochran Street, Simi Valley, California.

The District has determined that the 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. Due to the discovery that a portion of the property sits on the Alquist Priolo Earthquake Zone and subsequent liquefaction issues, the District requests flexibility in property disposition by seeking a waiver from the oral and sealed bidding process will also allow the District to maximize the return on the sale of this Property in a manner that best serves the schools and community.

Student Population: 19000

City Type: Suburban

Public Hearing Date: 8/9/2016
Public Hearing Advertised: District website, posted at District Office and at other sites where Board agenda is regularly posted

Local Board Approval Date: 8/9/2016

Community Council Reviewed By: SVUSD Finance Committee
Community Council Reviewed Date: 8/1/2016
Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Ron Todo
Position: Assistant Supt, Business Services & Facilities
E-mail: ron.todo@simivalleyusd.org
Telephone: 805-306-4500 x4011
Fax:

Bargaining Unit Date: 07/21/2016
Name: CA School Employees Association
Representative: Rich Rubino
Title: President
Position: Support
Comments:

Bargaining Unit Date: 07/21/2016
Name: Simi Educators Association
Representative: Dan Ham
Title: Officer of SEA
Position: Support
Comments:

Attachment A

Rationale: Waiver of Following Code Sections

State Board of Education Application

The Simi Valley Unified School District desires to waive the following sections and portions of the Education Code lined out below: *Brackets [ ] symbolize request for deletion.

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 Simi Valley 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.

17468. If, in the discretion of the board, it is advisable to offer to pay a commission to a licensed real estate broker who is instrumental in obtaining any proposal, the commission shall

be specified in the resolution. No commission shall be paid unless there is contained in or with the [sealed] proposal [or stated in or with the oral bid], which is finally accepted, the name of the licensed real estate broker to whom it is to be paid, and the amount or rate thereof. Any commission shall, however, be paid only out of money received by the board from the sale or rental of the real property.

> **Rationale**: The stricken language to be waived provides for the District to include information about a broker's commission in sealed proposals and oral bids. As stated above, the District is requesting that the requirement of sealed proposals and oral bidding to purchase the property be waived, allowing the District to use the services of a broker but waiving the requirement of a "sealed" proposal or "oral bid." If the District uses a licensed real estate broker, the commission shall be specified in documents required through a brokered sale.

17469. Notice of the adoption of the resolution [and of the time and place of holding the meeting] shall be given by posting copies of the resolution signed by the board or by a majority thereof in three public places in the district, [not less than 15 days before the date of the meeting,] and by publishing the notice not less than once a week for three successive weeks [before the meeting] in a newspaper of general circulation published in the county in which the district or any part thereof is situated, if any such newspaper is published therein.

> **Rationale:** The stricken language to be waived assumes that the governing board would be following the process of opening proposals and hearing oral bids at a specific meeting. Such a requirement, however, would be removed pursuant to the language requested to be stricken in *Education Code* Section 17466. As modified, the District would still provide notice of its adoption of a resolution to sell the property, but the posting of that resolution and notice in a newspaper would not be connected to the process of opening proposals and hearing oral bids.

17470. (a) The governing board of a school district that intends to sell real property pursuant to this article shall take reasonable steps to ensure that the former owner from whom the district acquired the property receives notice [of the public meeting prescribed by Section 17466,] in writing, by certified mail[, at least 60 days prior to the meeting]. (b) The governing board of a school district shall not be required to accord the former owner the right to purchase the property at the tentatively accepted highest bid price nor to offer to sell the property to the former owner at the tentatively accepted highest bid price.

> **Rationale:** The stricken language to be waived assumes that the governing board would be following the process of opening proposals and hearing oral bids at a specific meeting. Such a requirement, however, would be removed pursuant to the language requested to be stricken in *Education Code* Section 17466. As modified, the District would still take reasonable steps to provide notice to the former owner, but the provision of such notice would no longer be connected to the process of opening proposals and hearing oral bids.

.

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.)

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1965136 Waiver Number: 15-8-2016 Active Year: 2016

Date In: 8/26/2016 9:15:13 AM

Local Education Agency: William S. Hart Union High School District
Address: 21380 Centre Pointe Pkwy.
Santa Clarita, CA 91350

Start: 11/10/2016 End: 11/10/2018

Waiver Renewal: Y
Previous Waiver Number: 10-8-2014-W-08 Previous SBE Approval Date: 11/14/2014

Waiver Topic: Sale or Lease of Surplus Property
Ed Code Title: Sale of Surplus Property
Ed Code Section: 17455, 17461(a), 17466, 17468 through 17470, 17472-17478
Ed Code Authority: 33050(a)

Ed Code or *CCR* to Waive: See attached

Outcome Rationale: The William S. Hart Union High School District ("District") previously attempted to sell its surplus real property located at 21515 Centre Pointe Parkway in the City of Santa Clarita, California, and identified as Los Angeles County Assessor Parcel No. 2836-015-900. The District has complied with the surplus property statutes in the *Education Code*. After three auction attempts, the District did not received any bids for the property. The District applied for and was granted a waiver from certain surplus property statutes, or portions thereof, to allow the District to directly negotiate the sale of the property with buyers. After several failed escrows, the District is currently in escrow to sell the property. The District, however, desires to renew its waiver, which expires in November of 2016, in case the current escrow is unsuccessful. Renewing the waiver will save the District time and money, and will allow the District to sell the property, which is needed to purchase alternative administrative sites.

Student Population: 22430

City Type: Suburban

Public Hearing Date: 8/17/2016
Public Hearing Advertised: By public posting and by publishing the Notice of Hearing in an appropriate newspaper

Local Board Approval Date: 8/17/2016

Community Council Reviewed By: Surplus Property Advisory Committee
Community Council Reviewed Date: 8/24/2016
Community Council Objection:
Community Council Objection Explanation

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Debbie Dunn
Position: Executive Assistant
E-mail: ddunn@hartdistrict.org
Telephone: 661-259-0033 x201
Fax: 661-254-8653

Bargaining Unit Date: 08/10/2016
Name: California School Employees Association, Chapter 349
Representative: Mia Reed
Title: President
Position: Support
Comments:

Bargaining Unit Date: 08/10/2016
Name: Hart District Teachers Association
Representative: Jayme Allsman
Title: President
Position: Support
Comments:

EXHIBIT "A"

STATUTORY LANGUAGE REQUESTED WAIVED

The William S. Hart Union High School District ("District") respectfully requests a waiver renewal regarding further compliance with the following stricken provisions of the Education Code with respect to the proposed sale of a District surplus administrative property located at 21515 Centre Pointe Parkway in the City of Santa Clarita, California, and identified as Los Angeles County Assessor Parcel No. 2836-015-900 ("Property"):

Education Code § 17455

"The governing board of any school district may sell any real property belonging to the school district or may lease for a term not exceeding 99 years, any real property, together with any personal property located thereon, belonging to the school district which is not or will not be needed by the district for school classroom buildings at the time of delivery of title or possession. The sale or lease may be made without first taking a vote of the electors of the district [, and shall be made in the manner provided by this article]."

The District respectfully requests this waiver renewal because it is in escrow and is seeking to avoid future public auctions so that it may enter into direct negotiations with a purchaser and sell the Property. This waiver renewal removes references to the public auction or the auction process.

Education Code § 17461(a)

"(a) The governing board of any school district that has, by majority vote, established a standard rate or rates for the lease pursuant to this article of its real property may, by majority vote, delegate to the officer or employee as the governing board may designate, the power to enter into any lease, for and on behalf of the district, of any real property of the school district, with respect to which real property [either the district has received only one sealed proposal that conforms with the existing standard rate or rates, from a responsible bidder, and no oral bid that would meet the requirements of Section 17473, or] the lease is to be entered into pursuant to Section 17480."

The District respectfully requests this waiver renewal because it is in escrow and is seeking to avoid future public auctions so that it may enter into direct negotiations with a purchaser and sell the Property. This waiver renewal removes references to the public auction or the auction process.

Education Code § 17466

"Before ordering the sale or lease of any property the governing board, in a regular open meeting, by a two-thirds vote of all its members, shall adopt a resolution, declaring its intention to sell or lease the property, as the case may be. The resolution shall describe the property proposed to be sold or leased in such manner as to identify it [and shall specify the minimum price or rental and the terms upon which it will be sold or leased] and the commission, or rate thereof, if any, which the board will pay to a licensed real estate broker [out of the minimum price or rental. The resolution shall fix a time not less than three weeks thereafter for a public meeting of the governing

board to be held at its regular place of meeting, at which sealed proposals to purchase or lease will be received and considered]."

The District respectfully requests this waiver renewal because it is in escrow and is seeking to avoid future public auctions so that it may enter into direct negotiations with a purchaser and sell the Property. This waiver renewal removes references to the public auction or the auction process.

Education Code § 17468

"If, in the discretion of the board, it is advisable to offer to pay a commission to a licensed real estate broker who is instrumental in obtaining any proposal, the commission shall be specified in the resolution. No commission shall be paid unless there is contained in or with the [sealed] proposal [or stated in or with the oral bid], which is finally accepted, the name of the licensed real estate broker to whom it is to be paid, and the amount or rate thereof. Any commission shall, however, be paid only out of money received by the board from the sale or rental of the real property."

The District respectfully requests this waiver renewal because it is in escrow and is seeking to avoid future public auctions so that it may enter into direct negotiations with a purchaser and sell the Property. This waiver renewal removes references to the public auction or the auction process.

Education Code § 17469

"Notice of the adoption of the resolution [and of the time and place of holding the meeting] shall be given by posting copies of the resolution signed by the board or by a majority thereof in three public places in the district[, not less than 15 days before the date of the meeting, and by publishing the notice not less than once a week for three successive weeks before the meeting in a newspaper of general circulation published in the county in which the district or any part thereof is situated, if any such newspaper is published therein]."

The District respectfully requests this waiver renewal because it is in escrow and is seeking to avoid future public auctions so that it may enter into direct negotiations with a purchaser and sell the Property. This waiver renewal removes references to the public auction or the auction process.

Education Code § 17470

"[(a) The governing board of a school district that intends to sell real property pursuant to this article shall take reasonable steps to ensure that the former owner from whom the district acquired the property receives notice of the public meeting prescribed by Section 17466, in writing, by certified mail, at least 60 days prior to the meeting.

"[(b)The governing board of a school district shall not be required to accord the former owner the right to purchase the property at the tentatively accepted highest bid price nor to offer to sell the property to the former owner at the tentatively accepted highest bid price.]

The District has previously informed the former owner(s) of the Property under this section. However, the District respectfully requests that it need not inform the former owners again. This waiver renewal also removes references to the public auction or the auction process.

Education Code § 17472

"[At the time and place fixed in the resolution for the meeting of the governing body, all sealed proposals which have been received shall, in public session, be opened, examined, and declared by the board. Of the proposals submitted which conform to all terms and conditions specified in the resolution of intention to sell or to lease and which are made by responsible bidders, the proposal which is the highest, after deducting therefrom the commission, if any, to be paid a licensed real estate broker in connection therewith, shall be finally accepted, unless a higher oral bid is accepted or the board rejects all bids.]"

The District respectfully requests this waiver renewal because it is in escrow and is seeking to avoid future public auctions so that it may enter into direct negotiations with a purchaser and sell the Property. This waiver renewal removes references to the public auction or the auction process.

Education Code § 17473

"[Before accepting any written proposal, the board shall call for oral bids. If, upon the call for oral bidding, any responsible person offers to purchase the property or to lease the property, as the case may be, upon the terms and conditions specified in the resolution, for a price or rental exceeding by at least 5 percent, the highest written proposal, after deducting the commission, if any, to be paid a licensed real estate broker in connection therewith, then the oral bid which is the highest after deducting any commission to be paid a licensed real estate broker, in connection therewith, which is made by a responsible person, shall be finally accepted. Final acceptance shall not be made, however, until the oral bid is reduced to writing and signed by the offeror.]"

The District respectfully requests this waiver renewal because it is in escrow and is seeking to avoid future public auctions so that it may enter into direct negotiations with a purchaser and sell the Property. This waiver renewal removes references to the public auction or the auction process.

Education Code § 17474

"[In the event of a sale on a higher oral bid to a purchaser procured by a licensed real estate broker, other than the broker who submitted the highest written proposal, and who is qualified as provided in Section 17468 of this code, the board shall allow a commission on the full amount for which the sale is confirmed. One-half of the commission on the amount of the highest written proposal shall be paid to the broker who submitted it, and the balance of the commission on the purchase price to the broker who procured the purchaser to whom the sale was confirmed.]"

The District respectfully requests this waiver renewal because it is in escrow and is seeking to avoid future public auctions so that it may enter into direct negotiations with a purchaser and sell the Property. This waiver renewal removes references to the public auction or the auction process.

Education Code § 17475

"[The final acceptance by the governing body may be made either at the same session or at any adjourned session of the same meeting held within the 10 days next following.]"

The District respectfully requests this waiver renewal because it is in escrow and is seeking to avoid future public auctions so that it may enter into direct negotiations with a purchaser and sell the Property. This waiver renewal removes references to the public auction or the auction process.

Education Code § 17476

"The governing body may at the session, if it deems such action to be for the best public interest [, reject any and all bids, either written or oral, and] withdraw the property from sale or lease."
The District respectfully requests this waiver renewal because it is in escrow and is seeking to avoid future public auctions so that it may enter into direct negotiations with a purchaser and sell the Property. This waiver renewal removes references to the public auction or the auction process.

Education Code § 17477

"[(a)

"(1) If the governing board has complied with the provisions of this article, and no proposals are submitted or the proposals submitted do not conform with all terms and conditions specified in the resolution of intent to lease, the governing board may within one year thereafter, or one year after the passage of 30 days from the rejection of a public entity's nonconforming proposal, as appropriate, lease such real property, together with any personal property located thereon, to any lessee, at a price not less than fair market value in accordance with any terms and conditions agreed upon by the governing board and the lessee, except that the term of a lease shall not exceed three years. Sections 17461, 17464, and 17466 to 17469, inclusive, and Sections 17471 to 17473, inclusive, shall not apply to the lease.

"(2) The governing board may by majority vote delegate an officer or employee of the district, or any other third person, to secure a lessee and to negotiate the terms and conditions of the lease. However, the lease shall not be executed unless the governing board by majority vote, at a public meeting, approves the lease.

"(3) If a public entity has submitted a nonconforming proposal, the governing board shall not take any action pursuant to this subdivision until 30 days after the rejection of the proposal.

"(b) Subdivision (a) shall not apply if a public entity has submitted a proposal that does not conform with all the terms and conditions specified in the resolution of intent to lease, and if the public entity requests, in writing, within 30 days from the rejection of its proposal, that the governing board lease the real property, subject to the resolution of intent, in accordance with this article.]"

The District respectfully requests this waiver renewal because it is in escrow and is seeking to avoid future public auctions so that it may enter into direct negotiations with a purchaser and sell the Property. This waiver renewal removes references to the public auction or the auction process.

Education Code § 17478

"Any resolution of acceptance [of any bid] made by the governing body authorizes and directs the president of the governing body, or other presiding officer, or the members thereof, to execute a deed or lease and to deliver it upon performance and compliance by the purchaser or lessee of all the terms or conditions of his or her contract to be performed concurrently therewith."

The District respectfully requests this waiver renewal because it is in escrow and is seeking to avoid future public auctions so that it may enter into direct negotiations with a purchaser and sell the Property. This waiver renewal removes references to the public auction or the auction process.

ITEM #W-07

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

☒ **General Waiver**

SUBJECT Request by **Pixley Union Elementary School District** to waive California *Education Code* Section 15268, to allow the district to exceed its bond indebtedness limit of 1.25 percent of the taxable assessed value of property (requesting 1.40 percent). Waiver Number: 1-9-2016	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUES

The Pixley Union Elementary School District's bonded indebtedness ratio is 1.0 percent and is unable to issue $2.1 million in bonds authorized in June 2014. Therefore, the district is requesting to increase the limit to 1.40 percent.

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

RECOMMENDATION

☐ **Approval** ☒ **Approval with conditions** ☐ **Denial**

The California Department of Education (CDE) recommends that the bonded indebtedness limit 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 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 measure 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

The California *Education Code* (*EC*) provides limits related to a district's total bonded indebtedness, *EC* sections 15106 and 15270(a) limits an elementary school district's total general obligation (G.O.) bond indebtedness to 1.25 percent.

To raise funds to build or renovate school facilities, with voter authorization, school districts may issue G.O. bonds. Prior to 2001, districts needed a two-thirds voter 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 as 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* Section 15268 limits the tax rate levy authorized in each election to $30 per $100,000 of taxable property for high school and elementary school districts.

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 State Board of Education (SBE) approve related waiver requests with the condition that the statutory tax 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 established 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.

District Request

Pixley Union Elementary School District requests that its outstanding bonded indebtedness limit be increased to an amount not to exceed 1.40 percent through August 1, 2020. The district seeks to issue $2.10 million of the $7.80 million authorized in the 2014 Measure Z election. The district is unable to issue the $2.10 million as their current outstanding bonded indebtedness of $5.27 million equates to a 1.0 percent ratio. With the addition of the proposed $2.10 million total indebtedness would be $7.37 million and represents 1.40 percent of assessed valuation.

The waiver will allow the district to complete the following voter approved projects:

- Construct student support facilities including a gymnasium for afterschool and education programs and community use

- Upgrade and modernize the cafeteria and multipurpose room at Pixley Elementary

- Modernize classrooms and provide technology improvements

Demographic Information: Pixley Union Elementary School District has a student population of 1,122 and is located in a rural area in Tulare County.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE 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.

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver would allow the district to accelerate the issuance of voter approved bonds.

