

California Department of Education

Executive Office

SBE-005 (REV. 11/2017)

General Waiver

# California State Board of Education January 2018 Agenda Item #W-17

## Subject

Request by three local educational agencies to waive the State Testing Apportionment Information Report deadline as stipulated in the *California Code of Regulations*, Title 5, Section 11517.5(b)(1)(A), regarding the California English Language Development Test; or Title 5, Section 862(b)(2)(A), regarding the California Assessment of Student Performance and Progress System.

## Waiver Numbers

* Claremont Unified School District 16-9-2017
* Lincoln Unified School District 2-10-2017
* Pleasant Ridge Union Elementary School District 7-10-2017

## Type of Action

Action, Consent

## Summary of the Issue(s)

State regulations for the California English Language Development Test (CELDT), and the California Assessment of Student Performance and Progress (CAASPP) System each include, as a condition to be eligible for apportionment reimbursement, an annual deadline for the return of a certified State Testing Apportionment Information Report for prior year testing. The local educational agencies (LEAs) filing for this waiver request missed the regulatory deadline for one or more State Testing Apportionment Information Report(s) for the 2014–15 and/or 2015–16 school years.

## Authority for Waiver

California *Education Code* (*EC*) Section 33050

## Recommendation

* Approval: Yes
* Approval with conditions: No
* Denial: No

## Summary of Key Issues

Each fall, the California Department of Education (CDE) develops separate State Testing Apportionment Information Reports for the CELDT and CAASPP compiled from data produced by the testing contractors. Standardized Testing and Reporting reports were developed and distributed from 1998 to 2013. The reports include the amount to be apportioned to the LEA based on the number of pupils tested during the previous school year. The CDE distributes the reports to the LEAs. State regulations require each LEA to certify the accuracy of the report by returning a signed report to the CDE by the regulatory deadline.

The LEAs filing for this waiver request missed the regulatory deadline for one or more State Testing Apportionment Information Report(s) for the 2014–15 and/or 2015–16 school years.

CDE staff verified that these LEAs submitted their report after the deadline and are required to submit a waiver as a condition to receive the applicable apportionment reimbursement.

**Demographic Information:**

Claremont Unified School District has a student population of 7,066 and is located in a suburban area of Los Angeles County.

Lincoln Unified School District has a student population of 9,354 and is located in a small city of San Joaquin County.

Pleasant Ridge Union Elementary School District has a student population of 1,178 and is located in a rural area of Nevada County.

**Because this is a general waiver, if the State Board of Education (SBE) decides to deny the waiver, it must cite one of the seven reasons in *EC* Section 33051(a), available at** [http://leginfo.legislature.ca.gov/faces/codes\_displaySection.xhtml?lawCode=EDC&sectionNum=33051](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).

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

The SBE has approved all previous LEA requests to waive the State Testing Apportionment Information Report deadline since deadlines for submission of the State Testing Apportionment Information Reports were added to the California Code of Regulations. The SBE Waiver Policy 08-#: State Testing Apportionment Informational Report Deadline is available at <https://www.cde.ca.gov/re/lr/wr/documents/statetesting.doc>.

## Fiscal Analysis (as appropriate)

If these waivers are approved, these three LEAs will be reimbursed for the costs of the CELDT and/or the CAASPP System for the 2014–15 and/or 2015–16 school years. Total costs are indicated on Attachment 1, and the waiver requests from the LEAs are included as Attachments 2, 3 and 4.

## Attachment(s)

* **Attachment 1:** Waiver of State Testing Apportionment Information Report Deadline–January 2018 (2 Pages).
* **Attachment 2:** Claremont Unified School District General Waiver Request 9-26-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 3:** Lincoln Unified School District General Waiver Request 2-10-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 4:** Pleasant Ridge Union Elementary School District Waiver Request 7-10-2017 (2 Pages). (Original waiver request is signed and on file in the Waiver Office.)

