

California Department of Education

Executive Office

SBE-003 (REV. 11/2017)

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# California State Board of Education January 2019 Agenda Item #24

## Subject

California’s Accountability and Continuous Improvement System. Update on the Implementation of the California State Plan for the Every Student Succeeds Act.

## Type of Action

Action, Information

## Summary of the Issue(s)

California is in the midst of implementing a new public school accountability system based on the Local Control Funding Formula (LCFF), which overhauled public school finance and accountability. A key part of California’s new approach is a refocused system of support for local educational agencies (LEAs). The goal for support at all levels is to assist LEAs and their schools to meet the needs of each student served, with a focus on building capacity to sustain improvement and effectively address inequities in student opportunities and outcomes.

California’s public school accountability system is designed to reinforce the expectation that everyone can improve while also ensuring additional support is provided to LEAs that are struggling. Differentiated assistance is intended both to help the LEA address the underlying causes that led to its eligibility for assistance, and to strengthen the LEA’s overall ability to evaluate the effectiveness of strategies and programs and make adjustments as appropriate.

Under the Every Student Succeeds Act (ESSA), the state must identify schools in need of additional assistance based on various criteria. LEAs will be responsible for developing and/or approving school-level improvement plans for identified schools. California will use the existing Local Control Accountability Plan (LCAP) and school level planning processes to meet these federal requirements, with the state providing general resources and technical assistance to support LEAs.

## Brief History of Key Issues

### California’s Accountability and Continuous Improvement System

Signed by Governor Brown in 2013, the LCFF significantly changed how California provides resources to public schools and holds LEAs accountable for improving student performance and addressing opportunity and achievement gaps. The SBE is responsible for implementing key provisions of LCFF, with the release of the 2018 California School Dashboard in December 2018 marking the second operational year of California’s multiple measures accountability system. Additionally, a key part of California’s new approach is a refocused system of support for LEAs (school districts, charter schools, and county offices of education [COEs]), which is based on a three-level framework: Support for All LEAs and Schools (Level 1), Differentiated Assistance (Level 2), and Intensive Intervention (Level 3). Additional information regarding the system of support is available in Item 22.

Under the ESSA, the state must identify schools in need of additional assistance based on various criteria, including comprehensive support and improvement (CSI), additional targeted support and improvement (ATSI), and targeted support and improvement (TSI). This requirement goes into effect for the first time in 2018–19. Schools will be selected for the first time in January 2019 based on their 2018 Dashboard data. LEAs will be responsible for developing and/or approving school-level improvement plans for identified schools.

As described in more detail below, California will use the existing LCAP and school level planning processes to meet these federal requirements, with the state and county offices of education providing general resources and technical assistance to support LEAs in meeting ESSA’s school improvement requirements.

Consistent with the system of support’s focus on increasing the capacity of LEAs to meet the needs of all students, these resources will focus on building the capacity of LEAs to support their schools and differentiate those supports as appropriate based on data about opportunities and outcomes within the LCAP process. These resources will be available to all LEAs through Support for All (Level 1), and LEAs with identified schools will be responsible for using those resources to meet ESSA’s school improvement requirements.

The ESSA requires the development of school improvement plans for school identified in each category, with the planning requirements differing somewhat for each category. California will utilize an existing school planning process for LEAs and schools to address the federal school planning requirements. Legislation enacted this year re-names what was formerly known as the Single Plan for Student Achievement to the School Plan for Student Achievement (SPSA) and updated statute to ensure this plan and the stakeholder engagement process for its development address federal planning requirements. Additional information, including updated guidance and an updated template are forthcoming in multiple formats: presentations to the SBE, information memoranda, webinars, and CDE web resources.