ATTACHMENT(S)

Attachment 1: Summary Table (1 page)

Attachment 2: Pixley Union Elementary School District General Waiver Request 1-9-2016 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

District(s) Requesting Increase in Bond Indebtedness Limits

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	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
1-9-2016	Pixley Union Elementary School District	**Requested:** November 3, 2016 to August 1, 2020 **Recommended:** November 3, 2016 to August 1, 2020	Debt Limit 1.25% 2014 Measure Z Tax Rate No Limit (Non-Proposition 39)	Debt Limit 1.40%	Debt Limit 1.40% Limited to Sale of Bonds Approved by Voters on the June 2014 (Measure Z)	Associated Teachers of Pixley (ATP) Cathy Masters President 08/31/2016 **Support** California Schools Employees Association (CSEA), Pam Dodd President 08/31/2016 **Support**	08/30/2016 Posted Noitce of Public Hearing as follows: a) Pixley Food Mart, b) Tulare County Library, Pixley Branch, c) Pixley Elementary School, and d) Pixley Middle School	Pixley Board of Trustees 08/30/2016 **No objections**	Yes. District at this time does not anticipate issuing CAB s.

Created by California Department of Education
September 2, 2016

California Department of Education
WAIVER SUBMISSION - General

CD Code: 5472041 Waiver Number: 1-9-2016 Active Year: 2016

Date In: 9/1/2016 9:58:17 AM

Local Education Agency: Pixley Union Elementary School District
Address: 300 North School St.
Pixley, CA 93256

Start: 11/3/2016 End: 8/1/2020

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: School Construction Bonds
Ed Code Title: Bond Indebtedness Limit – 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 be increased to an amount not to exceed 1.40% of assessed value through and until August 1st, 2020. The District wishes to issue its remaining $2.10 million of the Election of 2014 "Measure Z" authorization. "Measure Z" was approved in June 2014 for a total authorization of $7.80 million. The District's current Statutory Debt Limit under the *Education Code*'s 1.25% maximum is $6.60 million. Currently, the District has $5.27 million of outstanding bonded indebtedness and only has $1.34 million of capacity. With the addition of the proposed $2.10 million in new GO Bonds, the District's total indebtedness would be $7.37 million. The $7.37 million would amount to 1.40% of 2016-2017 assessed valuation.

Student Population: 1122

City Type: Rural

Public Hearing Date: 8/30/2016
Public Hearing Advertised: Posted Notice of Public Hearing as follows: a) Pixley Food Mart; b) Tulare County Library, Pixley Branch; c) Pixley Elementary School; d) Pixley Middle School

Local Board Approval Date: 8/30/2016

Community Council Reviewed By: Pixley School Board of Trustees
Community Council Reviewed Date: 8/30/2016
Community Council Objection: N
Community Council Objection Explanation. Community Council Objection: N
Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. John Greenlee
Position: Managing Director
E-mail: jgreenlee@cfwinc.com
Telephone: 415-990-2195
Fax:

Bargaining Unit Date: 08/31/2016
Name: Associated Teachers of Pixley (ATP)
Representative: Cathy Masters
Title: President
Position: Support
Comments:

Bargaining Unit Date: 08/31/2016
Name: California School Employees Association (CSEA)
Representative: Pam Dodd
Title: President
Position: Support
Comments:

ITEM #W-08

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

☒ **Specific Waiver**

SUBJECT Request by four 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: Claremont Unified School District 10-8-2016 Claremont Unified School District 11-8-2016 Happy Valley Union Elementary School District 14-8-2016 Modoc Joint Unified School District 4-7-2016 Sweetwater Union High School District 1-7-2016	☒ **Action** ☒ **Consent**

SUMMARY OF THE ISSUE(S)

Specific authority is provided in California *Education Code* (*EC*) Section 52863 to allow the State Board of Education (SBE) to waive the Schoolsite Council (SSC) requirements contained in *EC* Section 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 Claremont Unified School District is requesting to renew a shared SSC for two small schools: Community Day School (6 teachers serving 16 students in grades seven through twelve) and San Antonio Continuation High School (13 teachers serving 72 students in grades nine through twelve). Six of the 13 teachers at San Antonio Continuation High School also teach at the Community Day School, thus making the total number of teachers for both schools 13 instead of 19. The two schools, in addition to sharing teachers, have the same principal and staff members such as the guidance

counselor, the office manager, and the district nurse. Located on the same campus in a suburban area, they share the use of space such as the career center, athletic facilities, and the lunch area.

The Claremont Unified School District is requesting to renew a shared SSC for two small schools: Danbury Special Education School (9 teachers serving 65 students in preschool and kindergarten through grade six) and Sumner Elementary School (21 teachers serving 536 students in kindergarten through grade six). Danbury Special Education School is a provider school for nine districts within the Special Education Local Plan Area (SELPA) and currently serves 65 orthopedically impaired students. The students spend a lot of time on the Sumner campus attending classes as part of their inclusion model and Individualized Education Program (IEP) goals, and have lunch and recess on the campus under the supervision of staff from both schools. The two schools are located adjacent to each other in a suburban area. They also share many staff members including a district school psychologist.

The Happy Valley Union Elementary School District is requesting to renew a shared SSC with composition change for two small schools: Happy Valley Primary School (11 teachers serving 216 students in kindergarten through grade four) and Happy Valley Elementary School (13 teachers serving 279 students in grades five through eight). The two schools share two additional teachers and the leadership team. They are located near each other in a rural area.

The Modoc Joint Unified School District is requesting to renew an SSC composition change for a very small school: State Line Elementary School (1 teacher serving 10 students in kindergarten through grade five). The school is located in a remote rural area with only six families and the nearest neighboring school is 56 miles away.

The Sweetwater Union High School District is requesting to renew a shared SSC for two small schools: Options Secondary School (15 teachers serving 210 students in grades seven through twelve) and Sweetwater Community Day School (3 teachers serving 45 students in grades seven through nine). The two schools share a principal, an administrative team, and counseling and personnel services in addition to having common curriculum. Sweetwater Community Day School has high student mobility and very limited staffing that creates a challenge for maintaining a stable and functioning SSC. The two schools are located in an urban area.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The CDE has previously presented requests from local educational agencies (LEAs) to waive some of the SSC requirements in *EC* Section 52863 or to allow one shared SSC for multiple schools. All of these requests have been granted with conditions. The conditions take into consideration the rationale provided by the LEAs, a majority of which are due to the size, type, location, or other capacities of the schools.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: Local Educational Agencies Requesting a Schoolsite Council Waiver (3 pages)

Attachment 2: Claremont Unified School District Specific Waiver Request 10-8-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Claremont Unified School District Specific Waiver Request 11-8-2016 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Happy Valley Union Elementary School District Specific Waiver Request 14-8-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Modoc Joint Unified School District Specific Waiver Request 4-7-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 6: Sweetwater Union High School District Specific Waiver Request 1-7-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Local Educational Agencies Requesting a Schoolsite Council Waiver

Waiver Number	Local Educational Agency (LEA) for School(s) (County-District-School Code[s])	LEAs Request for a Schoolsite Council (SSC) Waiver	California Department of Education 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
10-8-2016	Claremont Unified School District for Community Day School (1964394 1996297) and San Antonio Continuation High School (1964394 1931807)	Shared SSC	Approval with conditions: the SSC must consist of one principal, four classroom teachers (selected by peers), one other school representative (selected by peers), three parents/community members (selected by parents), and three students (selected by peers).	**Yes** **Requested:** 11/02/2016 to 11/01/2018 **Recommended:** 11/02/2016 to 11/01/2018	California State Employees Association Tyrone Newman Site Representative 06/01/2016 **Support** Claremont Faculty Association Carla Campbell, Site Representative 06/01/2016 **Support**	Community Day School and San Antonio Continuation High School shared SSC 06/01/2016 **No objection**	08/18/2016
11-8-2016	Claremont Unified School District for Danbury Special Education School (1964394 6012173) and Sumner Elementary School (1964394 6012207)	Shared SSC	Approval with conditions: the SSC must consist of one principal, three classroom teachers (selected by peers), one other school representative (selected by peers), and five parents/community members (selected by parents).	**Yes** **Requested:** 11/16/2016 to 11/15/2018 **Recommended:** 11/16/2016 to 11/15/2018	California State Employees Association Deborah Coyle, Site Representative 06/01/2016 **Support** Claremont Faculty Association Debbie McCurdy, Site Representative 06/01/2016 **Support**	Danbury Special Education School and Sumner Elementary School shared SSC 06/01/2016 **No objection**	08/18/2016

Waiver Number	Local Educational Agency (LEA) for School(s) (County-District-School Code[s])	LEAs Request for a Schoolsite Council (SSC) Waiver	California Department of Education 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
14-8-2016	Happy Valley Union Elementary School District for Happy Valley Primary School (4570011 6097703) and Happy Valley Elementary School (4570011 6050348)	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), and four parents/community members (selected by parents).	**Yes** **Requested:** 08/22/2016 to 08/22/2018 **Recommended:** 08/22/2016 to 08/21/2018	Happy Valley Teachers Association Doug O'Brien President 08/02/2016 **Support** Teamster's Local 137 Robin Barrie Member Representative 08/02/2016 **Support**	Happy Valley Primary School and Happy Valley Elementary School shared SSC 05/02/2016 **No objection**	05/17/2016
4-7-2016	Modoc Joint Unified School District for State Line Elementary School (2573585 6025886)	SSC composition change	Approval with conditions: the SSC must consist of one principal, one classroom teacher (selected by peers), one other school representative (selected by peers), and three parents/community members (selected by parents).	**Yes** **Requested:** 08/25/2016 to 06/09/2018 **Recommended:** 08/25/2016 to 06/09/2018	Modoc Teachers Association Amy Britton Co-President 05/18/2016 **Support** Teamsters 137 Ronda Lindgren President 05/18/2016 **Support**	State Line Elementary School SSC 05/19/2016 **No objection**	05/17/2016

Waiver Number	Local Educational Agency (LEA) for School(s) (County-District-School Code[s])	LEAs Request for a Schoolsite Council (SSC) Waiver	California Department of Education 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
1-7-2016	Sweetwater Union High School District for Options Secondary School (3768411 3731155) and Sweetwater Community Day School (3768411 6117154)	Shared SSC	Approval with conditions: the SSC must consist of one principal, four classroom teachers (selected by peers), one other school representative (selected by peers), three parents/community members (selected by parents), and three students (selected by peers).	**Yes** **Requested:** 07/01/2016 to 06/30/2017 **Recommended:** 07/01/2016 to 06/30/2017	None indicated	Options Secondary School and Sweetwater Community Day School shared SSC 06/03/2016 **No objection**	06/27/2016

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 1964394 Waiver Number: 10-8-2016 Active Year: 2016

Date In: 8/24/2016 8:35:03 AM

Local Education Agency: Claremont Unified School District
Address: 170 West San Jose Ave.
Claremont, CA 91711

Start: 11/2/2016 End: 11/1/2018

Waiver Renewal: Y
Previous Waiver Number: 7-8-2014-W-11 Previous SBE Approval Date: 11/14/2014

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Shared Schoolsite Council
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: A school site council shall be established at [each] school which participates in school-based program coordination. 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: Rationale for combining the School Site Council of Community Day School (CDS) with San Antonio High School (SAHS), both of which are small schools located in Claremont Unified School District: CDS currently has 16 students and SAHS has 72 students. CDS and SAHS share the same teaching staff. SAHS has 13 teachers, and 6 of those teachers also teach @ CDS. Most SAHS teachers are assigned to one period with CDS students during the instructional day; CDS is comprised of classrooms adjacent to other classrooms on the SAHS campus; CDS and SAHS teachers share the same support staff, including principal, guidance counselor, office manager, and District nurse; and CDS and SAHS share the same facilities,e.g. career center, athletic facilities, and lunch area.

Desired outcomes/rationale: San Antonio (Continuation) High School and Community Day School are located on the same campus. Community Day School has a student population of approximately 16 students. The staff is shared on both campuses to insure that all students have highly qualified teachers in the classroom. Office staff is one in the same.

In Alternative Education, parent participation is one of the difficult areas to achieve. Having a joint School Site Council would help to unify the schools and lesson the burden on individual School Site Councils. Many of the educational goals are parallel and this would help with the sustainability of the School Site Council, by having a joint Council. The work would be the same for the Council, with a Single Plan for Student Achievement (SPSA), School Accountability Report Card (SARC), and operating budget for each site. Due to the numbers and ratios

required to create a compliant School Site Council, a joint Council could serve both schools very well.

Having a joint School Site Council would allow the process to be streamlined and save valuable time. This would have a very positive affect in facilitating our local agency operations.

Student Population: 16

City Type: Suburban

Local Board Approval Date: 8/18/2016

Council Reviewed By: School Site Council
Council Reviewed Date: 6/1/2016
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Julie Olesniewicz
Position: Director, Educational Services
E-mail: jolesniewicz@cusd.claremont.edu
Telephone: 909-398-0609 x70270
Fax: 909-624-6274

Bargaining Unit Date: 06/01/2016
Name: California State Employees Association
Representative: Tyrone Newman
Title: Site Representative
Position: Support
Comments:

Bargaining Unit Date: 06/01/2016
Name: Claremont Faculty Association
Representative: Carla Campbell
Title: Site Representative
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 1964394 Waiver Number: 11-8-2016 Active Year: 2016

Date In: 8/24/2016 8:51:13 AM

Local Education Agency: Claremont Unified School District
Address: 170 West San Jose Ave.
Claremont, CA 91711

Start: 11/16/2016 End: 11/15/2018

Waiver Renewal: Y
Previous Waiver Number: 8-8-2014-W-11 Previous SBE Approval Date: 11/14/2014

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Shared Schoolsite Council
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: A school site council shall be established at [each] school which participates in school-based program coordination. 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: California State Board of Education: Request for waiver (*EC* 52852) - to establish a joint School Site Council for small schools with total teaching staff less than 8-10; schools that are geographically adjacent; and orthopedically impaired student population of 65.

Rationale for combining the School Site Council of Danbury Elementary School with Sumner Elementary School, both of which are located in the Claremont Unified School District:

- Danbury School is a Preschool, K-6 elementary school with a class serving 65 orthopedically impaired students, Sumner Elementary has 536 students;
- All K-6 Danbury students attend classes on the Sumner campus as part of their inclusion model and IEP goals;
- Lunch and recess take place on Sumner's campus under the supervision of both staffs;
- The Danbury staff consists of: principal, 9-certificated classroom teachers, 2-adapted PE teachers (provide APE services Districtwide), certificated speech teacher, and a District-shared school psychologist; Sumner Elementary has 21 certificated teachers;
- The schools are adjacent to each other sharing common grounds as well as a District registered nurse;
- Due to size of student population and teaching staff, it is difficult to reach and maintain the required staff/parent number/ratio; and
- Danbury is a provider school for nine districts within our SELPA. Due to the travel distance, it is difficult for many parents to attend after hour meetings. Many of the

students have extremely challenging physical and medical needs, which makes it very difficult for parents to participate in evening events and activities.

Desired outcomes/rationale: BACKGROUND: In 1998, Danbury (Special Education) School was moved from an isolated location in the City of Claremont to being adjacent to Sumner Elementary School. This was a costly relocation, but the Claremont Unified School District was committed to no longer having severely handicapped special education students isolated from regularly developing students and felt the commitment of those funds to be worth the investment to provide 'daily' interaction with regularly developing K-6 children. This progressive move has proven to be of remarkable benefit to both the Danbury students and the students of Sumner Elementary School.

DIFFICULTIES: However, these benefits did not come without some logistical complications:

1) Due to this restructuring, Danbury became a very small school with currently 65 (Preschool; K-6) students. Consequently, finding the number of parents that are willing to serve on a Danbury School Site Council would be very difficult, due to the low numbers of parents in which to draw.

2) Additionally, our parents are at home in the evenings (when SSC meetings are held) as their children are physically and medically fragile requiring extreme amounts of care in the evenings.

3) Danbury Elementary School is a 'provider' school to nine different school districts, which necessitates some parents traveling 30-40 miles roundtrip to attend an evening meeting. This decreases parent participation as Danbury is not a typical 'neighborhood' school.

BENEFITS:

1) Having severely orthopedically impaired students in regular classrooms on a consistent basis requires a great deal of planning and coordination. These needs are met by combining the School Site Councils of Danbury and Sumner Elementary Schools.

2) Danbury and Sumner also share many of the same staff members (certificated and classified) throughout the day which addresses the various academic and safety needs of students attending both schools.

Student Population: 65

City Type: Suburban

Local Board Approval Date: 8/18/2016

Council Reviewed By: School Site Council
Council Reviewed Date: 6/1/2016
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Julie Olesniewicz
Position: Director, Educational Services
E-mail: jolesniewicz@cusd.claremont.edu
Telephone: 909-398-0609 x70270
Fax: 909-624-6274

Bargaining Unit Date: 06/01/2016
Name: California State Employees Association
Representative: Deborah Coyle
Title: Site Representative
Position: Support
Comments:

Bargaining Unit Date: 06/01/2016
Name: Claremont Faculty Association
Representative: Debbie McCurdy
Title: Site Representative
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 4570011 Waiver Number: 14-8-2016 Active Year: 2016

Date In: 8/25/2016 2:12:50 PM

Local Education Agency: Happy Valley Union Elementary School District
Address: 17480 Palm Ave.
Anderson, CA 96007

Start: 8/22/2016 End: 8/22/2018

Waiver Renewal: Y
Previous Waiver Number: 27-10-2014 Previous SBE Approval Date: 3/11/2015

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 school based program coordination. The council shall be composed of the principal and representatives of: teachers represented by such parent; and in secondary schools, pupils selected by pupils attending the school.

Outcome Rationale: Our district consists of two small schools, with approximately 250 students each. The leadership team for the district is comprised of members from both campuses. The common community and geographic proximity of the campuses warrants a combined School Site Council. The total teaching staff is 27 teachers, both schools combined. We also have difficulty finding enough parents to meet the minimum requirement for two separate site councils. This waiver will 1) Allow for parent participation; 2) Support on-going collaboration between the two campuses; and 3) Will retain equity between the sites, thus providing appropriate oversight of the school's programs and budget.