# Attachment 1: Waiver of State Testing Apportionment Information Report Deadline – January 2018

California *Education Code* Section 33050

| **Waiver Number** | **Local Educational Agency** | **Period of Request** | **Test Report(s) Missing** | **Report(s) Submitted** | **School Year(s)** | **Reimbursement Amount** | **Union Position** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 16-9-2017 | Claremont Unified School District | **Requested:**  March 7, 2016 to June 9, 2016  **Recommended:** July 1, 2015 to March 1, 2016 | California Assessment of Student Performance and Progress (CAASPP) | Yes | 2015–16 | $16,629.84 | Support |
| 2-10-2017 | Lincoln Unified School District | **Requested:**  July 1, 2015 to March 1, 2016  **Recommended:** July 1, 2015 to March 1, 2016 | CAASPP | Yes | 2015–16 | $22,445.24 | Support |

| **Waiver Number** | **Local Educational Agency** | **Period of Request** | **Test Report(s) Missing** | **Report(s) Submitted** | **School Year(s)** | **Reimbursement Amount** | **Union Position** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 7-10-2017 | Pleasant Ridge Union Elementary School District | **Requested:**  March 1, 2017 to  October 31, 2017  **Recommended:** July 1, 2015 to March 1, 2016 | CAASPP | Yes | 2015–16 | $3,182.88 | Support |

Created by California Department of Education  
November 16, 2017

# Attachment 2: Claremont Unified School District General Waiver Request 9-26-2017

**California Department of Education**

**WAIVER SUBMISSION – General**

CD Code: 1964394

Waiver Number: 16-9-2017

Active Year: 2017

Date In: 9/26/2017 11:20:57 AM

Local Education Agency: Claremont Unified School District

Address: 170 West San Jose Ave.

Claremont, CA 91711

Start: 3/7/2016

End: 6-9-2016

Waiver Renewal: No

Previous Waiver Number: *(None)*

Previous SBE Approval Date: *(None)*

Waiver Topic: State Testing Apportionment Report

Ed Code Title: CAASPP

Ed Code Section: 60640

Ed Code Authority: 33050

Ed Code or *CCR* to Waive: Section 862 Apportionment Information Report (B) if transmitted after March 1, the apportionment information report must be accompanied by a waiver request as provided by Ed. Code section 33050.

Outcome Rationale: As mandated by the California Department of Education, the Claremont Unified School District is required to submit a signed California Assessment of Student Performance and Progress 2015-16 Apportionment Information Report. Submission of this report is required by March 1, 2017.

Due to internal factors, Claremont Unfied School District did not meet the submission deadline. As instructed by the California Department of Education, a waiver to request approval from the State Board of Education to submit the CAASPP 2015-16 Apportionment Information Report is being filed. We are requesting reimbursement of the CAASPP per the 2015-16 Apportionment Information Report. The reimbursement funds assist the district in covering the cost of administering assessments.

Student Population: 7,066

City Type: Suburban

Public Hearing Date: 9/21/2017

Public Hearing Advertised: Website per board agenda and notice of public hearing posted at all local schools as well as 3 public locations.

Local Board Approval Date: 9/21/2017

Community Council Reviewed By: School Site Councils at sites

Community Council Reviewed Date: 9/13/2017

Community Council Objection: N

Community Council Objection Explanation: *(None)*

Audit Penalty YN: No

Categorical Program Monitoring: No

Submitted by: Dr. June Hilton

Position: Director, Educational Services

E-mail: [jhilton@cusd.claremont.edu](file:///C:\Users\wlee\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\4DJIN408\jhilton@cusd.claremont.edu)

Telephone: 909-398-0609 x70260

Fax: 909-624-6274

Bargaining Unit Date: 09/08/2017

Name: California School Employees Association, Claremont

Representative: Cindy Eiland

Title: President

Position: Support

Comments: *(None)*

Bargaining Unit Date: 08/24/2017

Name: Claremont Faculty Association

Representative: Dave Chamberlain

Title: President

Position: Support

Comments: *(None)*

# Attachment 3: Lincoln Unified School District General Waiver Request 2-10-2017

**California Department of Education**

**WAIVER SUBMISSION – General**

CD Code: 3968569

Waiver Number: 2-10-2017

Active Year: 2017

Date In: 10/3/2017 9:36:21 AM

Local Education Agency: Lincoln Unified School District

Address: 2010 West Swain Rd.