Additionally, for CSI schools, the SBE must ultimately sign-off on the plans developed by the LEAs for these schools. To address this requirement, the CDE will recommend adding a new prompt to the existing LCAP Plan Summary template that LEAs with CSI schools must complete. COEs will approve this section of the LCAP, applying criteria under development to ensure the response addresses all federal requirements, prior to final SBE approval of the plans. The SBE will consider this proposed modification to the LCAP template at its January 2019 meeting during Item 03. Additional information and future updates are available at: <https://www.cde.ca.gov/re/es/>.

The CDE will provide additional guidance related to these issues in January, in coordination with the first identification of schools. These resources will include additional information on the criteria and timelines for identified schools under the different categories in federal law: CSI, ATSI, and TSI. Schools and LEAs should already have their planning documents, the LCAP and SPSA, in place for the 2018–19 school year.

### California’s State Plan for the Every Student Succeeds Act

ESSA was signed into law by President Barack Obama on December 10, 2015, and went into 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).

The ESSA maintains the original purpose of ESEA: equal opportunity for all students. Departing from the NCLB reauthorization, ESSA grants 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. The reauthorization of ESEA provides California with a number of opportunities to build upon the State’s new direction in accountability and continuous improvement.

After more than two years of development, including extensive outreach to, and input from California’s education stakeholders, the U.S. Department of Education (ED) approved California’s Every Student Succeeds Act (ESSA) Consolidated State Plan (State Plan) on July 12, 2018. Previous State Board of Education (SBE) agenda items summarize the State Plan development process and include earlier drafts of California’s State Plan approved by the SBE.

The California Department of Education (CDE) and California’s local educational agencies (LEAs) are currently beginning to implement the ESSA requirements. A major area of focus has been taking advantage of new opportunities to partner with stakeholders to align implementation of federal requirements with ongoing implementation of the Local Control Funding Formula to improve education for all students.

In August 2018, the CDE provided the SBE with an information memorandum detailing California’s ESSA implementation, <https://www.cde.ca.gov/be/pn/im/infomemoaug2018.asp>. This item highlights key details of California’s implementation plan and timeline for 2018–21, and provides additional detail related to LEA and school identification under California’s accountability and continuous improvement system.

At the November 2018 meeting, the SBE approved several amendments to the State Plan which, if approved, will facilitate further integration of California’s state and federal accountability systems by aligning the school identification cycle with the LCAP process. As of the date of the publication for this item, California has not yet received any feedback from the ED regarding the proposed amendments.

### Request for a Waiver Under Title I, Part A, Section 8401 to Align the State and Federal English Learner Progress Indicator

In April 2018, the SBE directed the CDE to request a four-year waiver from the ED that, if granted, would allow California to include recently reclassified fluent English proficient (RFEP) students in measuring the progress of English learners (ELs) to achieve English language proficiency and provide additional weight for long-term English learners (LTELs).

The CDE and the SBE received an initial denial letter related to California’s waiver request on October 9, 2018. Pursuant to Section 8401 of the Every Student Succeeds Act, the Secretary of Education may issue an initial determination of disapproval, but must offer the State Education Agency 60 days to revise and resubmit the waiver request. California resubmitted the waiver request on October 17, 2018. The content of the waiver request is unchanged; rather California’s arguments in support of the request have been updated based on the content of the ED’s initial determination of denial letter dated October 9, 2018. A delegation of SBE and CDE staff will participate in a hearing with the ED in Washington, D.C. on January 11, 2019, to provide final arguments in support of California’s waiver request.

The CDE provided an update and detailed summary to the SBE on the ELPI waiver in the October 2018 information memorandum, <https://www.cde.ca.gov/be/pn/im/infomemooct2018.asp>. This memorandum includes copies of the correspondence between the CDE and the ED.

### Ongoing Communication and Engagement

Since the ESSA became law, California has engaged in public state board and advisory group meetings, webinars, regional stakeholder meetings, stakeholder surveys, and targeted consultation. Thousands of Californians have contributed to the State Plan. More information regarding these stakeholder engagement activities is available on the CDE ESSA State Plan Development Opportunities Web page at <https://www.cde.ca.gov/re/es/essaopptopart.asp>.

