# FINAL STATEMENT OF REASONS California Assessment of Student Performance and Progress

## UPDATE OF INITIAL STATEMENT OF REASONS

The original proposed text was made available for public comment for at least 45 days from January 25, 2019 through March 11, 2019. One individual provided comments during the 45-day comment period.

A public hearing was held at 8:30 a.m. on March 11, 2019, at the California Department of Education*.* No individuals attended the public hearing.

## SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD OF January 25, 2019 THROUGH March 11, 2019.

**Erin Gordon, Assessment Services Director, San Diego Unified School District**

**Comment:**  Section 854.3 of the proposed regulations includes color contrast as an embedded universal tool, however color contrast is listed as an embedded designated support.

**Accept:** The comment is accepted because the recommendation for color contrast use is based on the recommendation of an educator or team of educators who know the student. The color contrast accessibility resource is not based on student preference, and is not readily available to students without enabling it in the student test settings.

***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:***

**Section 851(e)** is amended to replace “signs” with “electronically agrees to” and “sign” with “electronically agree to.” With the implementation of an electronic agreement process for submitting the California Assessment of Student Performance and Progress (CAASPP) Test Security Agreement, this change is necessary to align with this electronic process.

**Section 854.3(a)(3)** is amended to exclude “color contrast” as an embedded universal tool for science. This is a necessary change as a result of the ETS annual review and CDE recommended change in the student accessibility resource, as set forth in the *CAST Guidelines*.

**Section 859(a)** is amended to replace “sign” with “electronically agree to.” With the implementation of an electronic agreement process for submitting the CAASPP Test Security Agreement, this change is necessary to align with this electronic process.

**Section 859(b)** is amended to replace “signature” with “electronic agreement.” With the implementation of an electronic agreement process for submitting the CAASPP Test Security Agreement, this change is necessary to align with this electronic process.

**Section 863(a)** is amended to indicate that words “make the” and “available” are added. These words were added in the proposed changes to the regulations and explained in the Initial Statement of Reasons, which were available for review during the 45-day public comment period. However these words were not correctly indicated, i.e., underscored, in the text of the regulations. Thus, these words are now bolded and underscored for the 15-day public comment period. These words amended this section to update the wording regarding providing results of the tests to parents. Specifically, “forward or transmit” has been replaced with “available” to account for other methods of distributing Student Score Reports. These changes are necessary with the implementation of electronic Student Score Reports, LEAs will no longer have paper Student Score Reports; and the regulations must clearly identify the responsibility of providing the electronic score report because the LEA will not have paper in hand to provide to the parent or guardian.

## BENEFITS ANTICIPATED FROM REGULATORY ACTION

The purpose of the proposed changes to the regulations is to ensure the correct, efficient, and standardized administration of the CAASPP assessments according to required Smarter Balanced Assessment Consortium, state, and federal guidelines and to maintain accuracy, reliability, and validity of measures and the timely reporting of the test results, in so doing, prevent harm to the public peace, health, safety, and general welfare of pupils.

## 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 changes to the regulations reflect an update to available accessibility resources as part of the CAASPP system, remove the due date for local educational agency (LEA) transmission of apportionment information reports, and provide clarification on electronic record keeping and add new directions for defining LEA responsibility for making student score reports available to parents and guardians when the student has transferred from the testing LEA to another LEA. The proposed regulations do not impose any mandate on local agencies or school districts.

03-22-2019 [California Department of Education]