Stockton, CA 95207

Start: 7/1/2015

End: 3/1/2016

Waiver Renewal: No

Previous Waiver Number: *(None)*

Previous SBE Approval Date: *(None)*

Waiver Topic: State Testing Apportionment Report

Ed Code Title: CAASPP

Ed Code Section: *CCR*, Title 5, Section 862(b)(2)(A)

Ed Code Authority: 33050

Ed Code or *CCR* to Waive: *CCR*, Title 5, Section 862(b)(2)(A) that the District submit its apportionment information report for the 2015-16 school year, required by section 862(a), by March 1, 2017.

Outcome Rationale: Lincoln Unified School District did not meet the submission deadline, and is not currently eligible for the apportionment payment for administering the California Assessment of Student Performance and Progress (CAASPP) assessments. By seeking and obtaining this waiver, the District would become eligible to receive the funds that were withheld for failure to meet the March 1 deadline.

Student Population: 9,354

City Type: Small

Public Hearing Date: 9/20/2017

Public Hearing Advertised: Agendized in posting for regular Board meeting and posted at all school sites with the attached notice.

Local Board Approval Date: 9/20/2017

Community Council Reviewed By: N/A

Community Council Reviewed Date: 9/20/2017

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty YN: No

Categorical Program Monitoring: No

Submitted by: Ms. Kelly Dextraze

Position: Associate Superintendent of Education Services

E-mail: [kdextraze@lusd.net](mailto:kdextraze@lusd.net)

Telephone: 209-953-8714

Fax: 209-953-8713

Bargaining Unit Date: 09/06/2017

Name: LUTA

Representative: Tiffany Fuhrmeister

Title: President

Position: Support

Comments: *(None)*

# Attachment 4: Pleasant Ridge Union Elementary School District Waiver Request 7-10-2017

**California Department of Education**

**WAIVER SUBMISSION – General**

CD Code: 2966373

Waiver Number: 7-10-2017

Active Year: 2017

Date In: 10/11/2017 8:32:17 AM

Local Education Agency: Pleasant Ridge Union Elementary School District

Address: 22580 Kingston Ln.

Grass Valley, CA 95949

Start: 3/1/2017

End: 10/31/2017

Waiver Renewal: No

Previous Waiver Number: *(None)*

Previous SBE Approval Date: *(None)*

Waiver Topic: State Testing Apportionment Report

Ed Code Title: CAASPP

Ed Code Section: 60640

Ed Code Authority: 33050

Ed Code or *CCR* to Waive: Section 862 Apportionment Information Report (B) if transmitted after

March 1, the apportionment information report must be accompanied by a waiver request as provided by Ed. Code section 33050.

A deadline was missed due to internal factors. We are requesting reimbursement of the CAASPP per the 2016-17 Apportionment Information Report. The reimbursement of funds help the district cover the cost of administering assessments.

Outcome Rationale: A deadline was missed due to internal factors. We are requesting reimbursement of the CAASPP per the 2016-17 Apportionment Information Report. The reimbursement of funds help the district cover the cost of administering assessments.

Student Population: 1,178

City Type: Rural

Public Hearing Date: 10/10/2017

Public Hearing Advertised: Online, newspaper, posting on buildings

Local Board Approval Date: 10/10/2017

Community Council Reviewed By: School Board, School Site Councils

Community Council Reviewed Date: 9/25/2017

Community Council Objection: No

Community Council Objection Explanation: *(None)*

Audit Penalty YN: No

Categorical Program Monitoring: No

Submitted by: Mr. Gregg Motarjeme

Position: Assistant Superintendent

E-mail: [gmotarjeme@prsd.us](mailto:gmotarjeme@prsd.us)

Telephone: 530-268-2800

Fax: 530-268-2804

Bargaining Unit Date: 09/18/2017

Name: CSEA

Representative: John Karas

Title: President

Position: Support

Comments: *(None)*

Bargaining Unit Date: 09/18/2017

Name: Pleasant Ridge Teachers Association

Representative: Steve Smith

Title: President

Position: Support

Comments: *(None)*