The CDE has hosted monthly stakeholder meetings in 2018, which provided updates and summarized previous board actions related to California’s accountability and continuous improvement system, and the ESSA State Plan. The initial meetings were attended by 200-300 participants each; the CDE will continue to offer stakeholder meetings in this format. Similar information was discussed in detail at the Local Control Funding Formula Stakeholder Meeting on October 18, 2018, and on December 12, 2018.

The most current information regarding California’s transition to the ESSA is available on the CDE ESSA Web page at <https://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](mailto:join-essa@mlist.cde.ca.gov). Questions regarding ESSA in California may be sent to [ESSA@cde.ca.gov](mailto:ESSA@cde.ca.gov).

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

**November 2018:** The SBE approved amendments to California’s ESSA State Plan for submission to the ED, which included proposed changes to reflect previous Board actions and alignment of the State Plan to the Dashboard. The amended State Plan was submitted to the ED on December 10, 2018.

**July 2018:** The revised version of the State Plan based on theJune 11, 2018, feedback from ED was posted as a part of the Item. The SBE took action to approve a revised State Plan. The revised State Plan was submitted to the ED on July 11, 2018.

**April 2018:** The revised version of the State Plan based on the February 14, 2018, feedback from the ED was posted as a part of the Item. The SBE took action to approve a revised State Plan and directed the CDE to pursue a waiver related to the English Language Progress Indicator. The revised State Plan was resubmitted to the ED the week of April 16, 2018, and the waiver request was submitted on May 16, 2018.

**March 2018:** The revised version of the State Plan based on the February 14, 2018, feedback from the ED was posted as a part of the Item, and the Board was agenized to take action on the full revised version. However, due to ongoing negotiations with the ED, the full Item was posted only days prior to the March 2018, SBE meeting. Due to this fact, the CDE staff presented, and the SBE took action to approve the following sections of the State Plan: A.5, E.1, I.7.g. The SBE announced plans to hold an additional meeting to take action on the remaining Title I accountability sections of the revised State Plan.

**January 2018:** The CDE staff presented to the SBE a revised version of the State Plan based on the content of the interim feedback letter from the ED. The SBE discussed and approved the revised ESSA State Plan for submission to the ED, with a revision to replace the proposal related to the identification of the lowest performing schools with revised language indicating the SBE will consider a proposed State Plan supplement at its March 2018, meeting for submission to the ED that further describes the approach.

**September 2017:** TheCDE staff presented to the SBE a summary of the feedback from stakeholders and a set of proposed revisions to the draft August 2017 State Plan. The SBE discussed and approved the ESSA State Plan for submission to the ED.

**July 2017:** TheCDE staff presented to the SBE a summary of feedback from the California Practitioners Advisory Group and feedback collected during the 30-day public comment period for the draft State Plan. Based on this feedback and new information regarding ED’s application of the State Plan Peer Review Criteria, staff presented a set of proposed revisions to the draft plan. The SBE discussed and approved most staff recommendations, directing staff to make additional adjustments to the State Plan.

**May 2017:** TheCDE staff presented to the SBE the first complete draft of the ESSA State Plan.

**March 2017:** The CDE staff presented to the SBE an update on the development of the State Plan including a status update on issues that need to be addressed in the State Plan and stakeholder feedback regarding State Plan policy decisions. Additionally, the SBE unanimously approved the CDE recommendation to authorize the SBE President to sign and submit any required ESSA assurances to the ED by the due date established by the ED.

**January 2017:** The CDE staff presented to the SBE an update on the development of the ESSA State Plan including proposed guiding principles and recommended approach for the ESSA State Plan development. The SBE unanimously approved the guiding principles.