Student Population: 496

City Type: Rural

Local Board Approval Date: 5/17/2016

Council Reviewed By: District Site Council
Council Reviewed Date: 5/2/2016
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Janet Tufts
Position: Superintendent
E-mail: jtufts@hvusd.net
Telephone: 530-357-2111 x224
Fax: 530-357-4143

Bargaining Unit Date: 08/02/2016
Name: Happy Valley Teacher's Association
Representative: Doug O'Brien
Title: President
Position: Support
Comments:

Bargaining Unit Date: 08/02/2016
Name: Teamster's
Representative: Robin Barrie
Title: Member Representative
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 2573585 Waiver Number: 4-7-2016 Active Year: 2016

Date In: 7/8/2016 9:27:37 AM

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

Start: 8/25/2016 End: 6/9/2018

Waiver Renewal: Y
Previous Waiver Number: 23-5-2014-W-12 Previous SBE Approval Date: 9/3/2014

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 requesting reduced composition in members for a small school (Statute requires 12 members for a high school schoolsite council and 10 members for an elementary schoolsite council.

Outcome Rationale: State Line Elementary School is 56 miles from Alturas and has a student population of 10. State Line has four employees. The reduced composition for the site council would be: Principal (1), Teacher (1), Other School Employees (2), Parents (2).

Student Population: 789

City Type: Rural

Local Board Approval Date: 5/17/2016

Council Reviewed By: State Line Schoolsite Coucil
Council Reviewed Date: 5/19/2016
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Claire Crenshaw
Position: Superintendent's Secretary
E-mail: ccrenshaw@modoc.k12.ca.us
Telephone: 530-233-7201 x101
Fax: 530-233-4362

Bargaining Unit Date: 05/18/2016
Name: Modoc Teachers Association
Representative: Amy Britton
Title: MTA Co-President
Position: Support
Comments:

Bargaining Unit Date: 05/18/2016
Name: Teamsters 137
Representative: Ronda Lindgren
Title: President
Position: Support
Comments:

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 3768411 Waiver Number: 1-7-2016 Active Year: 2016

Date In: 7/1/2016 12:19:31 PM

Local Education Agency: Sweetwater Union High School District
Address: 1130 Fifth Ave.
Chula Vista, CA 91911

Start: 7/1/2016 End: 6/30/2017

Waiver Renewal: Y
Previous Waiver Number: 1-7-2014-W-11 Previous SBE Approval Date: 11/14/2014

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Shared Schoolsite Council
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: *EC* 52852 A school site council shall be establlshed 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 personnel selected by other personnel at the school; parents of pupils attending the school selected by the parents; and, in secondary schools, pupils selected by pupils attending the school .

Outcome Rationale: Please see attachment

Student Population: 45

City Type: Urban

Local Board Approval Date: 6/27/2016

Council Reviewed By: Sweetwater Union High School District Governing Board; Options Secondary School School Site Council
Council Reviewed Date: 6/3/2016
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Luz Elena Perez
Position: Director, State & Federal Programs
E-mail: luzelena.perez@sweetwaterschools.org
Telephone: 619-934-8300
Fax: 619-427-6598

SHARED SCHOOL SITE COUNCIL WAIVER ATTACHMENT

The Sweetwater Union High School believes that by creating one school site council to serve both sites all interested parties will be accurately served and represented for each site: Options Secondary School and Sweetwater Community Day School. This combined School Site Council will address the needs of both individual sites and support the most effective program for each site. The creation of this joint council will allow planning processes to be streamlined and work load to be consolidated. This joint council will ensure that each site is receiving effective standards based instruction, accurate and time evaluation of programs, and increased parent involvement and parent communications which will result in greater student proficiency.

Sweetwater believes that the operation of the joint school site council, managed by the by-laws and procedures can ensure fair and effective representation of the schools.

Description of the situation:

- Options Secondary School
- Sweetwater Community Day School

These schools share a common principal and administration team, counselor, curriculum and services, and support personnel. The majority of the students enrolled in Community Day School are referred by the district for discipline/expulsion or are awaiting disciplinary transfer which makes a highly transit population. This mobile student population creates a challenge in creating and maintaining a functioning school site council, as well as, voluntary parent involvement to meet the council parent ratios. Community Day School also does not have enough staff to maintain the ratios needed for an independent school site council. Options Secondary School maintains the student population making a stable and functioning School Site Council that can make effective and consistent decisions. This also enables clear curricular planning and teaching.

Demographics:

CDS#	School Site	Number of Teachers	Number of Students	Location/Area Type
37 68411 3731155	Options Secondary School	15	210	Chula Vista/Urban
37 68411 6117154	Sweetwater Community Day School	3	45	Imperial Beach/Urban

ITEM #W-10

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

☒ **General Waiver**

SUBJECT Request by **Plumas Unified School District** to waive *California Code of Regulations*, Title 5, Section 3051.16(b)(3), the requirement that educational interpreters for deaf and hard of hearing pupils meet minimum qualifications as of July 1, 2009, to allow Stephanie Metzger to continue to provide services to students until June 30, 2017, under a remediation plan to complete those minimum requirements. Waiver Number: 10-7-2016	☒ **Action** ☐ **Consent**

SUMMARY OF THE ISSUES

The State Board of Education (SBE) must determine if Stephanie Metzger qualifies for an educational interpreter waiver to provide educational interpreter services until June 30, 2017.

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

RECOMMENDATION

☐ **Approval** ☐ **Approval with conditions** ☒ **Denial**

The California Department of Education (CDE) recommends denial of the waiver request for Stephanie Metzger. The CDE also recommends the SBE direct the Plumas Unified School District to hire a qualified educational interpreter to provide services to their student.

SUMMARY OF KEY ISSUES

The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA 2004) requires that interpreters for pupils who are Deaf or Hard of Hearing meet state-approved or state-recognized certification, registration, or other comparable requirements, as defined in Title 34 of the *Code of Federal Regulations,* Section 300.156(b)(1).

To meet this federal requirement, the *California Code of Regulations,* Section 3051.16(b)(3) require the following:

By **July 1, 2009,** and thereafter, an educational interpreter shall be certified by the national Registry of Interpreters for the Deaf (RID), or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of **4.0** or above on the Educational Interpreter Performance Assessment (EIPA), the Educational Sign Skills Evaluation-Interpreter/Receptive (ESSE-I/R), or the National Association of the Deaf/American Consortium of Certified Interpreters (NAD/ACCI) assessment. If providing Cued Language transliteration, a translator shall possess Testing/Evaluation and Certification Unit (TECUnit) certification, or have achieved a score of **4.0** or above on the EIPA – Cued Speech.

Demographic Information: The Plumas Unified School District (USD) has a student population of one Deaf student and is located in a rural area in Plumas 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.

The CDE recommends denial of this educational interpreter waiver request for the following reason:

(1) The educational needs of the pupils are not adequately addressed.

Stephanie Metzger has been employed by the Plumas Unified School District as an educational interpreter since September 12, 2012. During this time, she has received three waivers from the SBE, on May 8, 2013, November 7, 2013, and on November 14, 2014. She was employed as an educational interpreter during the 2015–16 school year, but the Plumas USD did not apply for a waiver during that school year. This is the fifth year she has been providing educational interpreting services for the Plumas USD. The new SELPA Director, Laura Blesse, realized that Ms. Metzger has been providing services without a waiver, and developed this waiver request to correct that situation.

During this five-year period, the Plumas USD has provided mentoring by an RID certified interpreter, but the mentoring has not resulted in progress. The Plumas USD has also provided opportunities for Ms. Metzger to socialize with Deaf adults and others who use sign language, during visits to the Butte County Deaf and Hard of Hearing program.

Ms. Metzger has been assessed four times, but her scores demonstrate no progress in skill achievement. Most recently, in November 2015, Ms. Metzger took the ESSE, and scored 2.0 (40%) in expressive skills and 3.4 (68%) in receptive skills.

Plumas County is very remote. However, despite efforts on her behalf by the Plumas USD, Ms. Metzger is not making growth in interpreting skills. The Plumas USD cannot assure their deaf student equal access to curriculum and instruction in the classroom.

Although the Plumas USD has stated they will provide Ms. Metzger with additional support, if the SBE does approve the waiver with conditions, the CDE feels this is an

inadequate remedy.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2002, the SBE approved regulations that required educational interpreters to be certified by the national RID, or equivalent, by January 1, 2007. As of July 1, 2009, they have been required to be certified by the RID or equivalent, or to have achieved a score of 4.0 or better on specified assessment in November, 2009, the SBE approved a policy regarding educational interpreter waiver requests. That policy is on the CDE State Board of Education Waiver Policy for Educational Interpreters Not Meeting Regulatory Standards, Web page 2 at
http://www.cde.ca.gov/re/lr/wr/documents/interpreter_000.doc

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: List of Waiver Numbers, Districts, Information Regarding Test Scores and Conditions (1 page)

Attachment 2: Plumas Unified School District General Waiver Request 10-7-2016 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

List of Waiver Numbers, Districts, Information Regarding Test Scores and Conditions

Waiver Number	LEA	Interpreter	Period of Request	Local Board and Public Hearing Approval Date Public Hearing Requirement	Bargaining Unit, Representative(s) Consulted, Date and Position	Advisory Committee Consulted, Date and Position	Previous Waivers (Yes/No) Date	Name, Date, and Score of Most Recent Evaluation	Name, Dates, and Scores of Previous Evaluations	Date of Hire
10-7-2016	Plumas Unified School District	Stephanie Metzger	**Requested:** 7/1/2016 to 6/30/2017 **Recommended:** N/A	6/22/2016 Notice posted at each school	California School Employees Association Judith Yocum President 5/25/2016 **Support**	Community Advisory Committee 6/22/2016 **No objections**	Yes 5/8/2013 11/7/2013 11/14/2014	ESSE November 2015 2.0 Expressive 3.4 Receptive	EIPA 9/15/2012 3.2 EIPA 6/8/2013 3.3 EIPA 5/10/14 3.3	9/4/2012
	Conditions (if SBE approves): 1. The Plumas Unified School District must provide Ms. Metzger with weekly one-on-one mentorship, based on an individualized professional development plan, by a qualified interpreter. The individualized professional development plan must include goals and objectives derived from the feedback provided by the EIPA and the ESSE. Weekly one-on-one mentorship must include weekly videotaping of Ms. Metzger at work in the classroom, weekly telephone/Skype/FaceTime meetings with her mentor, who will provide her with feedback on her classroom interpreting. The Plumas USD must provide CDE with logs documenting the weekly mentoring time spent by Ms. Metzger and her mentor. 2. By June 2017, the Plumas Unified School District must provide CDE with new assessment scores for Ms. Metzger.									

Created by California Department of Education
September 6, 2016

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3266969 Waiver Number: 10-7-2016 Active Year: 2016

Date In: 7/20/2016 2:24:34 PM

Local Education Agency: Plumas Unified School District
Address: 1446 East Main St.
Quincy, CA 95971

Start: 7/1/2016 End: 6/30/2017

Waiver Renewal: Y
Previous Waiver Number: 2-7-2014-W-03 Previous SBE Approval Date: 11/14/2014

Waiver Topic: Special Education Program
Ed Code Title: Educational Interpreter for Deaf and Hard of Hearing
Ed Code Section: *CCR*, Title 5 Section 3051.16(b)(3)
Ed Code Authority: 33050-33053

Ed Code or *CCR* to Waive: "By July 1, 2009 and thereafter an educational interpreter shall be certified by the national RID or equivalent; in lieu of RID Certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the EIPA, the ESSE-I/R or the NAD/ACCI assessment."

Outcome Rationale: PUSD has one Deaf/ Hard-of-Hearing student who uses ASL/PSE and spoken English. The student spends half of her school day in the main-stream at Chester Jr. Sr. High School with an Educational Interpreter. The student is making excellent progress in all areas. IEP team has offered, but student's parents will not consider CSD-F placement. Chester High School is located in an isolated, rural area in the Sierra Mountains. PUSD is requesting a waiver to allow our Educational Interpreter to continue working with our student.

Student Population: 1700

City Type: Rural

Public Hearing Date: 6/22/2016
Public Hearing Advertised: Notice posted at each school

Local Board Approval Date: 6/22/2016

Community Council Reviewed By: Plumas Unified School District Board; Community Advisory Committee
Community Council Reviewed Date: 6/22/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Laura Bleasse
Position: SELPA Director
E-mail: lblesse@pcoe.k12.ca.us
Telephone: 530-283-6557 x5318
Fax: 530-283-6558

Bargaining Unit Date: 05/25/2016
Name: California School Employee Association
Representative: Judith Yocum
Title: CSEA Union President
Position: Support
Comments:

PLUMAS UNIFIED SCHOOL DISTRICT
Special Education Department
(530) 283-6557

TO: Stephanie Metzger
FROM: Laura Blesse
DATE: May 25, 2016

SUBJECT: Interpreter Remediation Plan

The State Board of Education has amended two sections of Title 5 of the California Code of Regulations Sections 3051.16 and 3065, to ensure that interpreters for pupils who are deaf or hard of hearing meet state approved or stated-recognized requirements for certification, licensing and registration or other comparable requirements.

"By July 1, 2009 and thereafter an educational interpreter shall be certified by the national RID or equivalent; in lieu of RID certification or equivalent, an educational interpret must have achieved a score of 4.0 or above on the EIPA, the ESSE-I/R, or the NAD/ACCI assessment."

PUSD has provided the following training for you:
EIPA (Educational Interpreter Performance Assessment) for you, taken on 5/10/2014. Your EIPA score was 3.3 for this assessment. This assessment included a written report containing strengths, weaknesses and suggestions for improvement of skills. PUSD provided weekly one-on-one mentoring with a Certified, ASL Interpreter. You have recently taken another assessment, the ESSE-I/R on Nov. 14, 2015. Results have recently been received: Receptive Skill PSE rating of 3.4; Expressive Skill PSE rating of 2.0.

As you have not obtained a score of 4.0 or greater, PUSD is offering to provide and fund an Interpreter Training Program for you that consists of: 2 days per month of observing & interacting with a variety of Deaf adults & students in an Educational setting in Durham; an independent study curriculum of the Rochelle Barlow Program. This Interpreter Training Program provides you with the components of a plan you feel gives you the best opportunity of improving your Interpreter skills. The offering of this Interpreter Training program, during the 2016-2017 school year, is to assist you with the compliance requirement of a score of 4.0 on the EIPA. PUSD is in the process of applying for a waiver on your behalf with the Department of Education for the current school year, ending June 30, 2017.

_____	_____	_____
PUSD Program Administrator	Employee	
CSEA Union Rep.		

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT	
Elementary and Secondary Education Act: No Child Left Behind: Approval of Local Educational Agency Plans, Title I, Section 1112.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

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, five direct-funded charter schools submitted an LEA Plan as part of the application for ESEA federal 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).

While the ESEA has been reauthorized as the Every Student Succeeds Act (ESSA) and signed into law by President Barack Obama on December 10, 2015, most of the provisions of the ESSA will not take effect until the 2017–18 school year.

RECOMMENDATION

The CDE recommends that the SBE approve the five direct-funded charter school LEA Plans listed in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

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, 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; 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

Since the current LEA Plan process was developed in July 2003 as a requirement of the ESEA, the SBE has approved 1,873 LEA Plans.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact to state operations.

ATTACHMENT(S)

Attachment 1: Direct-Funded Charter Schools Recommended for State Board of Education Approval (1 Page)

Attachment 2: Academic Performance for Direct-Funded Charter Schools Recommended for State Board of Education Approval of Local Educational Agency Plans (1 Page)

Direct-Funded Charter Schools Recommended for State Board of Education Approval

Local Educational Agency Name	County-District-School Code	Academic Performance Data
Animo Florence-Firestone Charter Middle	19 64733 0134023	None available; opened in August 2016.
Caliber: K-8 Charter	48 70581 0134262	None available; opened in August 2016.
Everest Value	19 64733 0129858	See Attachment 2.
University Preparatory Value High	19 64733 0132027	None available; opened in August 2015.
Valiente College Preparatory Charter	19 10199 0132605	None available; opened in August 2015.

Academic Performance for Direct-Funded Charter Schools Recommended for State Board of Education Approval of Local Educational Agency Plans

LEA Name: Everest Value **CDS CODE:** 19 64733 0129858	Made Adequate Yearly Progress (AYP) Criteria	**English-Language Arts**		**Mathematics**		**Academic Performance Index (API)*** **		
Student Groups		Percent At or Above Proficient (100.0%)	Met 2014 AYP Criteria**	Percent At or Above Proficient (100.0%)	Met 2014 AYP Criteria**	2013 Base API	2014 Growth API	Met 2014 API Criteria
Schoolwide	Yes, met 9 of 9	21.6		20.4				
Black or African American		--		--				
American Indian or Alaska Native		--		--				
Asian		--		--				
Filipino		--		--				
Hispanic or Latino		22.1		21.9				
Native Hawaiian or Pacific Islander		--		--				
White		--		--				
Two or More Races		--		--				
Socioeconomically Disadvantaged		21.0		19.8				
English Learners		14.5		19.4				
Students with Disabilities		0.0		7.1				

-- Indicates no data are available or there are too few students in this student group to be numerically significant.

** California received a one-year waiver from the U.S. Department of Education (ED) that allows AYP determinations to exclude the percent proficient. However, the ED is requiring California to display the percent proficient data on the AYP Report. The AYP Report used only the participation information from the 2015 Smarter Balanced Summative Assessments and California Alternate Assessment Field Test, not the assessment results. The results from the assessments will be displayed within the percent proficient but will not be used for AYP determinations.

*** California's education system went through landmark changes in 2014 with the implementation of the Local Control Funding Formula (LCFF), the transition to a new testing system, and the shift to develop a new state accountability system. Given these changes, at the March 2015 meeting, the State Board of Education (SBE) approved the State Superintendent of Public Instruction's recommendation to not calculate the following Academic Performance Index (API) reports:

- 2014 Base API
- 2015 Growth API
- 2015 Base API

As a result of suspending the APIs, the SBE also approved the removal of the API as an additional indicator for all schools for AYP reporting purposes.

