California State Board of Education

Meeting Agenda Items for March 8-9, 2017
Bylaws

ARTICLE I

Authority

The California State Board of Education is established in the Constitution of the State of California and empowered by the Legislature through the California Education Code.

ARTICLE II

Powers and Duties

The Board establishes policy for the governance of the state's kindergarten through grade twelve public school system as prescribed in the Education Code, and performs other duties consistent with statute.

ARTICLE III

Members

APPOINTMENT

Section 1.

The State Board of Education consists of 11 members who are appointed by the Governor with the advice and consent of two-thirds of the Senate.

CC, Art. IX, Sec. 7
EC 33000 and 33000.5

TERM OF OFFICE

Section 2.

a. The term of office of the members of the Board is four years, except for the student member whose term is one year.

b. Except for the student member, who serves a one-year term, terms expire on January 15 of the fourth year following their commencement. Members, other than the student member, continue to serve until the appointment and qualification of their successors to a maximum of 60 days after the expiration of their terms. If the member is not reappointed and no successor is appointed within that 60-day period, the member may no longer serve and the position is deemed vacant. The term of the student member begins on August 1 and ends on July 31 of the following year.

c. If the Senate refuses to confirm, the person may continue to serve until 60 days have elapsed since the refusal to confirm or until 365 days have elapsed since the person first began performing the duties of the office, whichever occurs first.
d. If the Senate fails to confirm within 365 days after the day the person first began performing the duties of the office, the person may not continue to serve in that office following the end of the 365-day period.

EC 33001; 33000.5
GC 1774

VACANCIES

Section 3.

Any vacancy shall be filled by appointment by the Governor, subject to confirmation by two-thirds of the Senate. The person appointed to fill a vacancy shall hold office only for the balance of the unexpired term.

EC 33002

STUDENT MEMBER

Section 4.

Finalists for the student member position shall be selected and recommended to the Governor as prescribed by law.

EC 33000.5

COMPENSATION AND EXPENSES

Section 5.

Members of the Board shall receive their actual and necessary travel expenses while on official business. Each member shall also receive one hundred dollars ($100) for each day he or she is acting in an official capacity.

EC 33006
GC 11564.5

CONFLICT OF INTEREST CODE

Section 6.

Board members shall file statements of economic interest as required by the Fair Political Practices Commission. The terms of a standard Conflict of Interest Code, adopted by the Commission and as may be amended, are incorporated by reference and constitute the Conflict of Interest Code of the Board.

2 CCR 18730
5 CCR 18600

ARTICLE IV

Officers and Duties

PRESIDENT, VICE PRESIDENT
Section 1.

Officers of the Board shall be a president and a vice president. No member may serve as both president and vice president at the same time.

Section 2.

a. The president and vice president shall be elected annually in accordance with the procedures set forth in this section.

b. At the January meeting, the State Superintendent of Public Instruction shall ask members to nominate individuals for the office of president. At that same meeting, the president shall ask Board members to nominate individuals for the office of vice president. Any nomination for office must be seconded. No member may nominate or second the nomination for himself or herself for either office.

c. Six votes are necessary to elect an officer, and each officer elected shall serve for one year or until his or her successor is elected.

d. If, in the Board's judgment, no nominee for the office of president or vice president can garner sufficient votes for election to that office at the January meeting, a motion to put the election over to a subsequent meeting is in order.

e. Newly elected officers shall assume office immediately following the election.

f. In the event a vacancy occurs in the office of president or vice president during a calendar year, an election shall be held at the next meeting. Any member interested in completing the one-year term of an office that has become vacant may nominate himself or herself, but each nomination requires a second.

g. The State Superintendent of Public Instruction shall preside only during the election proceedings for the office of president and for the conduct of any other business that a majority of the Board members may direct.

EXECUTIVE OFFICER

Section 3.

The State Superintendent of Public Instruction shall be secretary and shall act as executive officer of the Board.

EC 33004

DUTIES OF THE PRESIDENT

Section 4.

The president shall:

- serve as spokesperson for the Board;
- represent the position of the Board to the State Superintendent of Public Instruction;
- appoint members to serve on committees and as liaisons, as prescribed in these Bylaws, and as may be needed in his or her judgment properly to fulfill the Board's responsibilities;
- serve as an ex officio voting member of the Screening Committee and any ad hoc committees, either by substituting for an appointed member who is not present with no change in an affected committee's quorum requirement, or by serving as an additional member with the affected committee's quorum requirement being increased if necessary;
- preside at all meetings of the Board and follow-up with the assistance of the executive director to see that
agreed upon action is implemented;

- serve, as necessary, as the Board's liaison to the National Association of State Boards of Education, or designate a member to serve in his or her place;
- serve, or appoint a designee to serve, on committees or councils that may be created by statute or official order where required or where, in his or her judgment, proper carrying out of the Board's responsibility demands such service;
- keep abreast of local, state, and national issues through direct involvement in various conferences and programs dealing with such issues, and inform Board members of local, state, and national issues;
- participate in selected local, state, and national organizations, which have an impact on public education, and provide to other members, the State Superintendent, and the staff of the Department of Education the information gathered and the opinion and perspective developed as the result of such active personal participation;
- provide direction for the executive director;
- and, along with the executive director, direct staff in preparing agendas for Board meetings, in consultation with other members as permitted by law, and determine priorities for the expenditure of board travel funds.