**November 2016:** TheCDE staff presented to the SBE an update on the development of the ESSA State Plan including the ESSA Consolidated State Plan Development Draft Timeline; the first draft sections of the ESSA Consolidated State Plan; and the communication, outreach, and consultation CDE staff conducted in September and October 2016. SBE members approved CDE staff recommendations to authorize the SBE President to submit a joint letter with the State Superintendent of Public Instruction in response to ESSA regulations for supplement, not supplant under Title I, Part A.

**September 2016:** The 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.

**July 2016:** The 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.

**May 2016:** TheCDE 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. 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.

**March 2016:** The SBE approved appointments to the California Practitioners Advisory Group.

**January 2016:** The 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 kindergarten through grade twelve funding from the 2018–19 California Budget Act is $96 billion:

State $56.3 billion

Local $31.0 billion

Federal $8.7 billion

ESSA funds are a portion of the total federal funding amount. The ESSA was implemented in 2017–18. The ESSA became effective for non-competitive formula grants in the 2017–18 school year, and for competitive grants as instructed by the ED, but largely in the 2017–18 school year as well.

## Attachment(s)

* **Attachment 1**: California ESSA Implementation Timeline, 2018-21 (2 Pages)
* **Attachment 2**: Local Educational Agency and School Identification under the Local Control Funding Formula and the Every Student Succeeds Act (4 pages)

**Attachment 1: California ESSA Implementation Timeline, 2018-21**

| **Year** | **Timeline** |
| --- | --- |
| 2018–19 school year | * Annual Dashboard release (fall) * Comprehensive Support and Improvement (CSI) schools initially identified in 2018-19 (January) (CSI identified once every 3 years, but will be identified in both 2018-19 and 2019-20 to align with the LCAP cycle\*) * Additional Targeted Support (ATSI) schools initially identified in 2018-19 (ATSI identified once every 3 years, but will be identified in both 2018-19 and 2019-20 to align with the LCAP cycle\*) * Local educational agencies (LEA) and/or schools develop improvement strategies aligned to the LEA’s LCAP for schools identified for CSI, TSI or ATS. * Planning year for LEA Plans * LEA Report Cards (annual) * California Department of Education (CDE) to update Educator Equity Plan (annual) * Federal Program Monitoring instruments fully-aligned to ESSA requirements |
| 2019–20 school year | * LEA Plans due to the CDE (July 2019) * Annual Dashboard release (fall) * LEAs implementing improvement strategies for CSI schools initially identified in 2018-19 and ATSI schools initially identified in 2018-19 * CSI and ATSI schools initially identified in 2019-20 (January) (CSI and ATSI identified once every 3 years, but will be identified in both 2018-19 and 2019-20 to align with the LCAP cycle\*) * Targeted Support and Improvement (TSI) schools identified (winter) * LEA Report Cards, with expenditure data incorporated for first time (annual) * CDE to update Educator Equity Plan (annual) |
| 2020–21 school year | * Annual Dashboard release (fall) * LEAs continue implementing CSI and ATSI improvement strategies for identified schools * TSI schools identified (winter) * LEA Report Cards (annual) * CDE to update Educator Equity Plan (annual) |

\*Pending the approval of amendments to the State Plan by the U.S. Department of Education.

# Attachment 2: Local Educational Agency and School Identification under the Local Control Funding Formula and the Every Student Succeeds Act

The table below is a summary of the identification criteria for state and federal accountability activities, reflecting state law and California’s approved Every Student Succeeds Act State Plan and the proposed process for addressing the school improvement requirements.