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT	
Elementary and Secondary Education Act Section 1003(g), School Improvement Grant: Approval of Cohort 4 Funding for Local Educational Agencies and Schools for the Fiscal Years 2014, 2015, and 2016.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

On June 1, 2016, the California Department of Education (CDE) released the School Improvement Grant (SIG) Section 1003(g) Cohort 4 fiscal years (FYs) 2014, 2015, and 2016 Local Educational Agency (LEA) Request for Applications (RFA). California is expected to receive approximately $172 million from the U.S. Department of Education (ED) to fund eligible LEAs for up to five grant years. These funds will be used to make new awards beginning in the 2016–17 school year (SY) and will be available through the 2020–21 SY.

On February 9, 2015, the ED released the FY 2014 SIG final requirements under Section 1003(g) of the Elementary and Secondary Education Act (ESEA). The FY 2014 SIG final requirements include seven intervention models, including a State-determined Intervention Model (SDIM), from which the LEA may elect to implement.

On July 29, 2016, the ED approved California's School Improvement Grant Application for FYs 2015 and 2016 New Awards Competition, including California's State-determined Intervention Model (CA SDIM). The CA SDIM is more than a one-size-fits-all solution. It provides a framework for linking student achievement outcomes to impact decisions that drive continuous improvement for all students. The strength of the CA SDIM lies in the flexibility afforded to SIG LEAs to address student needs locally. A California LEA seeking to improve student performance and progress in a low performing school can now tailor much of its school reform efforts to suit the identified needs of its SIG funded school(s).

While the ESEA has been reauthorized as the Every Student Succeeds Act (ESSA) and signed into law by President Obama on December 10, 2015, the new accountability provisions of the ESSA will not take effect until the 2017–18 SY.

RECOMMENDATION

The CDE recommends that the State Board of Education (SBE) approve funding for the recommended list of SIG Cohort 4 LEAs and their schools, which have submitted an approvable application for SIG Cohort 4 sub-grants provided under Section 1003(g) of the ESEA.

The list of LEAs and their schools that applied for FYs 2014, 2015, and 2016 SIG funds is provided in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

On March 29, 2016, the ED released the School Improvement Grant Application for FYs 2015 and 2016 New Awards Competition under Section 1003(g) of the ESEA, as amended by the No Child Left Behind Act of 2001, with a due date of May 27, 2016. The SIG Cohort 4 FYs 2014, 2015, and 2016 LEA RFA was announced to LEAs on June 1, 2016. On July 29, 2016, the ED approved California's School Improvement Grant Application for FYs 2015 and 2016 under Section 1003(g) of the ESEA.

The ED incorporated several SIG policy changes from the Consolidated Appropriations Act, 2014, that are reflected in the FY 2014 SIG final requirements released in February 2015. Specifically, the changes introduce revisions to current SIG requirements that reflect federal lessons learned from four years of SIG implementation and stakeholder input to strengthen program implementation. In addition, the changes provide flexibility for rural LEAs; extend the grant implementation period from three to five years; include the option of a planning year and sustainability year(s); and allow LEAs to select from three additional intervention models, which are the: (1) Early Learning Model, (2) Evidence-based Whole-school Reform Model, and (3) SDIM. States that opted to create an SDIM included the model in their LEA RFA as an intervention option from which LEAs could select. The former four intervention models, namely the Turnaround, Transformation, Restart, and Closure models are still required as part of California's School Improvement Grant Application for FYs 2015 and 2016 New Awards Competition.

The SIG Cohort 4 FYs 2014, 2015, and 2016 LEA RFAs were due to the CDE on or before September 8, 2016. The CDE conducted a readers' conference in September 2016 to score the applications. This is a competitive grant program. As such, there would have been insufficient funds to meet the request had all LEAs with eligible schools submitted an approvable application. In determining which LEAs to fund, the CDE took into consideration only those applications that demonstrated the greatest need for such funds and the strongest commitment to use SIG funds to improve student achievement and outcomes as well as the geographic distribution of eligible schools.

Upon approval of California's School Improvement Grant Application for FYs 2015 and 2016, the ED also approved the CA SDIM. Of the 11 LEAs and 26 schools that are being recommended for funding, 10 LEAs will implement the CA SDIM in 21 of their Tier I and Tier II schools. The remaining five schools in one LEA will implement the Restart Model.

The CDE only recommends awarding funds to those LEAs that developed and submitted a comprehensive and viable application likely to improve student academic achievement, in addition to meeting eligibility requirements as defined by the ED.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

California's FY 2014, 2015, and 2016 Cohort 4 School Improvement Grant

At its May 2016 meeting, the SBE took action to approve the submission of California's School Improvement Grant Application for FYs 2015 and 2016 New Awards Competition, as well as the release of the California School Improvement Grant Section 1003(g) Cohort 4 FYs 2014, 2015, and 2016 LEA RFA. http://www.cde.ca.gov/be/ag/ag/yr16/documents/may16item04.doc.

At its November 2015 meeting, the SBE took action to approve the CA SDIM. The CDE submitted the CA SDIM to the ED for approval on November 23, 2015. On March 18, 2016, the ED stated that it would provide final review and approval of the CA SDIM with its School Improvement Grant Application for FYs 2015 and 2016 New Awards Competition. http://www.cde.ca.gov/be/ag/ag/yr15/documents/nov15item07.doc.

On July 29, 2016, the ED approved California's School Improvement Grant Application for FYs 2015 and 2016 New Awards Competition, including the CA SDIM.

California's FY 2014 School Improvement Grant Funds

At its July 2015 meeting, the SBE took action to approve California's abbreviated SIG Application for FY 2014 funds and the request for a waiver from the ED to allow California to carry over 100 percent of its FY 2014 SIG allocation to be awarded along with its FY 2015 SIG allocation for awards beginning in the 2016–17 SY. http://www.cde.ca.gov/be/ag/ag/yr15/documents/jul15item10.doc

California's FY 2013 Cohort 3 School Improvement Grant

At its January 2014 meeting, the SBE took action to approve funding for FY 2013 SIG sub-grants provided under Section 1003(g) of the ESEA. The FY 2013 SIG Cohort 3 sub-grants currently provide funding for four districts and 11 schools. California is currently using its FY 2013 SIG funds to provide a full three years of funding for the 2014–15, 2015–16, and 2016–17 SYs. http://www.cde.ca.gov/be/ag/ag/yr14/documents/jan14item11.doc

California's FY 2010, 2011, and 2012 Cohort 2 School Improvement Grant

At its January 2012 meeting, the SBE took action to approve funding for Cohort 2 SIG sub-grants. The FY 2010 SIG sub-grants were used to fund the first year of the three-year SIG program beginning in the 2012–13 SY with subsequent second and third years being funded using California's FY 2011 and FY 2012 SIG allocations. These awards

provided funding to 14 districts and 39 schools. Currently, California is using its remaining FY 2012 SIG funds to fund Year 4 continuation grants for approved Cohort 2 subgrantees. http://www.cde.ca.gov/be/ag/ag/yr12/documents/jan12item05.doc

California's FY 2009 Cohort 1 School Improvement Grant

At its August 2010 meeting, the SBE took action to approve funding for FY 2009 SIG sub-grants provided under Section 1003(g) of the ESEA and 2009–10 American Recovery and Reinvestment Act. The FY 2009 SIG Cohort 1 sub-grants provided funding to 41 districts and 90 schools. The FY 2009 funds were used to provide a full three years of funding for the 2010–11, 2011–12, and 2012–13 SYs. http://www.cde.ca.gov/be/ag/ag/yr10/documents/aug10item04.doc

FISCAL ANALYSIS (AS APPROPRIATE)

The FYs 2014, 2015, and 2016 SIG funds, totaling approximately $172 million, provide LEAs with grants ranging from $50,000 to $2 million per school per year. On September 8, 2015, the ED approved California's carry over request waiver for the FY 2014 SIG allocation of approximately $59 million until September 20, 2020. This approval allows California to combine its FY 2014 SIG award with its FY 2015 allocation of approximately $59 million and FY 2016 SIG allocation of approximately $53 million, to award sub-grants to the fourth cohort of LEAs for up to a five-year grant period (2016–17, 2017–18, 2018–19, 2019–20, and 2020–21 SYs). All awards (FY 2014, FY 2015, and FY 2016) must be obligated by the State by December 31, 2016.

ATTACHMENT(S)

Attachment 1: Local Educational Agencies and Their Schools Recommended for Fiscal Years 2014, 2015, and 2016 School Improvement Grant Funds (2 Pages)

Local Educational Agencies and Their Schools Recommended for Fiscal Years 2014, 2015, and 2016 School Improvement Grant Funds

CDS Code	Local Educational Agency	School Name	Charter School	Tier	Selected School Reform Model
16638750000000	Armona Union Elementary	District	--	--	--
16638756010284		Parkview Middle	No	1	CA SDIM
12753740000000	Ferndale Unified	District	--	--	--
12753746007843		Ferndale Elementary	No	1	CA SDIM
34673300000000	Folsom-Cordova Unified	District	--	--	--
34673306033179		Cordova Meadows Elementary	No	1	CA SDIM
34673306033278		White Rock Elementary	No	1	CA SDIM
19647330000000	Los Angeles Unified	District	--	--	--
19647330126482		Augustus F. Hawkins High A Critical Design and Gaming	No	1	Restart
19647331939305		George Washington Preparatory High	No	1	Restart
19647336015952		Barton Hill Elementary	No	1	Restart
19647336016810		Tom Bradley Global Awareness Magnet	No	1	Restart
19647336058358		Daniel Webster Middle	No	1	Restart
01612590000000	Oakland Unified	District	--	--	--
01612590115204		Community United Elementary	No	1	CA SDIM
01612590115576		Futures Elementary	No	1	CA SDIM

Local Educational Agencies and Their Schools Recommended for Fiscal Years 2014, 2015, and 2016 School Improvement Grant Funds

CDS Code	Local Educational Agency	School Name	Charter School	Tier	Selected School Reform Model
19648570000000	Palmdale Elementary	District	--	--	--
19648576021190		Tumbleweed Elementary	No	1	CA SDIM
15633620000000	Panama-Buena Vista Union	District	--	--	--
15633626095012		Charles H. Castle Elementary	No	1	CA SDIM
19649070000000	Pomona Unified	District	--	--	--
19649070111047		Lopez Elementary	No	1	CA SDIM
19649076021927		Barfield Elementary	No	1	CA SDIM
19649076061642		Palomares Academy of Health Science	No	1	CA SDIM
50755560000000	Riverbank Unified	District	--	--	--
50755566052989		Cardozo Middle	No	2	CA SDIM
34674390000000	Sacramento City Unified	District	--	--	--
34674393434636		Hiram W. Johnson High	No	1	CA SDIM
34674396033997		H. W. Harkness Elementary	No	1	CA SDIM
34674396034037		Leataata Floyd Elementary	No	1	CA SDIM
34674396034060		John D. Sloat Elementary	No	1	CA SDIM
34674396034201		Parkway Elementary	No	1	CA SDIM
34674396034334		Woodbine Elementary	No	1	CA SDIM
34674396059323		John H. Still	No	1	CA SDIM
34674396071336		Susan B. Anthony Elementary	No	1	CA SDIM
06616220000000	Williams Unified	District	--	--	--
06616226003552		Williams Primary Elementary	No	1	CA SDIM

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT Approval of 2016–17 Consolidated Applications.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

Each local educational agency (LEA) must submit a complete and accurate Consolidated Application (ConApp) for each fiscal year in order for the California Department of Education (CDE) to send funding to LEAs that are eligible to receive federal categorical funds as designated in the ConApp. The ConApp is the annual fiscal companion to the LEA Plan as required by the federal Elementary and Secondary Education Act (ESEA) of 1965. The State Board of Education (SBE) is asked to annually approve ConApps for approximately 1,700 school districts, county offices of education, and direct-funded charter schools.

RECOMMENDATION

The CDE recommends that the SBE approve the 2016–17 ConApps submitted by LEAs in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

Each year, the CDE, in compliance with *California Code of Regulations,* Title 5, Section 3920, recommends that the SBE approve applications for funding Consolidated Categorical Aid Programs submitted by LEAs. Prior to receiving funding, the LEA must also have an SBE-approved LEA Plan that satisfies SBE and CDE criteria for utilizing federal categorical funds.

Approximately $2 billion of federal funding is distributed annually through the ConApp process. The 2016–17 ConApp consists of six federal-funded programs. The funding sources include:

- Title I, Part A Basic Grant (Low Income);
- Title I, Part D (Delinquent);
- Title II, Part A (Teacher Quality);
- Title III, Part A (Immigrant);
- Title III, Part A (English Learner Students); and
- Title VI, Part B (Rural, Low-Income).

ConApp data is collected twice a year. The Spring Release, which occurs from May to June, collects new fiscal year application data, end-of-school-year program participation student count, and program expenditure data. The Winter Release, which occurs from January to February, collects LEA reservations and allocations, and program expenditure data.

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 non-compliant issues or is making satisfactory progress toward resolving one or two non-compliant issues that is/are fewer than 365 days non-compliant. Conditional approval is recommended when an LEA has submitted a correct and complete ConApp, Spring Release, but has one or more non-compliant 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 non-compliant issues. In extreme cases, conditional approval may include the withholding of funds.

Attachment 1 identifies the LEAs that have no outstanding non-compliant issues or are making satisfactory progress toward resolving one or two non-compliant issues that is/are fewer than 365 days non-compliant. The CDE recommends regular approval of the 2016–17 ConApp for these 85 LEAs. Fiscal data are absent if an LEA is new or is a charter school applying for direct funding for the first time. Attachment 1 includes ConApp entitlement figures from school year 2015–16 because the figures for 2016–17 cannot be determined until all applications and LEA Plans have been completed.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

For fiscal year 2016–17, the SBE has approved ConApps for 1,570 LEAs. Attachment 1 represents the second set of 2016–17 ConApps presented to the SBE for approval.

FISCAL ANALYSIS (AS APPROPRIATE)

The CDE provides resources to track the SBE approval status of the ConApps for approximately 1,700 LEAs. The cost to track the non-compliant status of LEAs related to programs within the ConApp is covered through a cost pool of federal funds. CDE staff communicate with LEA staff on an ongoing basis to determine the evidence needed to resolve issues, review the evidence provided by LEA staff, and maintain a tracking system to document the resolution process.

ATTACHMENT(S)

Attachment 1: Consolidated Applications List (2016–17) – Regular Approvals (4 pages)

Consolidated Applications List (2016–17) – Regular Approvals

The following 85 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 non-compliant issues that are fewer than 365 days non-compliant. The California Department of Education recommends regular approval of these applications.

Number	County-District-School Code	LEA Name	Total 2015–16 ConApp Entitlement	Total 2015-16 Entitlement Per Student	Total 2015-16 Title I Entitlement
1	07616300000000	Acalanes Union High	322,979	58	229,732
2	19753090000000	Acton-Agua Dulce Unified	287,765	227	236,709
3	01611190130625	Alternatives in Action	51,176	310	50,134
4	41689990134197	Aspire East Palo Alto Charter	0	0	0
5	36738580000000	Baker Valley Unified	48,153	325	38,385
6	42691040000000	Ballard Elementary	16,061	124	12,162
7	33669850000000	Banning Unified	2,224,378	491	1,829,714
8	41688580000000	Bayshore Elementary	164,877	435	147,304
9	10620260000000	Big Creek Elementary	22,974	389	19,344
10	21653000000000	Bolinas-Stinson Union	42,519	379	36,089
11	28662410000000	Calistoga Joint Unified	33,775	0	0
12	19647330115139	Center for Advanced Learning	158,439	447	139,911
13	19647330100800	Central City Value	193,799	401	174,882
14	50710500000000	Chatom Union	270,987	437	206,465
15	10621170000000	Clovis Unified	7,052,050	171	5,995,846
16	01100170123968	Community School for Creative Education	50,442	275	49,006
17	19647330101659	Crenshaw Arts-Technology Charter High	87,927	586	87,107
18	24753660000000	Delhi Unified	1,067,108	405	885,641

Number	County-District-School Code	LEA Name	Total 2015–16 ConApp Entitlement	Total 2015-16 Entitlement Per Student	Total 2015-16 Title I Entitlement
19	19647336119903	Downtown Value	197,442	433	182,855
20	04614320000000	Durham Unified	186,505	189	133,314
21	26736680000000	Eastern Sierra Unified	171,698	448	138,396
22	34673220000000	Elverta Joint Elementary	71,751	222	63,951
23	37681140000000	Fallbrook Union Elementary	1,574,153	311	1,220,686
24	30665060000000	Fullerton Elementary	3,146,869	232	2,309,625
25	30665220000000	Garden Grove Unified	16,822,800	364	12,956,053
26	19646340128991	Grace Hopper STEM Academy	49,840	415	49,069
27	49753900000000	Healdsburg Unified	593,939	357	433,359
28	37683383731247	High Tech High	55,782	95	49,749
29	37683380101204	High Tech Middle	45,661	146	44,874
30	19734520120600	iQ Academy California-Los Angeles	0	0	0
31	31668450121418	John Adams Academy	11,912	9	11,091
32	16639410000000	Kings River-Hardwick Union Elementary	73,893	93	62,816
33	07617050000000	Knightsen Elementary	59,321	111	52,362
34	21653590000000	Lagunitas Elementary	10,080	33	4,959
35	38684783830411	Leadership High	76,871	286	70,706
36	01612590130633	Lighthouse Community Charter	199,714	407	170,568
37	01612590108944	Lighthouse Community Charter High	78,621	302	77,543
38	18641626010763	Long Valley Charter	96,111	278	95,003
39	31668450000000	Loomis Union Elementary	189,065	67	142,519
40	24657550000000	Los Banos Unified	3,289,332	322	2,763,539
41	19647740000000	Lynwood Unified	6,191,717	419	4,774,382
42	26736920000000	Mammoth Unified	182,228	152	129,059

