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DELHI UNIFIED SCHOOL DISTRICT

November 2, 2016

Keric Ashley
Deputy Superintendent, District, School, and Innovation Branch
California Department of Education 1430 N Street
Sacramento, CA 95814-5901

PR AWARD # S374A120046

Dear Mr. Ashley:

Delhi Unified School District (DUSD) is requesting a waiver of requirements under Title I, Part A section 1111(b)(3) of Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act (NCLB). Specifically, DUSD is requesting a waiver of section 1111(b)(3) as it is applicable to the requirements established for the Teacher Incentive Fund (TIF) program for the definition of the measurement of student growth.

On June 14, 2012, the U.S. Department of Education (Department) published in the Federal Register a Notice Inviting Applications (NIA) for the Teacher Incentive Fund (TIF) program detailing specific priorities, requirements, definitions and selection criteria for the FY 2012 competition. Absolute Priority 2 required applicants to describe an LEA-wide educator evaluation system that is based, in significant part, on student growth, as defined in the NIA. Student growth is defined in the NIA as the change in student achievement for an individual student between two or more points in time. In the required LEA evaluation of educators, eligibility for TIF-funded performance-based compensation depends on use of student growth as a significant factor in determining educator effectiveness.

The NIA further defines measurement of student growth for grades and subjects in which assessments are required under section 1111(b)(3) as the students' scores on such assessments, and may include Other measures of student learning, provided those measures are rigorous and comparable across schools within an LEA.

For grades and subjects in which assessments are not required under section 1111(b)(3) of ESEA, an LEA may use alternative measures of student learning and performance, such as student results on pre-tests, end-of-course tests, and objective performance-based assessments; student learning objectives; student performance on English language proficiency assessments; and other measures of student achievement that are rigorous and comparable across schools within an LEA.

In 2013, a U.S. Department of Education waiver to the California Department of Education allowed for the field test of the Common Core assessment in SY 2013—2014, permission to

exclude those assessment results for the purposes of teacher evaluation, and the passage of AB484 abolishing the CSTs and API scores. DUSD's Evaluation System and Performance-based Compensation Systems were affected by these changes. DUSD requested and received a waiver from the U.S. Department of Education on June 12, 2014 allowing a local measure

to replace the state test measurement of student growth. This waiver was applicable to SY 2013 – 2014 and SY 2014 – 2015.

DUSD is requesting this waiver for measuring student growth for principals and teachers of tested grades and subjects for school years 2015–2016 and 2016–2017. DUSD is continuing to use the growth measures approved in the June 2014 waiver granted by the U.S. Department of Education.

DUSD seeks this waiver to continue assessing the performance of teachers and principals with local measures that provide continuity for the teachers, principals and students. This will advance student achievement by providing valuable and statistically comparable student growth data for four consecutive years of the TIF initiative: SY2013-2014, SY2014-2015, SY2015-2016 and SY2016-2017. Ultimately the comparison of this growth data highlights professional development needs for improving teaching and advancing student academic achievement. Changing to the new state test, the California Assessment of Student Performance and Progress (CAASPP), mid-course would weaken our ability to draw significant and meaningful conclusions to inform and shape the field.

Fidelity of implementation of this TIF initiative is monitored as well as progress towards the identified goals and objectives. Interim Progress Reports and Annual Progress Reports are completed and submitted to the U.S. Department of Education each year. An overall evaluation and final report will be completed at the end of the grant.

The waiver does not create any changes to the students served and the TIF initiative continues to be implemented in all DUSD schools. The DUSD evaluation system measures growth for principals, teachers of tested grades and subjects, and teachers of non-tested grades and subjects, using the approved alternative measures of student learning and performance outlined below.