| **Activity** | **Identification Criteria** | **Level** | **Process and Supports** | **Timeline** |
| --- | --- | --- | --- | --- |
| **Local Control Funding Formula (LCFF)** | Student group meets criteria for 2 or more LCFF priorities/indicators | Local educational agencies | County offices of education (COE) differentiated assistance | Identified every year |
| **Comprehensive Support**  ***Lowest Performing Title I Schools*** | California will use the color combinations that schools receive on California School Dashboard indicators to identify the lowest performing 5 percent of Title I schools statewide for comprehensive support.  The selection criteria for the selection of at least the lowest performing of 5 percent of Title I schools is based on all of the following criteria:   * Schools with all red indicators; * Schools with all red but one indicator of any other color; * Schools with all red and orange indicators; and * Schools with five or more indicators where the majority are red. | School  Title I schools only | LCAP summary prompt reflecting school improvement strategy in approved School Plan for Student Achievement (SPSA), subject to COE approval | First identified January 2019, Second identification to take place in January 2020 in order to align with Local Control Accountability Plan (LCAP) cycle.\*  Will be identified once every 3 years going forward. |
| **Comprehensive Support**  ***Graduation Rate below 67%*** | California will use the average of two years of graduation rate data to identify schools with a high school graduation rate less than 67 percent. Any school with a graduation rate less than 67 percent averaged over two years will be identified for comprehensive support.  Note: The State Plan states this will be based on the average of three years of data. The U.S. Department of Education, however, has indicated that California can use two years data for this initial year due to the recent implementation of an updated methodology for calculating the four-year cohort graduation rate, as described in a June information memorandum (https://www.cde.ca.gov/be/pn/im/documents/memo-pptb-amard-jun18item02.docx). | School  High schools only | LCAP summary prompt reflecting approved SPSA, subject to COE approval | First identified January 2019, Second identification to take place in January 2020 in order to align with LCAP cycle.\*  Will be identified once every 3 years going forward. |
| **Additional Targeted Support** | California will identify schools for additional targeted support from among the schools with one of more “consistently underperforming” student group. Schools with one or more “consistently underperforming” student group will be identified for additional targeted support if any student group at the school, on its own, meets the criteria used to identify the lowest performing Title I schools for comprehensive support. | School, based on student group performance  Any school | SPSA, approved by local educational agency (LEA) (must align to LCAP and follow CDE template) | First identified January 2019, Second identification to take place in January 2020 in order to align with LCAP cycle.\*  Will be identified once every 3 years going forward. |
| **Targeted Support** | Schools identified for Targeted Support are those with one or more “consistently underperforming” student groups, defined as any student group that both:   * Receives at least two color-coded performance ratings on California’s Dashboard indicators; and * On its own, meets the criteria for being identified for Comprehensive Support in two consecutive years. | School, based on student group performance  Any school | SPSA, approved by LEA (must align to LCAP and follow CDE template) | First identified January 2019  Identified every year\*\* |

\*Pending the approval of amendments to the State Plan by the U.S. Department of Education.

\*\*Note: Because of the interrelated selection criteria, schools are only identified for “targeted support” in the years when schools are not identified for “additional targeted support.” Additional targeted support schools are selected from among schools with “consistently underperforming” student groups, and all schools with “consistently underperforming” student groups will meet the criteria for additional targeted support.

**Timeline**

| **2018**–**19** | **2019**–**20** | **2020**–**21** | **2021**–**2022** |
| --- | --- | --- | --- |
| LCFF  Comprehensive Support, schools first identified in 2018-19  Additional Targeted Support  schools first identified in 2018-19  Targeted Support\*\* | LCFF  Comprehensive Support,  schools identified in 2019-20\*  Additional Targeted Support, schools identified in 2019-20*\**  Targeted Support | LCFF  Targeted Support | LCFF  Comprehensive Support, schools first identified in 2021-22  Additional Targeted Support, schools first identified in 2021-22  Targeted Support\*\* |

\*Pending the approval of amendments to the State Plan by the U.S. Department of Education.

\*\*Note: Because of the interrelated selection criteria, schools are only identified for “targeted support” in the years when schools are not identified for “additional targeted support.” Additional targeted support schools are selected from among schools with “consistently underperforming” student groups, and all schools with “consistently underperforming” student groups will meet the criteria for additional targeted support.