**CA DEPARTMENT OF EDUCATION**

**TONY THURMOND**

State Superintendent of Public Instruction

**CA BOARD OF EDUCATION**

**LINDA DARLING-HAMMOND**

President

May 10, 2019

# 15-DAY NOTICE OF MODIFICATIONS TO TEXT OF PROPOSED REGULATIONS REGARDING CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS (CAASPP)

Pursuant to the requirements of Government Code section 11346.8(c), and California Code of Regulations, title 1, section 44, the State Board of Education (SBE) is providing notice of changes made to the above-referenced proposed regulation text which was the subject of a regulatory hearing on March 11, 2019.

## Changes to the text:

General changes were made to the regulations to include grammatical edits, and renumbering and/or re-lettering to reflect deletions or additions.

**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:**

## Changes to the text:

**Section 851(e)** is amended to replace “signs” with “electronically agrees 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 remove “color contrast.” 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.

If you have any comments regarding the proposed changes that are the topic of this

15-Day Notice, the SBE will accept written comments between May 10, 2019 and May 25, 2019, inclusive. All written comments must be submitted to the Regulations Coordinator via facsimile at 916-319-0155; email at [regcomments@cde.ca.gov](mailto:regcomments@cde.ca.gov) or mailed and received at the following address by close of business at 5:00 p.m. on May 25, 2019 and addressed to:

Patricia Alverson, Regulations Coordinator

Legal and Audits Branch

Administrative Supports and Regulations Adoption Unit

California Department of Education

1430 N Street, Suite 5319

Sacramento, CA 95814

All written comments received by 5:00 p.m. on May 25, 2019, which pertain to the indicated changes will be reviewed and responded to by California Department of Education (CDE) staff as part of the compilation of the rulemaking file. Written comments received by the CDE staff during the public comment period are subject to viewing under the Public Records Act.

**Please note:** Any written comments are to be restricted to the recent modifications as shown in the enclosed language. The SBE is not required to respond to comments received in response to this notice on other aspects of the proposed regulation.

03-22-2019 [California Department of Education]