



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

December 4, 2020

The Honorable Tony Thurmond
Superintendent
California Department of Education
1430 N Street
Sacramento, CA 95814

Dr. Linda Darling-Hammond
President
State Board of Education
1430 N Street, Room 5111
Sacramento, CA 95814

Dear Superintendent Thurmond and Dr. Darling-Hammond:

I am writing in response to California's request to the U.S. Department of Education (Department) between January 31 and September 16, 2020, to amend its approved consolidated State plan under the Elementary and Secondary Education Act of 1965 (ESEA). Prior to implementing any revisions to its approved consolidated State plan, a State must submit its proposed amendments to the U.S. Department of Education (the Department) for review and approval.

I have determined that the amended request meets the requirements in the ESEA and, for this reason, I am approving California's amended State plan. A summary of California's amendments is enclosed. This letter, as well as California's revised ESEA consolidated State plan, will be posted on the Department's website. Any further requests to amend California's ESEA consolidated State plan must be submitted to the Department for review and approval.

The Department issued a letter to California on October 5, 2020¹ describing outstanding issues with the calculation of participation rate as required under ESEA section 1111(c)(4)(E) in the Academic Achievement indicator, as well as potential compliance concerns with California's use of a different accountability system (i.e., Dashboard Alternative School Status (DASS) program) for some schools that have the data necessary to be included in the State's system of annual meaningful differentiation approved in its consolidated State plan. In the letter, the Department required California to provide, within 60 days of receipt of that letter:

- Modified business rules for calculating its Academic Achievement indicator in accordance with the requirements in section 1111(c)(4)(E) of the ESEA and

¹ See <https://oese.ed.gov/files/2020/11/ca-fy20-high-risk-update-letter.pdf>

- Regarding the alternate accountability system, either evidence that CDE’s system of annual meaningful differentiation meets all ESEA requirements or a plan to meet the requirements to include all schools in its system of annual meaningful differentiation prior to the next time it uses its accountability system (i.e., accountability determinations provided in fall 2021).

In a letter dated November 18, 2020, California requested additional time to provide the requested documentation. Therefore, the Department requests that CDE provide the requested information by March 1, 2021.

Please be aware that approval of the amendments to California’s consolidated State plan is not a determination that all the information and data included in the amended State plan comply with Federal civil rights requirements, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and requirements under the Individuals with Disabilities Education Act. It is California’s responsibility to comply with these civil rights requirements.

Thank you for all of the work that the California Department of Education has put into its consolidated State plan under the ESEA. If you need any assistance regarding the implementation of your ESEA consolidated State plan, please contact the Office of School Support and Accountability at: OESE.TitleI-a@ed.gov.

Sincerely,

A handwritten signature in black ink that reads "Frank T. Brogan". The signature is fluid and cursive, with a large initial "F" and "B".

Frank T. Brogan
Assistant Secretary
for Elementary and Secondary Education

Enclosure

cc: Joseph Saenz, Federal Policy Liaison

Amendments to California’s Consolidated State Plan

The following is a summary of California’s amendment requests. Please refer to the U.S. Department of Education’s website at <https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/essa-consolidated-state-plans/> for California’s complete consolidated State plan.

- *Academic Achievement Long-term Goals*

The California Department of Education (CDE) changed its baseline data and measurements of interim progress (MIPs) for its academic achievement long-term goals in both reading/language arts and mathematics. The State’s long-term goals are unchanged.

- *Graduation Rate Long-term Goals*

CDE changed its baseline data, MIPs, and long-term goals for its four-year adjusted cohort graduation rate (ACGR) using updated baseline data. CDE also established a five-year ACGR.

- *Progress in Achieving English Language Proficiency Long-term Goals*

CDE changed its baseline data, MIPs, and long-term goals, and updated its overall description of its long-term goals for progress towards achieving English language proficiency (ELP) because it has two years of data from its new ELP assessment.

In addition, CDE updated its long-term goal to 55 percent of students gaining one performance level on the ELP assessment annually, compared to its previous long-term goal of 75 percent of students.

- *Graduation Rate Indicator*

CDE updated its calculation of its Graduation Rate indicator by including any fifth-year graduates in addition to the four-year ACGR into its calculation of the indicator. In addition, CDE revised the points that result in the assignment of a color rating for a school and subgroup.

- *Progress in Achieving ELP Indicator*

CDE revised the description of its Progress in Achieving ELP indicator to reflect that it now administers the English Language Proficiency Assessments for California (ELPAC) as its statewide ELP assessment.

- *Comprehensive Support and Improvement (CSI) – Low Graduation Rate*

CDE updated its methodology to identify schools with low graduation rates for comprehensive support and improvement (CSI) using both a four- and five-year ACGR and using a three-year average high school graduation rate of less than 68 percent, instead of 67 percent. For the 2019-2020 school year only, CDE averaged only two years of data to account for the shift to using the five-year ACGR.

- *Frequency of School Identification*

CDE revised its timeline for identifying schools for comprehensive support and improvement (CSI); rather than identifying schools annually, the State will identify CSI schools every three years beginning in fall 2020. Note that because the Department waived all accountability requirements for all States for the 2019-2020 school year due to COVID-19, the State will amend this timeline.

- *Additional Targeted Support and Improvement (ATSI) Schools*
CDE updated its timeline for identifying schools for additional targeted support and improvement (ATSI); rather than identifying these schools annually, they will be identified every three years beginning in fall 2020. Note that because the Department waived all accountability requirements for all States for the 2019-2020 school year due to COVID-19, the State will amend this timeline.
- *Annual Measurement of Achievement*
CDE updated its consolidated State plan to reflect the statutory requirement for calculating participation rate as required in the Department’s November 8, 2019 letter. On October 5, 2020, the Department issued a separate letter to CDE outlining the remaining issues with CDE’s calculation of participation rate as reflected in its business rules (available [here](#)).
- *Disproportionate Rates of Access to Educators*
CDE revised its definitions of ineffective and out-of-field teachers. However, it did not describe how low-income and minority children enrolled in Title I schools are not served at disproportionate rates by ineffective teachers. CDE must provide that information by March 1, 2021 in order to remove the condition on its fiscal year 2020 grant award.