Number	County-District-School Code	LEA Name	Total 2015–16 ConApp Entitlement	Total 2015-16 Entitlement Per Student	Total 2015-16 Title I Entitlement
43	22102230000000	Mariposa County Office of Education	43,878	1044	43,508
44	07617390000000	Martinez Unified	414,153	98	278,468
45	17640550000000	Middletown Unified	368,240	243	311,704
46	45700520000000	Millville Elementary	32,028	128	22,336
47	36678270111807	Mojave River Academy	15,956	0	0
48	09619290000000	Mother Lode Union Elementary	325,350	308	265,911
49	29663400000000	Nevada City Elementary	154,376	177	106,906
50	12101240134163	Northcoast Preparatory and Performing Arts Academy	0	0	0
51	56738740000000	Oak Park Unified	213,769	46	154,918
52	01612593030772	Oakland School for the Arts	17,035	23	16,240
53	30666703030723	OCSA	53,657	25	42,972
54	36678270000000	Oro Grande Elementary	71,082	28	47,975
55	19647336018642	Pacoima Charter Elementary	622,163	448	539,594
56	33672070000000	Perris Union High	4,397,104	410	3,965,010
57	49708540000000	Petaluma City Elementary	458,831	203	353,374
58	49708620000000	Petaluma Joint Union High	461,708	94	335,442
59	01612750000000	Piedmont City Unified	78,500	29	40,116
60	41689990000000	Ravenswood City Elementary	1,474,538	421	1,021,276
61	20652760000000	Raymond-Knowles Union Elementary	44,726	532	35,081
62	45701100000000	Redding Elementary	985,782	302	768,692
63	19753410000000	Redondo Beach Unified	699,566	74	458,106
64	21654250000000	Reed Union Elementary	177,138	114	145,452
65	16739320000000	Reef-Sunset Unified	1,555,053	593	1,265,525

Number	County-District-School Code	LEA Name	Total 2015–16 ConApp Entitlement	Total 2015-16 Entitlement Per Student	Total 2015-16 Title I Entitlement
66	54720820000000	Richgrove Elementary	514,317	769	431,092
67	15635780000000	Richland Union Elementary	1,358,418	387	1,071,468
68	15735440000000	Rio Bravo-Greeley Union Elementary	199,214	191	167,119
69	07770240134072	Rocketship Futuro Academy	0	0	0
70	43104390133496	Rocketship Rising Stars	0	0	0
71	42767860000000	Santa Barbara Unified	3,073,548	210	2,163,893
72	44754320000000	Scotts Valley Unified	171,336	67	117,042
73	54721160000000	Sequoia Union Elementary	90,975	292	78,775
74	10621660114355	Sierra Charter	166,814	392	164,774
75	34674390101295	Sol Aureus College Preparatory	69,195	212	69,195
76	19647330100669	Stella Middle Charter Academy	237,096	453	234,218
77	53105380000000	Trinity County Office of Education	6,526	0	6,344
78	36678920000000	Trona Joint Unified	206,590	800	171,583
79	29664150000000	Twin Ridges Elementary	137,588	1285	105,389
80	19647330120022	Valor Academy Middle	174,351	358	172,115
81	56105610000000	Ventura County Office of Education	1,167,088	1360	1,150,867
82	19647330122739	Vista Charter Middle	171,539	425	169,129
83	42693440000000	Vista del Mar Union	11,264	92	8,318
84	57727020000000	Winters Joint Unified	331,095	219	198,622
85	41690880000000	Woodside Elementary	14,025	34	8,615

Total 2015–16 ConApp entitlement funds for above districts receiving regular approval: $65,625,582

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT	
History–Social Science Instructional Materials Adoption–Adopt Proposed *California Code of Regulations,* Title 5, Section 9517.3.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

In order for the California Department of Education (CDE) and State Board of Education (SBE) to conduct an adoption of instructional materials for History–Social Science (HSS) as set forth in California *Education Code* (*EC*) Section 60212, the attached proposed regulations must be adopted.

RECOMMENDATION

The CDE recommends the SBE take the following actions:

- Approve the Final Statement of Reasons.
- Formally adopt the proposed regulations approved by the SBE at the July 2016 meeting. No amendments or edits have been made to the proposed regulations.
- Direct the CDE to submit the rulemaking file to the Office of Administrative Law (OAL) for approval.
- 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

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 60212 stipulates that, for the purposes of an HSS instructional materials adoption, the CDE “shall assess a fee” for those publishers declaring their intent to

participate. While *EC* Section 60200 and the *California Code of Regulations*, Title 5, (5 *CCR*) sections 9510 through 9525 fully establish a process by which the CDE and the SBE conduct instructional materials adoptions, 5 *CCR* does not address the process for collecting fees for an HSS adoption nor the amount of any fees. These proposed regulations will allow the CDE and the SBE to conduct an HSS instructional materials adoption.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The California Constitution, Article 9, Section 7.5, establishes that the SBE shall adopt instructional materials for use in grade one through eight (and, pursuant to EC 60200, kindergarten).

In 2009 the state Legislature and governor suspended, until July 2015, all statewide instructional materials adoptions due to the financial crisis and in part to alleviate the expense of the adoption process from the general fund. On September 27, 2012, Governor Brown signed into law Assembly Bill 1246 (Brownley), Statutes of 2012, which authorized the SBE to take action on a new statewide mathematics instructional materials adoption no later than March 30, 2014.

At its January 2013 meeting, the SBE approved the commencement of the rulemaking process to establish 5 *CCR* 9517.3 to facilitate the collection of fees for the 2014 Mathematics Instructional Materials Adoption. Those regulations were subsequently enacted.

At its January 2014 meeting, the SBE approved the commencement of the rulemaking process to amended 5 *CCR* Section 9517.3 for the 2015 English Language Arts/English Language Development (ELA/ELD) Instructional Materials Adoption. The ELA/ELD regulations closely resembled the Mathematics Instructional Materials Adoption regulations, which were subsequently enacted in 2013.

At its July 2016 meeting, the SBE approved the commencement of the rulemaking process to amended 5 *CCR* Section 9517.3 for the 2017 History–Social Science Instructional Materials Adoption.

FISCAL ANALYSIS (AS APPROPRIATE)

These regulations will not result in any additional costs or savings to local educational agencies (LEAs), state agencies, or federal funding to the State. The process regulated will be self-funded by fees from participating publishers. Further, pursuant to law, LEAs will be under no obligation to purchase or implement the instructional materials approved as a result of a possible adoption process.

An Economic Fiscal Impact Statement is provided as Attachment 3.

ATTACHMENT(S)

Attachment 1: Final Statement of Reasons (1 page)

Attachment 2: Proposed Regulations (2 pages)

Attachment 3: Economic and Fiscal Impact Statement (STD. 399) (5 pages)

FINAL STATEMENT OF REASONS

CFIR-History Social Science

UPDATE OF INITIAL STATEMENT OF REASONS

The original proposed text was made available for public comment for at least 45 days from July 29, 2016, through September 14, 2016. No comments were received during the 45-day comment period.

A public hearing was held at 9:30 a.m. on September 14, 2016, at the California Department of Education. No oral comments were received at the public hearing.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD OF JULY 29, 2016, THROUGH SEPTEMBER 14, 2016.

No written comments were received during the initial notice period of July 29, 2016, through September 14, 2016.

ALTERNATIVES DETERMINATION

The State Board of Education 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.

9-14-16 [California Department of Education]

The State Board of Education has illustrated changes to the original text in the following manner: text originally proposed to be added is underlined; text proposed to be deleted is displayed in ~~strikeout~~.

Title 5. EDUCATION

Division 1. California Department of Education

Chapter 9. Instructional Materials

Subchapter 1. Elementary Instructional Materials

Article 2. Adoption of Curriculum Frameworks, Evaluation Criteria and Instructional Materials–Procedures

§ 9517.3. ~~English Language Arts/English Language Development~~ History-Social Science Instructional Materials Adoption.

(a) The State Board of Education (SBE) adoption of basic instructional materials for history-social science (HSS) ~~English language arts/English language development (ELA/ELD) scheduled to occur no later than November 30, 2015,~~ shall be conducted according to the following requirements:

(1) CDE staff shall prepare the following documents for review and approval of the SBE at a public meeting:

(A) A Schedule of Significant Events specific to the HSS ~~ELA/ELD~~ adoption;

(B) A notice of intent to hold the HSS ~~ELA/ELD~~ adoption with the information specified in section 9517.3(a)(2)(A) and (B);

(2) A notice of intent to hold the HSS ~~ELA/ELD~~ adoption shall be posted on the CDE Web site, shall be mailed to all publishers who have participated in prior adoptions, shall be mailed to all publishers known to produce basic instructional materials in that subject, and shall be made available upon request.

The notice shall include:

(A) A Schedule of Significant Events.

(B) A statement that each publisher choosing to participate will be charged a fee as described in section 9517.3(a)(4).

(3) Each publisher shall provide a statement of intent to submit to the CDE in accordance with the dates set forth in the Schedule of Significant Events that specifies

the following:

(A) Number of programs that the publisher will submit.

(B) Number of grade levels covered by each program.

(4) Based on the information included in a publisher's statement of intent to submit, the CDE shall assess a fee of $5,000 per grade level for each program submitted for review. The fee shall be payable by the publisher even if the publisher subsequently chooses to withdraw a program or reduce the number of grade levels submitted for review.

(5) A “small publisher” as defined in Education Code section 60212(f)(2) ~~60211(b)(6)(B)~~, may request a reduction of the fee by submitting documentation in accordance with the date set forth in the Schedule of Significant Events, that includes the following:

(A) A statement of earnings for the most recent three fiscal years.

(B) A statement verifying the number of full-time employees excluding contracted employees.

(C) A statement verifying that the small publisher is independently owned or operated and is not dominant in its field for the subject matter being submitted.

(b) The HSS ~~ELA/ELD~~ adoption shall follow all other procedures set forth in this article.

NOTE: Authority cited: Sections 33031 and 60206, Education Code. Reference: Sections 60200, 60207 and 60212 ~~60211~~, Education Code.

03-01-16 [California Department of Education]

This is the official scanned version of Item 14 Attachment 3 from the California State Board of Education (SBE) Meeting Agenda for November 2016 posted at http://www.cde.ca.gov/be/ag/ag/yr16/agenda201611.asp

An accessible version of the contents of this document is located at http://www.cde.ca.gov/be/ag/ag/yr16/nov16item14a3aav.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	CONTACT PERSON	EMAIL ADDRESS	TELEPHONE NUMBER
Education	Linda Hakala	lhakala@cde.ca.gov	319-0658

DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400	NOTICE FILE NUMBER
History--Social Studies Instructional Materials Adoption (dated 03-01-16)	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 statute 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 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 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 through12 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: _____

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 fees.

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 upon the state as they concur with existing regulations and serve only to define specifics of publisher fees 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
Linda Habala	March 14, 2016

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
	3/17/16

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

AAV of SBE Item 14 Attachment 3

This page is the Accessible Alternative Version (AAV) of Item 14 Attachment 3 from the California State Board of Education (SBE) Meeting Agenda for November 2016. The scanned Item 14 Attachment 3 version is considered to be the official version of the document.

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

Telephone Number: 916-319-0658

Descriptive Title From Notice Register Or From 400: History -- Social Studies Instructional Materials Adoption (dated March 1, 2016)

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 statute and would not impose additional private sector costs.*

Fiscal Impact Statement

Section A. FISCAL EFFECT ON LOCAL GOVERNMENT (Indicate appropriate boxes1 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 fees.*

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 upon the state as they concur with existing regulations and serve only to define specifics of publisher fees as provided in the Education Code.*

Section C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS (Indicate appropriate boxes1 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 March 14, 2016

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 March 17, 2016

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: No signature.

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT	
Approval of the Charter School Numbers Assigned to Newly Established Charter Schools.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE(S)

The State Board of Education (SBE) is responsible for assigning a number to each approved charter petition. California Department of Education (CDE) staff present this routine request for assignment of charter numbers as a standard action item.

RECOMMENDATION

The CDE recommends that the SBE assign a charter number to each charter school identified in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

Since the charter school law was enacted in 1992, the SBE has assigned numbers to 1,838 charter schools, including some approved by the SBE after denial by local educational agencies. Separate from that numbering system, nine all-charter districts 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 2016–17 is 2,050. The statutory cap is not subject to waiver.

The charter schools listed in Attachment 1 were recently authorized by local boards of education as noted. A copy of the charter petition is on file in the Charter Schools Division.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE is responsible for assigning a number to each approved charter petition. The CDE presents this routine request for assignment of charter numbers as a standard action item.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact to the state resulting from the assignment of numbers to recently authorized charter schools.

ATTACHMENT(S)

Attachment 1: Assignment of Numbers for Charter School Petitions (1 Page)

Assignment of Numbers for Charter School Petitions

Number	Term	Charter Name	County	Authorizing Entity	Classroom-Based/ Nonclassroom-Based
1839	7/1/2016–6/30/2019	Independent Study Charter School	Solano	Vacaville Unified School District	Nonclassroom-Based
1840	9/1/2016–8/31/2021	Opportunity Youth Academy	Santa Clara	Santa Clara County Board of Education	Combination: Classroom-Based 50 percent, Nonclassroom-Based 50 percent
1841	9/1/2016–6/30/2017	Inspire Charter School–Central	Fresno	Westside Elementary School District	Nonclassroom-Based
1842	7/1/2017–6/30/2022	USC College Prep, Orange Campus	Los Angeles	Los Angeles Unified School District	Classroom-Based
1843	7/1/2017–6/30/2022	USC College Prep, Blue Campus	Los Angeles	Los Angeles Unified School District	Classroom-Based
1844	8/23/2016-8/22/2021	Uplift Monterey	Monterey	Bradley Union Elementary School District	Combination: Classroom-Based 20 percent, Nonclassroom-Based 80 percent

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

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.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE

California *Education Code* (*EC*) sections 47612.5 and 47634.2 established the eligibility requirements for apportionment funding for charter schools that offer nonclassroom-based instruction. The statutes specify that a charter school may receive apportionment funding for nonclassroom-based instruction only if a determination of funding is made by the State Board of Education (SBE). The California Department of Education (CDE) reviews a charter school's determination of funding request and presents it for consideration by the Advisory Commission on Charter Schools (ACCS), pursuant to relevant *California Code of Regulations*, Title 5 (5 *CCR*).

Pursuant to 5 *CCR*, Section 11963.6(c), any determination of funding request approved by the SBE for an existing nonclassroom-based charter school must be prospective (not for the current year). The CDE received completed determination of funding requests from the charter schools listed on Attachment 1, after the filing deadline, thereby making the requests retroactive, not prospective. Since each charter school failed to submit a completed request by the regulatory filing deadline, the charter school was required to request a waiver for SBE approval to allow the charter school to request a non-prospective funding determination.

The waivers requesting approval for a retroactive funding determination were submitted to the SBE for each charter school and were approved by the SBE at its July and September 2016 meetings, as specified in Attachment 1. The waiver requests are provided in the Meeting Notice for the SBE Web page located at http://www.cde.ca.gov/be/ag/ag/yr16/documents/Jul16w17.doc and http://www.cde.ca.gov/be/ag/ag/yr16/documents/Sept16w07rev.doc.

RECOMMENDATION

The CDE recommends that the SBE approve the determination of funding requests for the percentages and periods specified for the nonclassroom-based charter schools provided in Attachment 1.

Advisory Commission on Charter Schools Recommendation

The ACCS met on October 4, 2016, and voted unanimously to approve the CDE recommendation that the SBE approve the determination of funding for the period specified for the nonclassroom-based charter schools listed in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

The nonclassroom-based charter schools identified in Attachment 1 each submitted a request to obtain a determination of funding by the SBE to establish eligibility to receive apportionment funding.

Pursuant to 5 *CCR* Section 11963.4(a), a nonclassroom-based charter school may qualify for 70 percent, 85 percent, or 100 percent funding, or may be denied. To qualify for a proposed recommendation of 100 percent funding, a nonclassroom-based charter school must meet the following criteria:

- At least 40 percent of the school's public revenues are to be spent on salaries and benefits for all employees who possess a valid teaching certificate.
- At least 80 percent of all revenues are to be spent on instruction and instruction-related services.
- The ratio of average daily attendance for independent study pupils to full-time certificated employees does not exceed a pupil-teacher ratio of 25:1 or the pupil-teacher ratio of the largest unified school district in the county or counties in which the charter school operates.

5 *CCR* Section 11963.6(c) specifies that a determination of funding approved by the SBE shall be prospective (not for the current year) and shall be in increments of a minimum of two years and a maximum of five years in length.

EC Section 47612.5(d)(2) requires a determination of five years for a charter school that has achieved a rank of six or greater on the Academic Performance Index (API) for the two years immediately prior to receiving a determination of funding. However, *EC* Section 52056(a) requiring API ranking of schools was repealed. Alternatives were authorized by Assembly Bill (AB) 484 (Chapter 489, Statutes of 2013) to meet legislative and/or programmatic requirements. For purposes of meeting the API requirement pursuant to *EC* Section 47612.5(d)(2), the CDE considers the following alternatives as proposed by AB 484: (a) the most recent API calculation, or (b) an average of the three most recent annual API calculations, whichever is higher.

When making a recommendation for a funding determination period, the CDE also considers the number of years a charter school has been in operation and the number of years requested for the determination of funding by the charter school. As provided in Attachment 1, there are two charter schools that are requesting a determination of five years. These two charter schools do not meet the API requirement, therefore, the CDE recommends four years since the charter schools have been in operation for three or more years. The CDE also recommends two years for a charter school that is requesting a determination of two years.

