

California Department of Education

Executive Office

SBE-005 (REV. 1/2018)

General Waiver

# California State Board of Education January 2019 Agenda Item #W-13

## Subject

Request by Simi Valley Unified School District to waive the State Testing Apportionment Information Report deadline as stipulated in the California Code of Regulations, Title 5 (5 CCR), 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, or Title 5, Section 1225(b)(2)(A), regarding the California High School Exit Examination.

## Waiver Number

15-9-2018

## Type of Action

Action, Consent

## Summary of the Issue(s)

State regulations for the California English Language Development Test (CELDT), the California High School Exit Examination (CAHSEE), the Standardized Testing and Reporting (STAR) Program, and the California Assessment of Student Performance and Progress (CAASPP) each include, as a condition to be eligible for apportionment reimbursement, an annual deadline for the return of a certified State Testing Apportionment Information Report for prior year testing.

The local educational agencies (LEAs) filing for this waiver request missed the regulatory deadline for one or more State Testing Apportionment Information Report(s) for the 2016–17 school year.

## Authority for Waiver

EC Authority: 33050

## Recommendation

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

## Summary of Key Issues

Each fall, the CDE develops separate State Testing Apportionment Information Reports for the CELDT, CAHSEE, and CAASPP compiled from data produced by the testing contractors. STAR reports 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.

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

**Demographic Information:** Simi Valley Unified School District has a student population of 17,064 and is located in the suburban area of Simi Valley.

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

## Fiscal Analysis (as appropriate)

If the waiver is approved, the one LEA will be reimbursed for the costs of the CAASPP System for the 2016–17 school year. The CAASPP waiver request for 2016-17 State Testing Apportionment Information Report is Attachment 1 – Summary Table, and the waiver requests from the LEA is included as Attachment 2.

## Attachment(s)

* **Attachment 1:** 2016-17 Apportionment Information Report - Summary Table (1 page)
* **Attachment 2:** Simi Valley Unified School District General Waiver Request 15-9-2018. (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

# Attachment 1: Summary Table

California *Education Code* Section 33050

| Waiver Number | Local Educational Agency | Period of Request | Test Report(s) Missing | Report Submitted | School Year(s) | Apportionment Amount | Union Position |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 15-9-2018 | Simi Valley Unified | **Requested:**  2/1/2017 – 6/30/2017  **Recommended:**  2/1/2017 – 6/30/2017 | California Assessment of Student Performance and Progress (CAASPP) | Yes | 2016–17 | $41,300 | Support |

Created by California Department of Education  
December 2018

# Attachment 2: Simi Valley Unified School District General Waiver Request 15-9-2018

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 5672603

Waiver Number: 15-9-2018

Active Year: 2018

Date In: 9/21/2018 2:36:34 PM

Local Education Agency: Simi Valley Unified School District (SVUSD)

Address: 101 West Cochran St

Simi Valley, CA 93065

Start: 2/1/2017

End: 6/30/2017

Waiver Renewal: No

Waiver Topic: State Testing Apportionment Report

Ed Code Title: CAASPP

Ed Code Section: 60640

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: Section 852 Apportionment Information Report [B] is transmitted after March 1, the apportionment information report must be accompanied by a waive request as provided by ED. Code Section 33050.

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

Student Population: 17,064

City Type: Suburan

Public Hearing Date: 9/11/2018

Public Hearing Advertised: District Website, Reader boards, and board agenda posted at school sites with physical copies of the agenda.

Local Board Approval Date: 9/11/2018

Community Council Reviewed By: SVUSD School Board

Community Council Reviewed Date: 9/11/2018

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Jamie Snodgrass

Position: Coordinator of Curriculum and Assessment

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Bargaining Unit Date: 09/11/2018

Name: Simi Educators Association (SEA)

Representative: Amanda Hogan

Title: President

Position: Support – yes

Contact Number: 805-526-5668