With approval of the district's TIF leadership committee, along with the June 2014 waiver granted by the U.S. Department of Education, the following changes for measuring student growth were implemented in SY 2013-2014 and SY 2014-2015 and continue for SY 2015-2016 and SY2016-2017:

- (a) The use of a state test to demonstrate student growth is replaced by district-approved benchmark assessments that use a growth-to-proficiency model. Student Learning Objectives (SLOs) are used for the student growth portion of a teacher's evaluation (TIF proposal pages 22-23). Each teacher has two SLOs, and each SLO has two measures of student learning. Previously, for teachers of tested

grades and subjects, one of the measures was student learning demonstrated on the [former] CSTs. In the absence of the CSTs, the district used student learning results on district-approved benchmark assessments for this portion of the measurement. All teachers' SLOs have a benchmark component as one measurement of student learning, and a Pre- and Post-Assessment component as the second measurement of student learning. The student growth portion of the evaluation structure for tested teachers is in line with that for non-tested teachers.

- (b) A component of the TIF grant, performance-based compensation (PBC), depends upon the evaluation. The blend outlined in our TIF proposal (page 23) indicates that 90 percent of a teacher's performance-based compensation rating would be based on the teacher's evaluation and 10 percent would be based on the school-wide [former] API rating. Because the API metric is no longer available, each teacher's evaluation rating now counts for 100 percent of the teacher's PBC rating. This underscores the importance of the evaluation rating.
- (c) The site administrator's performance-based compensation also used the school-wide [former] API (TIF proposal page 26). In the absence of the school-wide API, site administrators are using student learning as demonstrated on the district-approved benchmark assessments as the basis for earning up to 20 points in their evaluation structure. The use of student learning results from the district-approved benchmark assessments for site administrators' evaluation purposes parallels the use of student learning results from the district-approved benchmark assessments for teacher evaluation purposes (as indicated in (a) above).

In DUSD, this flexibility in the definition of student growth allows all principals and teachers (those in tested as well as non-tested subjects) to continue to participate in the evaluation system. Additionally, all principals and teachers would continue to participate in the TIF initiative and be eligible to receive compensation for effectiveness, through incentives and/or placement into career ladder positions, ensuring that DUSD continues implementing its TIF initiative in a way that is as closely aligned to the application and TIF rules as possible. Removing the flexibility in the definition of student growth would adversely impact the teachers of tested subjects.

This waiver request does not adversely impact any measurable goals or the budget for this program for SY 2015–2016 and SY 2016–2017. It is a continuation of methodologies used in the 2013–2014 and 2014–2015 school years, and teachers are still evaluated using student growth and an educator's performance is still differentiated.

Support for this TIF initiative in DUSD remains high, with trust in assessments being an important factor. Making the change to the CAASSP would also have presented challenges in determining a typical year's growth for the purpose of setting growth targets. Moreover, it would be difficult to incorporate results into educator evaluation and performance-based compensation if educators lack confidence in the establishment of the growth targets.

Approval of this waiver for SY 2015 – 2016 and 2016 – 2017 furthers the overall goals of the program by improving student academic achievement and allowing for an incentive payment to the teachers who have demonstrated effectiveness. Moreover, DUSD meets its promised commitment to teachers who have achieved effective ratings, and teachers will be motivated to continue to participate in professional development based on their evaluation scores.

If granted a waiver of the student growth definition for tested grades and subjects, DUSD assures that it will:

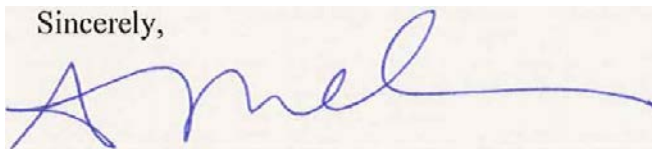
Continue using growth measures for SY 2015–2016 and 2016-2017 that:

- (a) Meet, for all teachers and principals, the definition of student growth for grades and subjects in which assessments are not required under section 1111 (b)(3) of ESEA.
- (b) Continue supporting teachers and principals in implementing student growth measures.

Prior to submitting this waiver request, DUSD assures that it has:

- (a) Teachers' and principals' support for the waiver and the continuation of this alternate method of measuring student growth; and
- (b) Provided notice and opportunity to comment on this waiver request to the public in the manner in which DUSD customarily provides such notice and information to the public. No comments were received, but any comment received in the future will be addressed, as appropriate.

Sincerely,



Adolfo Melara
Superintendent
Delhi Unified School District