The funding determination requests are provided in Attachments 2 through 4 of Agenda Item 01 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/accsnotice100416.asp.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At its July and September 2016 meetings, the SBE approved the CDE's recommendation to approve the requests to waive specific portions of 5 *CCR*, Section 11963.6(c), which allow the charter schools identified in Attachment 1 to submit a determination of funding request for the non-prospective fiscal periods.

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 these requests are a recurring action item for the SBE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved, the charter schools listed in Attachment 1 would receive apportionment funding under the Local Control Funding Formula model.

ATTACHMENT

Attachment 1: California Department of Education Determination of Funding Recommendations for Nonclassroom-based Charter Schools (1 Page)

California Department of Education

Determination of Funding Recommendations for Nonclassroom-based Charter Schools

CDS Code	Charter Authorizer	County	Charter School (Charter Number)	First Year of Operation	Percent Spent on Certificated Staff Compensation^	Percent Spent on Instruction and Instruction-Related Services^	Pupil-Teacher Ratio^	Funding Determination and Years Requested by Charter School	CDE Recommendation Funding Determination and Years
11-10116-1130103	Glenn County Office of Education	Glenn	William Finch (0634)	2004–05	88.80%	80.14%	14.0:1	100% for 5 Years (2015–16 through 2019–20)	*#100% for 4 Years (2015–16 through 2018–19)
20-75606-0132936	Chawanakee Unified	Madera	Chawanakee Academy Charter (1763)	2015–16	50.55%	80.24%	25.0:1	100% for 2 Years (2015–16 through 2016–17)	**#100% for 2 Years (2015–16 through 2016–17)
50-75739-0124669	Turlock Unified	Stanislaus	eCademy Charter at Crane (1309)	2011–12	63.14%	80.17%	16.97:1	100% for 5 Years (2016–17 through 2020–21)	*##100% for 4 Years (2016–17 through 2019–20)

^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 recommends a determination of four years for a charter school that has been in operation for three or more years.
**For the funding determination effective period, the CDE considers the number of years requested by the charter school and recommends a determination of two years for a charter school that is requesting two years.
#At its July 2016 meeting, the State Board of Education (SBE) approved the request to waive specific portions of *California Code of Regulations*, Title 5 (5 *CCR*) Section 11963.6(c) for the period of July 1, 2015, through June 30, 2016.
##At its September 2016 meeting, the SBE approved the request to waive specific portions of 5 *CCR* Section 11963.6(c) for the period of July 1, 2016, through June 30, 2017.

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT	
Consideration of Retroactive Requests for Determination of Funding with "Reasonable Basis"/Mitigating Circumstances as Required for Nonclassroom-based Charter Schools Pursuant to California *Education Code* Sections 47612.5 and 47634.2, and Associated *California Code of Regulations*, Title 5.	☒ Action ☒ Information ☐ Public Hearing

SUMMARY OF THE ISSUE

California *Education Code* (*EC*) sections 47612.5 and 47634.2 established the eligibility requirements for apportionment funding for charter schools that offer nonclassroom-based instruction. The statutes specify that a charter school may receive apportionment funding for nonclassroom-based instruction only if a determination of funding is made by the State Board of Education (SBE). The California Department of Education (CDE) reviews a charter school's determination of funding request and presents it for consideration by the Advisory Commission on Charter Schools (ACCS), pursuant to relevant *California Code of Regulations*, Title 5 (5 *CCR*). The ACCS may include the consideration of mitigating circumstances in conjunction with a recommendation to the SBE.

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 completed determination of funding requests from the charter schools listed on Attachment 1 after the February 1 filing deadline, thereby making the requests retroactive, not prospective. Since each charter school did not submit a completed request by the regulatory filing deadline, the charter schools were required to request a waiver for SBE approval to allow the charter school to request a non-prospective funding determination.

A waiver for each charter school was submitted to the SBE requesting approval for a retroactive funding determination. The waivers were approved by the SBE at its September 2016 meeting as specified in Attachment 1. The waiver request is provided in the SBE September 2016, Meeting Notice for the SBE Web page located at http://www.cde.ca.gov/be/ag/ag/yr16/documents/Sept16w07rev.doc.

RECOMMENDATION

The CDE recommends that the SBE approve the mitigating circumstances request and the determination of funding and period specified for each nonclassroom-based charter school as provided in Attachment 1.

Advisory Commission on Charter Schools Recommendation

The ACCS met on October 4, 2016, and voted unanimously to approve the CDE recommendation that the SBE approve the mitigating circumstances request and the determination of funding for each charter school as provided in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

Yosemite-Wawona Elementary Charter and Vantage Point Charter each submitted a request to obtain a determination of funding by the SBE with the consideration of mitigating circumstances to establish eligibility to receive apportionment funding.

Pursuant to 5 *CCR*, Section 11963.4(a), a nonclassroom-based charter school may qualify for 70 percent, 85 percent, or 100 percent funding, or may be denied. To qualify for a proposed recommendation of 100 percent funding, a nonclassroom-based charter school must meet the following criteria:

- At least 40 percent of the school's public revenues are to be spent on salaries and benefits for all employees who possess a valid teaching certificate.
- At least 80 percent of all revenues are to be spent on instruction and instruction-related services.
- The ratio of average daily attendance for independent study pupils to full-time certificated employees does not exceed a pupil-teacher ratio of 25:1 or the pupil-teacher ratio of the largest unified school district in the county or counties in which the charter school operates.

However, 5 *CCR* Section 11963.4(e) states that the ACCS may find a "reasonable basis" (also referred to as mitigating circumstances) by which to make a recommendation other than one that results from the criteria specified in the regulations.

5 *CCR* Section 11963.6(c) specifies that a determination of funding approved by the SBE shall be prospective (not for the current year) and shall be in increments of a minimum of two years and a maximum of five years in length. 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.

Yosemite-Wawona Elementary Charter – #1610
Yosemite-Wawona Elementary Charter (YWEC) does not meet the requirement to qualify for a proposed recommendation of 100 percent funding based on reported fiscal year (FY) 2014–15 data. Therefore, YWEC submitted a request to consider mitigating circumstances. A summary of the request from YWEC is provided below.

YWEC is requesting a 100 percent determination of funding for two years with the consideration of the charter school's mitigating circumstances. YWEC reported expenditures of 24.38 percent on certificated staff costs and expenditures of 26.01 percent on instruction and instruction-related services, which make the charter school ineligible for a determination of funding. Based on YWEC'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 conditions, the regulation requires the ACCS to recommend that the SBE deny the request unless there is a reasonable basis to recommend otherwise.

YWEC's mitigating circumstances request cites having less than 100 units of average daily attendance (ADA) and the receipt of a $133,333 payment of federal funds in its first year of operation, FY 2014–15. YWEC's reported ADA was 5.29 in FY 2014–15. Due to the amount of the federal payment and the low enrollment of the charter school, YWEC was unable to spend the required amount on instruction and opted to defer

spending until FY 2015–16, when enrollment was projected to double. The CDE finds that the information submitted supports the claim for mitigating circumstances in that due to the significant federal revenues received in proportion to the small pupil population in its first year of operation, YWEC 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 requested by YWEC and as provided in Attachment 1.

Vantage Point Charter – #24
Vantage Point Charter (VPC) does not meet the requirement to qualify for a recommendation of 100 percent funding based on reported FY 2014–15 data. Therefore, VPC submitted a request to consider mitigating circumstances. A summary of the request from VPC is provided below.

VPC is requesting a 100 percent determination of funding for four years with the consideration of the charter school's mitigating circumstances. VPC reported expenditures of 55.15 percent on certificated staff costs; however, it reported expenditures of 73.60 percent on instruction and instruction-related services which qualifies the charter school for an 85 percent determination of funding.

VPC's mitigating circumstances request cites having less than 100 units of ADA, higher non-instructional costs, and a decision by VPC to reduce certificated staff hours due to enrollment fluctuations. A certificated staff employee subsequently left VPC mid-year and the charter school did not fill the position until FY 2015–16. The reduction in certificated salaries and benefits impacted the charter school's ability to meet the instruction and instruction-related services expenditure threshold for full funding. The CDE finds that the information submitted supports the claim for mitigating circumstances and recommends a funding determination of 100 percent for four FYs (2016–17 through 2019–20) as provided in Attachment 1.

The funding determination and mitigating circumstances requests are provided in Attachments 2 through 5 of Agenda Item 02 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/accsnotice100416.asp.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At its September 2016 meeting, the SBE approved the CDE's recommendation to approve the requests to waive specific portions of 5 *CCR*, Section 11963.6(c), which allow the charter schools identified in Attachment 1 to submit a determination of funding request for the non-prospective fiscal period.

The SBE is responsible for approving a determination of funding to establish eligibility for apportionment funding for charter schools that offer nonclassroom-based instruction. The CDE notes that this request is a non-recurring action item for the SBE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved, the charter schools listed in Attachment 1 would receive apportionment funding under the Local Control Funding Formula model.

ATTACHMENTS

Attachment 1: California Department of Education Determination of Funding Recommendations for Nonclassroom-based Charter Schools (1 Page)

California Department of Education

Determination of Funding Recommendations for Nonclassroom-based Charter Schools

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
20-65185-0129015	Bass Lake Joint Union Elementary / Madera	Yosemite-Wawona Elementary Charter (1610)	2014–15	24.38%	26.01%	5.0 :1	100% for 2 Years (2014–15 through 2015–16)	Deny	*100% for 2 Years (2014–15 through 2015–16)	Yes
29-76877-6111371	Penn Valley Union Elementary / Nevada	Vantage Point Charter (0024)	1993–94	55.15%	73.60%	19.3 :1	100% for 4 Years (2016–17 through 2019–20)	85%	**100% for 4 Years (2016–17 through 2019–20)	Yes

^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).
*At its September 2016 meeting, the State Board of Education (SBE) approved the request to waive specific portions of *California Code of Regulations*, Title 5 (5 *CCR*) Section 11963.6(c) for the period of August 18, 2014, through June 30, 2016.
**At its September 2016 meeting, the SBE approved the request to waive specific portions of 5 *CCR* Section 11963.6(c), for the period of July 1, 2016, through June 30, 2017.

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT	
Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Celerity Himalia Charter School, which was denied by the Los Angeles Unified School District and the Los Angeles County Board of Education.	☒ Action ☒ Information ☒ Public Hearing

SUMMARY OF THE ISSUE(S)

On November 10, 2015, the Los Angeles Unified School District (LAUSD) voted to deny the petition of Celerity Himalia Charter School (CHCS) by a consent vote. On June 21, 2016, the Los Angeles County Board of Education (LACBOE) voted to deny the petition of CHCS by a vote of five 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 regarding the CHCS petition, and thereafter approve, with one condition and eleven technical amendments (Attachment 1 of Agenda Item 03 on the Advisory Commission on Charter Schools (ACCS) October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a1.doc), the request to establish CHCS under the oversight of the SBE, for a five-year term effective July 1, 2016 through June 30, 2021, based on the CDE's findings pursuant to *EC* sections 47605(b)(1), 47605(b)(2), and *California Code of Regulations*, Title 5 (5 *CCR*) Section 11967.5.

Inherent to this recommendation, the CDE recommends the following conditions:
(1) Celerity Education Group (CEG) may only continue to contract with Celerity Global Development (CGD) for goods and/or services if CEG and CGD agree to timely respond to all CDE inquiries into CEG's and CGD's operations including, but not limited to, management, fiscal, personnel, procurement, facilities operations, facilities financing, and programmatic services, in accordance with *EC* Section 47604.3, and fully cooperate with any investigation into their operations conducted pursuant to *EC* Section 47604.4 and (2) CHCS must adhere to the terms and conditions as noted in

Attachment 1.

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. The Meeting Notice for the SBE ACCS is located at http://www.cde.ca.gov/be/cc/cs/accsnotice100416.asp.

Advisory Commission on Charter Schools

The ACCS considered the CHCS charter petition at its October 4, 2016 meeting. The ACCS voted to recommend that the SBE approve the CHCS charter petition to establish CHCS under the oversight of the SBE with one condition and eleven technical amendments as proposed by the CDE.

The motion passed with a vote of five to one.

BRIEF HISTORY OF KEY ISSUES

CHCS submitted a petition on appeal to the SBE on August 1, 2016.

CHCS provides a site-based matriculation setting with a commitment to increasing the achievement of at-risk pupils from communities in need within LAUSD. The petition states a vision that CHCS will be a community of diverse individuals where pupils will develop their intellectual, artistic, and physical talents to the highest degree, is centered on five critical focus areas (Attachment 3 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a3.pdf):

- Academic Excellence
- Mutual Respect
- Highly Qualified Teachers and Paraprofessionals
- Parental Investment and Community Involvement
- Respect and Diversity

The educational model offers pupils the opportunity to be challenged in a small, safe school environment where high expectations, academic excellence, and mutual respect will be non-negotiable and where parents and teachers work in partnership to meet achievement goals of pupils (Attachment 3 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a3.pdf).

In considering the CHCS petition, CDE staff reviewed the following:

- The CHCS petition and appendices, Attachments 3 and 5 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a3.pdf and http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a5.pdf.

- Educational and demographic data of schools where pupils would otherwise be required to attend, Attachment 2 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a2.xls.

- The CHCS budget and financial projections, Attachment 4 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a4.pdf.

- Description of changes to the petition necessary to reflect the SBE as the authorizing entity, Attachment 6 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a6.pdf.

- Board agendas, minutes, and findings from the LAUSD and LACBOE regarding the denial of the CHCS petition, along with the petitioner's response to the LAUSD and LACBOE findings, Attachment 7 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a7.pdf.

- Bylaws for Celerity Educational Group and supplemental documents, Attachment 8 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a8.pdf.

- Renewal of First Amended Agreement for Miscellaneous Services for 2015–16 School Year Between Celerity Global Development and Celerity Educational Group, Attachment 9 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a9.pdf.

On November 10, 2015, LAUSD denied the CHCS petition based on the following findings (Attachment 7 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a7.pdf):

- The petitioner is demonstrably unlikely to successfully implement the program set forth in the CHCS petition.

- The CHCS petition does not contain a reasonably comprehensive description of all of the elements prescribed by law.

On June 21, 2016, LACBOE denied the CHCS petition on appeal based on the following findings (Attachment 7 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a7.pdf):

- The petitioners are demonstrably unlikely to successfully implement the proposed educational program.

- The CHCS petition does not contain a reasonably comprehensive description of all of the required elements.

Ability to Successfully Implement the Intended Program

The CDE finds that the CHCS petition presents a governance structure which may compromise the petitioner's ability to successfully implement the intended program.

CEG contracts with CGD for various management, fiscal, personnel, procurement, facilities operations, facilities financing, programmatic and other miscellaneous services for all of the charter schools it currently oversees, of which CHCS would be one. However, CGD serves as the Sole Statutory Member of CEG and must approve all appointments to the CEG governing board and may remove a CEG governing board member at any time without cause. As such, the CDE is concerned that the control this affords one of CEG's primary vendors over its governing board presents the potential for a conflict of interest that puts at risk CHCS's future operational health. The CDE also notes that there has been some overlap in the officers and governing board members of the CEG and CGD in the past, though that does not appear to be the case presently (Attachment 3 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a3.pdf).

The CDE is recommending a condition that addresses these concerns.

Educational Program

The CHCS petition proposes to serve at-risk pupils from the South Los Angeles community within LAUSD. The petition states that the mission of CHCS is to provide a school where at-risk pupils will thrive in an atmosphere of high expectations and engaging curriculum with challenging learning activities (Attachment 3 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a3.pdf).

Low-Achieving Pupils

The CHCS petition states that low-achieving pupils will be identified based upon low-achievement scores through the use of the following assessment tools: Smarter Balanced assessments, internal benchmarks report, report cards, progress reports, kindergarten checklists, curriculum-based assessments, Study Island, SchoolNet, as well as the following LAUSD risk factor indicators to identify pupils in need of intervention and support (Attachment 3 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a3.pdf):

- Poor peer relationships
- Immature and easily influenced
- Disruptive behavior
- Frequent suspensions/expulsions
- Frequent health problems

However, the CHCS petition does not provide specific assessment, criteria, or cut points, to identify low-achieving pupils.

High-Achieving Pupils

The CHCS petition states that high-achieving pupils are identified by scoring in the advanced level on standards-based benchmark assessments and achieving mastery in all core courses with a score of 4 or an A on their report card. Teachers consistently analyze pupil data and performance to inform and individualize their instructional approach by creating learning activities that employ the following strategies (Attachment 3 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a3.pdf):

- Using different text levels in independent reading and guided reading instruction
- Appropriate and flexible grouping
- Significant interaction with intellectual peers
- Assigning challenging problems aligned to academic learning
- Activities to hone thinking, reasoning, communication, and self-regulation skills
- Consideration of pupils' interests and levels of knowledge and ability
- Differentiation to meet their needs for acceleration, complexity, and depth in the study of the curriculum
- Provision for continuous progress that meets the pupils' needs and focuses on their areas of strength

However, the CHCS petition does not specifically describe a plan for when CHCS will respond to the needs of high-achieving pupils in the instructional day.

English Learners

The CHCS petition states that it shall reclassify English learners (ELs) in accordance with federal and state requirements. The CHCS petition states that ELs will be identified according to their home language survey and their California English Language

Development Test (CELDT) scores. Additionally, the petition states that ELs will be monitored by teacher observations, the annual CELDT test, and academic progress. The CHCS petition states that CHCS will implement its own EL master plan and that Individual Learning Plans will be created to support the EL instructional program. The English Language Development (ELD) program at CHCS will allow pupils to achieve advance fluency in all areas of language: thinking, speaking, writing, and reading. Teachers differentiate instruction for EL pupils daily both in the integrated English language arts-English Language Development (ELA-ELD) time as well as during ELD block where non-EL pupils work independently or at centers while the teacher meets with the EL pupils. Pupils at the lower ELD levels have more context-embedded materials. Teachers use the Specifically Designed Academic Instruction in English and ELD strategies to provide pupils access to the core curriculum through a content-based and scaffolded program (Attachment 3 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a3.pdf).

The CHCS petition includes criteria for reclassification by grade level and the petition states that the principal will evaluate the EL program annually by analyzing data based on the following goals to determine program success: reclassification rate will exceed 10 percent on a yearly basis and 80 percent of all ELs will increase one performance level on the CELDT and/or will be proficient in ELA and math as measured by the Smarter Balance assessment (Attachment 3 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a3.pdf).

The CHCS petition states that teachers selected to insure that the needs of ELs are met will have Cross-Cultural Language and Academic Development (CLAD), Bilingual Cross-Cultural Language and Academic Development (BCLAD), Language Development Specialist, Bilingual Curriculum Content, or Senate Bill (SB) 1969 certification and all teachers will be trained in the effective use of sheltered English (Attachment 3 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a3.pdf). However, the petition also states that CHCS will make every effort to recruit teachers who hold a valid credential as well as bilingual or English as a Second Language endorsement (state authorization to teach ELs such as CLAD, BCLAD, SB 1969), and who not only have training in second language pedagogy, but also have experience teaching second language learners and sheltered English classes (Attachment 3 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a3.pdf).

The CDE finds that qualifications for teachers of EL pupils is unclear due to the inconsistency of the language in the petition and recommends a technical amendment to address this. Otherwise, the CHCS petition presents a reasonably comprehensive description of the education for ELs.

Special Education

The CDE notes that the CHCS petitioner included a letter dated July 29, 2016, to the SBE describing changes to the CHCS petition necessary to reflect the SBE as the authorizing entity. The letter states that if CHCS is approved by the SBE, CHCS will comply with all applicable state and federal laws in serving pupils with disabilities, including but not limited to, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and the Individuals with Disabilities Education Act. CHCS will be an independent local educational agency and will apply directly for membership in the Los Angeles County Special Education Local Plan Area. The CHCS petition identifies a plan for pupils with disabilities, including identification and referral, Individualized Education Program (IEP) meetings, IEP development and implementation, due process, and Section 504 (Attachment 6 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a6.pdf). The CHCS petition presents a reasonably comprehensive description of the education program for pupils with disabilities.

Budget

The CDE reviewed the CHCS multi-year budget and identified adjustments to revenues and expenditures across fiscal years 2016–17 through 2020–21 including, but not limited to, Local Control Funding Formula revenues, and salaries and benefits (Attachment 1 of Agenda Item 03 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item04a1.doc).

The CDE finds that the CHCS adjusted multi-year financial plan appears to be reasonably sufficient.

Summary

The CDE finds that the petition presents a governance structure which may compromise the petitioner's ability to successfully implement the intended program. The CDE is recommending a condition to address the concerns identified. The CHCS petition provides an adequate description for the multiple required elements noting that the CDE has identified some elements that require a technical amendment. Additional information and amendments to the petition would be needed if CHCS is approved as an SBE-authorized charter school. These amendments are due to the change in authorizer or to strengthen or clarify elements for monitoring and accountability purposes.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 29 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
- Twenty-one 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 CHCS for the CDE's oversight activities. However, no additional resources are allocated to the CDE for oversight.

ATTACHMENT(S)

Attachment 1: State Board of Education Standard Conditions on Opening and Operation (3 pages)

STATE BOARD OF EDUCATION
STANDARD CONDITIONS ON OPENING AND OPERATION

- **Department of Justice and Subsequent Arrest Notification.** Each State Board of Education (SBE)-authorized charter school shall comply with and remain compliant with the requirements of California *Education Code* (*EC*) Section 44830.1, pertaining to criminal history record summaries, fingerprints, and subsequent arrest notices (SAN), and that the School must comply with this Code section in requesting a subsequent arrest service notification from the Department of Justice (DOJ). The California Department of Education (CDE), will request written assurance on school letterhead that the School is in compliance with *EC* Section 44830.1. This assurance must provide evidence that (1) the School, as a local educational agency and the employer of record, has a DOJ/SAN account; (2) that ***all*** school employees have the appropriate DOJ clearance; (3) that the custodian of records will receive the SANs; (4) that the School has a procedure for monitoring the SANs of the designated custodian of records; and (5) employee records are kept secure at the School and available upon request for review. This assurance must be signed by the school administrator and the custodian of record.

- **Insurance Coverage.** Prior to opening, (or such earlier time as the 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 SBE and the 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 *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, 2017, approval of the charter is terminated.

Prepared by the California Department of Education
Charter Schools Division
October 19, 2016

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT	
Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Celerity Rolas Charter School, which was denied by the Los Angeles Unified School District and the Los Angeles County Board of Education.	☒ Action ☒ Information ☒ Public Hearing

SUMMARY OF THE ISSUE(S)

On November 10, 2015, the Los Angeles Unified School District (LAUSD) voted to deny the petition of Celerity Rolas Charter School (CRCS) by a consent vote. On June 21, 2016, the Los Angeles County Board of Education (LACBOE) voted to deny the petition of CRCS by a vote of five 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 regarding the CRCS petition, and thereafter approve, with one condition and eleven technical amendments (Attachment 1 of Agenda Item 04 on the Advisory Commission on Charter Schools (ACCS) October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a1.doc), the request to establish CRCS under the oversight of the SBE, for a five-year term effective July 1, 2016 through June 30, 2021, based on the CDE's findings pursuant to *EC* sections 47605(b)(1), 47605(b)(2), and *California Code of Regulations*, Title 5 (5 *CCR*) Section 11967.5.

Inherent to this recommendation, the CDE recommends the following conditions: (1) Celerity Education Group (CEG) may only continue to contract with Celerity Global Development (CGD) for goods and/or services if CEG and CGD agree to timely respond to all CDE inquiries into CEG's and CGD's operations including, but not limited to, management, fiscal, personnel, procurement, facilities operations, facilities financing, and programmatic services, in accordance with *EC* Section 47604.3, and fully cooperate with any investigation into their operations conducted pursuant to *EC* Section 47604.4 and (2) CRCS must adhere to the terms and conditions as noted in

Attachment 1.

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. The Meeting Notice for the SBE ACCS is located at http://www.cde.ca.gov/be/cc/cs/accsnotice100416.asp.

Advisory Commission on Charter Schools

The ACCS considered the CRCS charter petition at its October 4, 2016 meeting. The ACCS voted to recommend that the SBE approve the CRCS charter petition to establish CRCS under the oversight of the SBE with one condition and eleven technical amendments as proposed by the CDE.

The motion passed with a vote of five to one.

BRIEF HISTORY OF KEY ISSUES

CRCS submitted a petition on appeal to the SBE on August 1, 2016.

CRCS provides a site-based matriculation setting with a commitment to increasing the achievement of at-risk pupils from communities in need within LAUSD. The petition states a vision that CRCS will be a community of diverse individuals where pupils will develop their intellectual, artistic, and physical talents to the highest degree, is centered on five critical focus areas (Attachment 3 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a3.pdf):

- Academic Excellence
- Mutual Respect
- Highly Qualified Teachers and Paraprofessionals
- Parental Investment and Community Involvement
- Respect and Diversity

The educational model offers pupils the opportunity to be challenged in a small, safe school environment where high expectations, academic excellence, and mutual respect will be non-negotiable and where parents and teachers work in partnership to meet achievement goals of pupils (Attachment 3 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a3.pdf).

In considering the CRCS petition, CDE staff reviewed the following:

- The CRCS petition and appendices, Attachments 3 and 5 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a3.pdf and http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a5.pdf.

- Educational and demographic data of schools where pupils would otherwise be required to attend, Attachment 2 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a2.xls.

- The CRCS budget and financial projections, Attachment 4 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a4.pdf.

- Description of changes to the petition necessary to reflect the SBE as the authorizing entity, Attachment 6 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a6.pdf.

- Board agendas, minutes, and findings from the LAUSD and LACBOE regarding the denial of the CRCS petition, along with the petitioner's response to the LAUSD and LACBOE findings, Attachment 7 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a7.pdf.

- Bylaws for Celerity Educational Group and supplemental documents, Attachment 8 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a8.pdf.

- Renewal of First Amended Agreement for Miscellaneous Services for 2015–16 School Year Between Celerity Global Development and Celerity Educational Group, Attachment 9 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a9.pdf.

On November 10, 2015, LAUSD denied the CRCS petition based on the following findings (Attachment 7 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a7.pdf):

- The petitioner is demonstrably unlikely to successfully implement the program set forth in the CRCS petition.

- The CRCS petition does not contain a reasonably comprehensive description of all of the elements prescribed by law.

On June 21, 2016, LACBOE denied the CRCS petition on appeal based on the following findings (Attachment 7 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a7.pdf):

- The petitioners are demonstrably unlikely to successfully implement the proposed educational program.

- The CRCS petition does not contain a reasonably comprehensive description of all of the required elements.

Ability to Successfully Implement the Intended Program

The CDE finds that the CRCS petition presents a governance structure which may compromise the petitioner's ability to successfully implement the intended program.

CEG contracts with CGD for various management, fiscal, personnel, procurement, facilities operations, facilities financing, programmatic and other miscellaneous services for all of the charter schools it currently oversees, of which CRCS would be one. However, CGD serves as the Sole Statutory Member of CEG and must approve all appointments to the CEG governing board and may remove a CEG governing board member at any time without cause. As such, the CDE is concerned that the control this affords one of CEG's primary vendors over its governing board presents the potential for a conflict of interest that puts at risk CRCS's future operational health. The CDE also notes that there has been some overlap in the officers and governing board members of the CEG and CGD in the past, though that does not appear to be the case presently (Attachment 3 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a3.pdf).

The CDE is recommending a condition that addresses these concerns.

Educational Program

The CRCS petition proposes to serve at-risk pupils from the Northeast Los Angeles community within LAUSD. The petition states that the mission of CRCS is to provide a school where at-risk pupils will thrive in an atmosphere of high expectations and engaging curriculum with challenging learning activities (Attachment 3 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a3.pdf).

Low-Achieving Pupils

The CRCS petition states that low-achieving pupils will be identified based upon low-achievement scores through the use of the following assessment tools: Smarter Balanced assessments, internal benchmarks report, report cards, progress reports, kindergarten checklists, curriculum-based assessments, Study Island, SchoolNet, as well as the following LAUSD risk factor indicators to identify pupils in need of intervention and support (Attachment 3 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a3.pdf):

- Poor peer relationships
- Immature and easily influenced
- Disruptive behavior
- Frequent suspensions/expulsions
- Frequent health problems

However, the CRCS petition does not provide specific assessment, criteria, or cut points, to identify low-achieving pupils.

High-Achieving Pupils

The CRCS petition states that high-achieving pupils are identified by scoring in the advanced level on standards-based benchmark assessments and achieving mastery in all core courses with a score of 4 or an A on their report card. Teachers consistently analyze pupil data and performance to inform and individualize their instructional approach by creating learning activities that employ the following strategies (Attachment 3 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a3.pdf):

- Using different text levels in independent reading and guided reading instruction
- Appropriate and flexible grouping
- Significant interaction with intellectual peers
- Assigning challenging problems aligned to academic learning
- Activities to hone thinking, reasoning, communication, and self-regulation skills
- Consideration of pupils' interests and levels of knowledge and ability
- Differentiation to meet their needs for acceleration, complexity, and depth in the study of the curriculum
- Provision for continuous progress that meets the pupils' needs and focuses on their areas of strength

However, the CRCS petition does not specifically describe a plan for when CRCS will respond to the needs of high-achieving pupils in the instructional day.

English Learners

The CRCS petition states that it shall reclassify English learners (ELs) in accordance with federal and state requirements. The CRCS petition states that ELs will be identified

according to their home language survey and their California English Language Development Test (CELDT) scores. Additionally, the petition states that ELs will be monitored by teacher observations, the annual CELDT test, and academic progress. The CRCS petition states that CRCS will implement its own EL master plan and that Individual Learning Plans will be created to support the EL instructional program. The English Language Development (ELD) program at CRCS will allow pupils to achieve advance fluency in all areas of language: thinking, speaking, writing, and reading. Teachers differentiate instruction for EL pupils daily both in the integrated English language arts-English Language Development (ELA-ELD) time as well as during ELD block where non-EL pupils work independently or at centers while the teacher meets with the EL pupils. Pupils at the lower ELD levels have more context-embedded materials. Teachers use the Specifically Designed Academic Instruction in English and ELD strategies to provide pupils access to the core curriculum through a content-based and scaffolded program (Attachment 3 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a3.pdf).

The CRCS petition includes criteria for reclassification by grade level and the petition states that the Principal will evaluate the EL program annually by analyzing data based on the following goals to determine program success: reclassification rate will exceed 10 percent on a yearly basis and 80 percent of all ELs will increase one performance level on the CELDT and/or will be proficient in ELA and math as measured by the Smarter Balance assessment (Attachment 3 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a3.pdf).

The CRCS petition states that teachers selected to insure that the needs of ELs are met will have Cross-Cultural Language and Academic Development (CLAD), Bilingual Cross-Cultural Language and Academic Development (BCLAD), Language Development Specialist, Bilingual Curriculum Content, or Senate Bill (SB) 1969 certification and all teachers will be trained in the effective use of sheltered English (Attachment 3 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a3.pdf). However, the petition also states that CRCS will make every effort to recruit teachers who hold a valid credential as well as bilingual or English as a Second Language endorsement (state authorization to teach ELs such as CLAD, BCLAD, SB 1969), and who not only have training in second language pedagogy, but also have experience teaching second language learners and sheltered English classes (Attachment 3 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a3.pdf).

The CDE finds that qualifications for teachers of EL pupils is unclear due to the inconsistency of the language in the petition and recommends a technical amendment to address this. Otherwise, the CRCS petition presents a reasonably comprehensive description of the education for ELs.

Special Education

The CDE notes that the CRCS petitioner included a letter dated July 29, 2016, to the SBE describing changes to the CRCS petition necessary to reflect the SBE as the authorizing entity. The letter states that if CRCS is approved by the SBE, CRCS will comply with all applicable state and federal laws in serving pupils with disabilities, including but not limited to, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and the Individuals with Disabilities Education Act. CRCS will be an independent local educational agency and will apply directly for membership in the Los Angeles County Special Education Local Plan Area. The CRCS petition identifies a plan for pupils with disabilities, including identification and referral, Individualized Education Program (IEP) meetings, IEP development and implementation, due process, and Section 504 (Attachment 6 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a6.pdf). The CRCS petition presents a reasonably comprehensive description of the education program for pupils with disabilities.

Budget

The CDE reviewed the CRCS multi-year budget and identified adjustments to revenues and expenditures across fiscal years 2016–17 through 2020–21 including, but not limited to, Local Control Funding Formula revenues, and salaries and benefits (Attachment 1 of Agenda Item 04 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item05a1.doc).

The CDE finds that the CRCS adjusted multi-year financial plan appears to be reasonably sufficient.

Summary

The CDE finds that the petition presents a governance structure which may compromise the petitioner's ability to successfully implement the intended program. The CDE is recommending a condition to address the concerns identified. The CRCS petition provides an adequate description for the multiple required elements noting that the CDE has identified some elements that require a technical amendment. Additional information and amendments to the petition would be needed if CRCS is approved as an SBE-authorized charter school. These amendments are due to the change in authorizer or to strengthen or clarify elements for monitoring and accountability purposes.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 29 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
- Twenty-one 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 CRCS for the CDE's oversight activities. However, no additional resources are allocated to the CDE for oversight.

ATTACHMENT(S)

Attachment 1: State Board of Education Standard Conditions on Opening and Operation (3 pages)

STATE BOARD OF EDUCATION
STANDARD CONDITIONS ON OPENING AND OPERATION

- **Department of Justice and Subsequent Arrest Notification.** Each State Board of Education (SBE)-authorized charter school shall comply with and remain compliant with the requirements of California *Education Code* (*EC*) Section 44830.1, pertaining to criminal history record summaries, fingerprints, and subsequent arrest notices (SAN), and that the School must comply with this Code section in requesting a subsequent arrest service notification from the Department of Justice (DOJ). The California Department of Education (CDE), will request written assurance on school letterhead that the School is in compliance with *EC* Section 44830.1. This assurance must provide evidence that (1) the School, as a local educational agency and the employer of record, has a DOJ/SAN account; (2) that ***all*** school employees have the appropriate DOJ clearance; (3) that the custodian of records will receive the SANs; (4) that the School has a procedure for monitoring the SANs of the designated custodian of records; and (5) employee records are kept secure at the School and available upon request for review. This assurance must be signed by the school administrator and the custodian of record.

- **Insurance Coverage.** Prior to opening, (or such earlier time as the 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 SBE and the 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 *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, 2017, approval of the charter is terminated.

Prepared by the California Department of Education
Charter Schools Division
October 19, 2016

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT	
Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Winton Charter High School, which was denied by the Merced Union High School District and the Merced County Board of Education.	☒ Action ☒ Information ☒ Public Hearing

SUMMARY OF THE ISSUE(S)

On October 14, 2015, the Merced Union High School District (MUHSD) voted to deny the petition of Winton Charter High School (WCHS) by a vote of five to zero. On February 16, 2016, the Merced County Board of Education (MCBOE) voted to deny the petition of WCHS by a vote of five 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 State Board of Education (SBE) hold a public hearing regarding the WCHS petition, and thereafter deny the request to establish WCHS under the oversight of the SBE, based on the CDE's findings pursuant to *EC* sections 47605(b)(2), 47605(b)(5), and *California Code of Regulations*, Title 5 (5 *CCR*) Section 11967.5, that the petitioner is not likely able to successfully implement the program set forth in the petition, and that the petition does not provide a reasonably comprehensive description of the multiple required charter elements (Attachment 1 of Agenda Item 05 on the Advisory Commission on Charter Schools (ACCS) October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a1.doc). The CDE notes as a significant concern that the lead petitioner's teaching and administrative credentials were revoked for misconduct by the California Commission on Teacher Credentialing (CTC).

Advisory Commission on Charter Schools

The ACCS considered the WCHS charter petition at its October 4, 2016, meeting. The ACCS voted to recommend that the SBE deny the WCHS charter petition to establish WCHS under the oversight of the SBE.

The motion passed with a vote of six to zero.

BRIEF HISTORY OF KEY ISSUES

WCHS submitted a petition on appeal to the SBE on June 8, 2016.

The petitioner proposes to serve pupils in a grade nine through grade twelve program, with projected enrollment of 200 in fiscal year (FY) 2017–18, increasing to 800 by FY 2021–22. The mission of WCHS is to provide all pupils with an exceptional education that will allow them to excel inside and outside the classroom by offering pupils a rigorous core curriculum, an outstanding staff, high standards and expectations, extended instructional hours, and personalized learning opportunities (Attachment 3 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a3.pdf). The WCHS petition identifies the following program design elements that will be emphasized at WCHS (Attachment 3 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a3.pdf):

- Community–WCHS will be broken into divisions and small classes to create a community where each pupil is known personally.
    - Small School–Pupils are more likely to succeed in small schools, where teachers and the principal know each family well and pupils are not lost in the crowd.
    - Small Class Size–Teachers can give each individual pupil the time and attention necessary to realize their personal academic goals in smaller classes.
    - Advisory Groups–Pupils are assigned to an advisory group of approximately 25 that meets regularly with an adult advisor, who acts as a bridge between the school and the pupils' other communities (family, work, clubs, social service agencies, etc.). Ideally, the same group stays together for several years, sometimes through graduation, and provides a support structure for pupils.
- Learning Time–WCHS will provide 15 percent more learning time for pupils than traditional public schools, and will use time more effectively during the year and day to maximize in-depth learning.
    - Longer School Day–Pupils learn more when they are given more time to learn each day and teachers can create more effective projects to build higher order thinking skills. WCHS will have, on average, a 7.5-hour school day, thus receiving approximately one more hour of instruction each day than pupils in traditional public schools.

- Longer School Year–WCHS will provide approximately 186 to 190 days of instruction, which is about 11 more days than traditional public schools, which include some Saturdays when families can attend with their children.

- Modified Traditional Calendar–WCHS will operate a modified traditional calendar, with a shorter summer recess to decrease the loss of learning during extended recesses, start earlier in the calendar year, and run later into the summer than traditional calendars.

In considering the WCHS petition, CDE staff reviewed the following:

- The WCHS petition and appendices, Attachments 3 and 6 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a3.pdf and http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a6.pdf.

- Educational and demographic data of schools where pupils would otherwise be required to attend, Attachment 2 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a2.xls.

- The WCHS budget and financial projections, Attachment 4 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a4.pdf.

- The WCHS signed affirmations of compliance, Attachment 5 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a5.pdf.

- Description of changes to the petition necessary to reflect the SBE as the authorizing entity, Attachment 7 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a7.pdf.

- Board agendas, minutes, and findings from the MUHSD and MCBOE regarding the denial of the WCHS petition, along with the petitioner's response to the MUHSD and MCBOE findings, Attachment 8 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a8.pdf.

- Intent to lease confirmation letter, Attachment 9 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a9.pdf.

On October 14, 2015, MUHSD denied the WCHS petition based on the following findings (Attachment 8 of Agenda Item 05 on the ACCS October 4, 2016, Meeting

Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a8.pdf):

- The WCHS petition does not contain reasonably comprehensive descriptions of all of the elements prescribed by law.

- The petitioner is demonstrably unlikely to successfully implement the program set forth in the petition.

- The WCHS petition presents an unsound educational program for the pupils to be enrolled in the charter school.

On February 16, 2016, MCBOE denied the WCHS petition on appeal based on the following findings (Attachment 8 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a8.pdf):

- The WCHS petition presents an unsound educational program for the pupils to be enrolled in the charter school.

- The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

The information in this item provides the analysis that the CDE has been able to complete to date with the available information.

Ability to Successfully Implement the Intended Program

The CDE finds that the WCHS petitioner is not likely to successfully implement the intended program as a result of the following factors:

- The WCHS petitioner's teaching and administrative credentials have been revoked by the CTC (Attachment 8 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a8.pdf). The CDE finds this to be of significant concern as the CTC found clear and convincing evidence of misconduct by the WCHS petitioner. Furthermore, this will undermine the WCHS petitioner's ability to recruit staff and families to the charter school.

- The WCHS petitioner has presented an unrealistic financial and operational plan for the proposed charter school as it pertains to facilities.

- The WCHS petitioner does not have a plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, and finance and business management.

WCHS Charter Petitioner

The CDE notes, in the MUHSD findings, that Dr. Martinez, the WCHS lead petitioner, has had his teaching and administrative credentials revoked by the CTC (Attachment 8 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a8.pdf). The CDE confirmed that Dr. Martinez's Standard Elementary teaching credential, a Designated Subjects Adult Education teaching credential, and a Pupil Personnel Services credential were revoked for misconduct effective November 4, 2012. The CDE found this information on the CTC Web page at https://educator.ctc.ca.gov/esales_enu/start.swe?SWECmd=GotoView&_sn=w46KqYfdLzXZEneGu1I9WGhYn8IE.9sB8.QXTpxysnntocv6bBQSdv0u4DAKgQ421pkwC.S32mR0jKEA-hLrDr8NRH7JwDvvOxJ5UWYeA2pEf5dxeu3uX2pU2Kijo3UB565Ac5EQHBrPkO5BxaE3QVFRZIvUkybpS6V3eyetybPtUuhXi3HzX5bumKRUz6TB&SWEView=CTC+Search+View+Web&SRN=&SWEHo=educator.ctc.ca.gov&SWETS=1473627313.

The CDE finds this to be of significant concern in determining whether the WCHS petitioner is demonstrably likely to successfully implement the program as the CTC found clear and convincing evidence of misconduct by the WCHS petitioner. Furthermore, this will undermine the WCHS petitioner's ability to recruit staff and families to the charter school.

Budget

The CDE reviewed the WCHS multi-year budget and identified adjustments to revenues and expenditures across fiscal years 2017–18 through 2021–22, including, but not limited to, Local Control Funding Formula revenues and salaries and benefits (Attachment 1 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a1.doc).

The CDE finds that the WCHS petitioner has presented an unrealistic financial operational plan for the proposed charter school as it pertains to facilities.

Facility

The WCHS petition states that the proposed address for WCHS is 6765 N. Winton Way, Winton. However, the petition is not clear on whether this is the 2016–17 proposed planning year or the first year of operation in 2017–18 (Attachment 3 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a3.pdf). Additionally, the petitioner provides no description of the type of facility to be used as needed to operate the size and scope of the education program in the proposed charter; the petition and supplemental materials submitted with the appeal merely provide a facility address, which the CDE finds to be insufficient.

The WCHS multi-year budget projections include the following costs for facility lease (Attachment 4 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a4.pdf):

- $8,000 in 2016–17 (proposed planning year)
- $72,000 in 2017–18 (first year of operation) which CDE estimates to be $360 per pupil
- $400,000 in 2018–19 (second year of operation) which CDE estimates to be $1,000 per pupil
- $600,000 in 2019–2020 (third year of operation) which CDE estimates to be $1,000 per pupil
- $800,000 in 2020–21 (fourth year of operation) which CDE estimates to be $1,000 per pupil

The CDE finds that the facility lease costs project a substantial per pupil increase between the first and second years of operation and remain static in the third and fourth years of operation without any assumptions or narratives in the budget to support the costs. Therefore, on June 20, 2016, the CDE requested a copy of the lease agreement from the petitioner. The petitioner was not able to submit a lease agreement, and instead provided the CDE with a copy of an Intent to Lease Confirmation, dated February 12, 2015 (Attachment 9 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a9.pdf). The Intent to Lease Confirmation states that the Evergreen Christian Center is to lease its educational facility, located at 5935 Winton Way, Winton (http://www.evergreenchristiancenter.org/?TargetPage=09C601DE-21D3-47F7-8B2B-C3EA4522A455) to be used as a public charter school operated by the Winton Educational Foundation upon approval by a LEA. The CDE notes that the address in the Intent to Lease Confirmation is not the same as the address stated in the petition (Attachment 3 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a3.pdf).

Additionally, the Intent to Lease Confirmation states that it is the responsibility of the tenant to do any improvements necessary to meet county occupancy codes (Attachment 9 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a9.pdf). The WCHS multi-year projected budget includes approximately $30,000 annually for leasehold improvement and repairs. However, there are no details on what these costs consist of (Attachment 4 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a4.pdf).

The CDE contacted the lead petitioner, Dr. Martinez, via e-mail on September 1, 2016, to clarify these facility concerns. Dr. Martinez confirmed via e-mail on September 5, 2016, that WCHS is assessing and evaluating two locations that should accommodate the initial 200 pupils. The first location is at the Evergreen Christian Center at 5935 North Winton Way, Winton. The second location is at Winton First Southern Baptist Church at 7264 Myrtle Avenue, Winton. The CDE contacted the Winton First Southern Baptist Church to inquire if they had been contacted by Dr. Martinez regarding the WCHS locating at this address and was told by church officials that neither Dr. Martinez nor anyone else has contacted them to use this facility for WCHS. Additionally, church officials stated this would not be feasible as there is no space to house 200 pupils.

Additionally, in the September 5, 2016, e-mail Dr. Martinez states that upon charter approval, WCHS will start the process of building a new school that will ultimately house the targeted 700-800 pupils. Dr. Martinez notes that WCHS has the luxury of hopefully being donated a 40-acre county park located at Winton Way and Olive Avenue in Winton and that if that donation does not come through, WCHS has selected a 60-acre parcel on the corner of Walnut Avenue and Vine Avenue in Winton. On September 7, 2016, the CDE contacted the County of Merced Parks and Recreation Department Deputy Director to inquire about this donation of the 40-acre county park to WCHS. The Deputy Director responded to the CDE by stating that neither he, nor his legal counsel, have had any contact with Dr. Martinez regarding the donation of this park to WCHS to build a facility. The Deputy Director further stated that he would not support a proposal to make such a donation, as this park is the only community park in Winton and a donation could possibly violate an agreement between the County of Merced and the California Department of Parks and Recreation. Furthermore, the Deputy Director stated that the second property located on the corner of Walnut Avenue and Vine Avenue consists of residences and an agricultural field which is not county property. The CDE could find no information on various Winton real estate Web sites regarding this acreage being for sale or for lease.

Due to the multiple facility scenarios provided, the CDE cannot determine if the costs for facilities included in the WCHS multi-year budget are reasonable and what impact the costs have to the overall viability of the charter school.

Educational Program

The WCHS petition indicates the proposed target pupil population (Attachment 3 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a3.pdf):

- Pupils who are not currently successful in their current core academic subjects
- Pupils whose academic or English language learning needs necessitate a small school environment with personalized attention
- Pupils whose academic or English language learning needs are not being met in a traditional school environment

- Pupils whose diversity represent their respective communities

The petition specifies a clear, concise school mission statement, and indicates the basic learning environment of site-based instruction (Attachment 3 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a3.pdf).

Special Education

The WCHS petition states that the educational program for pupils with disabilities includes the following sub-topics: Overview: Federal Law Compliance, Services for Students with Disabilities, and Local Education Agency (LEA) Member in MUHSD Charter Special Education Local Plan Area (Attachment 3 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a3.pdf). The WCHS petition states that identification of pupils with disabilities will begin with the process of Child Find or through the process of a student success team (SST). The petition states that the educational program for pupils with disabilities will be characterized by inclusive systems of support determined by the Individualized Education Program (IEP) team, which consists of teachers, specialists, pupils, and parents; and the IEP process, which includes working together to share information and create the IEP that addresses the pupil's unique learning needs and specific requirements related to the pupil's disability. The WCHS petition states that an IEP may include specialized academic instruction, classroom accommodations for a pupil or specific supports which will enable a pupil to progress towards learning or behavioral goals in the least restrictive environment. The petition states that specialized academic instruction will be provided by the education specialist and will use the following instructional approaches to support inclusive classroom practices: co-teaching models, flexible learning options and environments, and Response to Intervention (RTI). The petition states that teachers will receive professional development and that WCHS will develop a special education professional development plan as well as a professional learning plan for staff members to support continuous learning opportunities and support special education staff. The WCHS petition presents a reasonably comprehensive description of the educational program for pupils with disabilities (Attachment 3 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a3.pdf).

English Learners

The WCHS petition states that the educational program for English learners (ELs) includes the following sub-topics: EL Instruction, Common Core English Language Arts, Math, Science, Social Studies, the Home Language Survey, California English Language Development Test Testing, Reclassification Procedures, Strategies for English Language Learner Instruction and Intervention, Ongoing Assessment of EL Students, and Monitoring and Evaluation of Program Effectiveness. The petition states that WCHS will adopt and implement either the County's EL Master Plan or implement its own Master Plan (Attachment 3 of Agenda Item 05 on the ACCS October 4, 2016,

Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a3.pdf). However, the WCHS petition does not adequately address its legal obligation to EL pupils to provide a program for ELs designed to overcome language barriers and to provide access to the core curriculum by providing integrated and designated English Language Development (ELD). The CDE finds this to be a concern given that the petition states that WCHS will serve 46 percent English language learner/limited English proficient pupils (Attachment 3 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a3.pdf).

The petition further states that if WCHS elects to adopt its own EL Master Plan, such a plan will include, but not be limited to, the following (Attachment 3 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a3.pdf):

- How ELs' needs will be identified
- What services will be offered
- How, where, and by whom the services will be provided
- How WCHS will evaluate its EL program each year
- How the results of the evaluation will be used to improve the program, including the provision of EL services

The CDE notes that the petition states it will address the points set forth above in a future EL Master Plan; it remains unaddressed in the present petition or supplemental documents. These unaddressed points, however, are critical to ascertaining whether WCHS is likely to be of educational benefit to EL pupils.

High-Achieving Pupils

The WCHS petition states that high-achieving pupils will be served with instructional guidelines and strategies designed to differentiate and individualize instruction for pupils at different levels, small class size, looping, and grade acceleration (Attachment 3 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a3.pdf). The petition states that any pupil achieving above grade level can be accelerated to a higher grade level at the discretion of the parent and principal and may also have the opportunity to take additional college courses and access to internship opportunities commensurate with their skills and abilities. The WCHS petition also states that differentiation of instruction will include high-level questioning, academic discourse, self-monitoring, Socratic seminars, and small class size. However, the petition does not specifically indicate what 'above grade level' means as criteria for high-achieving pupils, or the specific metrics used to qualify these pupils as 'above grade level.'

Low-Achieving Pupils

The petition states that WCHS will utilize an RTI framework, which encourages an inclusive, flexible learning environment that encompasses and extends a data-driven, pupil-focused approach to instruction, as well as indicates that low-achieving pupils will be identified through a universal screening or other assessment, including English Language Arts and math assessments (Attachment 3 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a3.pdf). The petition states that the RTI team, which includes an intervention teacher, an educational specialist and classroom teachers, will meet on a monthly basis to monitor the progress of pupils and identify needed interventions. However, the WCHS petition does not indicate when intervention will occur within the daily schedule, does not identify the position of an intervention teacher in Element 5: Employee Qualifications, nor does the petition specify the qualifications for the intervention teacher.

The CDE is recommending technical amendments to the educational program to address the noted concerns.

Summary

The CDE finds that the WCHS petition does not provide a reasonably comprehensive description for some of the required elements, including employee qualifications, and annual independent financial audits, while others require a technical amendment (Attachment 1 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a1.doc). Based on the program deficiencies noted above and those noted in the CDE petition review and analysis, the CDE finds that the WCHS charter petitioner is demonstrably unlikely to successfully implement the intended program, and the petition does not contain reasonably comprehensive descriptions of the multiple required charter elements pursuant to *EC* Sections 47605(b)(2), 47605(b)(5), and 5 *CCR* Section 11967.5.1 (Attachment 1 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a1.doc).

A detailed analysis of the review of the entire petition is provided in Attachment 1 of Agenda Item 05 on the ACCS October 4, 2016, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-oct16item03a1.doc.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 29 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
- Twenty-one 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 WCHS for the CDE's oversight activities. However, no additional resources are allocated to the CDE for oversight.

ATTACHMENT(S)

Attachment 1: State Board of Education Standard Conditions on Opening and Operation (3 pages)

STATE BOARD OF EDUCATION
STANDARD CONDITIONS ON OPENING AND OPERATION

- **Department of Justice and Subsequent Arrest Notification.** Each State Board of Education (SBE)-authorized charter school shall comply with and remain compliant with the requirements of California *Education Code* (*EC*) Section 44830.1, pertaining to criminal history record summaries, fingerprints, and subsequent arrest notices (SAN), and that the School must comply with this Code section in requesting a subsequent arrest service notification from the Department of Justice (DOJ). The California Department of Education (CDE), will request written assurance on school letterhead that the School is in compliance with *EC* Section 44830.1. This assurance must provide evidence that (1) the School, as a local educational agency and the employer of record, has a DOJ/SAN account; (2) that ***all*** school employees have the appropriate DOJ clearance; (3) that the custodian of records will receive the SANs; (4) that the School has a procedure for monitoring the SANs of the designated custodian of records; and (5) employee records are kept secure at the School and available upon request for review. This assurance must be signed by the school administrator and the custodian of record.

- **Insurance Coverage.** Prior to opening, (or such earlier time as the 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 SBE and the 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 *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, 2017, approval of the charter is terminated.

Prepared by the California Department of Education
Charter Schools Division
October 19, 2016

CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

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

SUMMARY OF THE ISSUE(S)

This is a standing item on the agenda, which allows the members of the public to address the board on any matter that is not included in this meeting's agenda.

RECOMMENDATION

Listen to public comment on matters not included on the agenda.

BRIEF HISTORY OF KEY ISSUES

Not applicable.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Not applicable.

FISCAL ANALYSIS (AS APPROPRIATE)

Not applicable.

ATTACHMENT(S)

Not applicable.