DUTIES OF THE VICE PRESIDENT

Section 5.

The vice president shall:

- preside at Board meetings in the absence of the president;
- represent the Board at functions as designated by the president; and
- fulfill all duties of the president when he or she is unable to serve.

DUTIES OF COMMITTEE CHAIR

Section 6.

The chair of the Screening Committee or any ad hoc committee shall:

- preside at meetings of the committee he or she chairs, except that he or she shall yield the chair to another committee member in the event he or she will be absent or confronts a conflict regarding any matter coming before the committee, and may yield the chair to another committee member for personal reasons; and
- in consultation with the president, other committee members, and appropriate staff, assist in the preparation of committee agendas and coordinate and facilitate the work of the committee in furtherance of the Board's goals and objectives.

DUTIES OF LIAISON OR REPRESENTATIVE

Section 7.

A Board member appointed as a liaison or representative shall:

- serve as an informal (non-voting) link between the Board and the advisory body or agency (or function) to which he or she is appointed as liaison or representative; and
- reflect the position of the Board, if a position is known to him or her, on issues before the advisory body or agency (or within the function) to which he or she is appointed as liaison or representative and keep the Board informed of such action.
appropriately informed.

DUTIES OF A BOARD MEMBER APPOINTED TO ANOTHER AGENCY

Section 8.

The member shall:

- to every extent possible, attend the meetings of the agency and meet all responsibilities of membership; and
- reflect through his or her participation and vote the position of the Board, if a position is known to him or her, and keep the Board informed of the agency’s activities and the issues with which it is dealing.

ARTICLE V

Meetings

REGULAR MEETINGS

Section 1.

Generally, regular meetings of the Board shall be held on the Wednesday and Thursday preceding the second Friday of each of the following months: January, March, May, July, September, and November. However, in adopting a specific meeting schedule, the Board may deviate from this pattern to accommodate state holidays and special events. Other regularly noticed meetings may be called by the president for any stated purpose.

EC 33007

SPECIAL MEETINGS

Section 2.

Special meetings may be called to consider those purposes specified in law if compliance with the 10-day notice would impose a substantial hardship on the board or if immediate action is required to protect the public interest.

OPEN MEETINGS

Section 3.

a. All meetings of the Board, except the closed sessions permitted by law, and all meetings of Board committees, to the extent required by law, shall be open and public.

b. All meetings shall conform to the Bagley-Keene Open Meeting Act, including requirements for notices of meetings, preparation and distribution of agendas and written materials, inspection of public records, closed sessions and emergency meetings, maintenance of records, and disruption of a public meeting. Those provisions of law which govern the conduct of meetings of the Board are hereby incorporated by reference into these Bylaws.

c. Unless otherwise provided by law, meetings of any advisory body, committee or subcommittee thereof, created by statute or by formal action of the Board, which is required to advise or report or recommend to the Board, shall be open to the public.
NOTICE OF MEETINGS

Section 4.

a. Notice of each regular meeting shall be posted at least 10 days prior to the time of the meeting and shall include the time, date, and place of the meeting and a copy of the meeting agenda.

b. Notice of any meeting of the Board shall be given to any person so requesting. Upon written request, individuals and organizations wishing to receive notice of meetings of the Board will be included on the mailing list for notice of regular meetings.

SPECIAL MEETINGS (ADDITIONAL PROVISIONS)

Section 5.

a. Special meetings may be called by the president or by the secretary upon the request of any four members of the board for the purposes specified in law if compliance with the 10-day notice requirements would impose a substantial hardship on the board or if immediate action is required to protect the public interest.

b. Notice of special meetings shall be delivered in a manner that allows it to be received by the members and by newspapers of general circulation and radio or television stations at least 48 hours before the time of the special meeting. Notice shall also be provided to all national press wire services. Notice to the general public shall be made by placing it on appropriate electronic bulletin boards if possible.

c. Upon commencement of a special meeting, the board shall make a finding in open session that giving a 10-day notice prior to the meeting would cause a substantial hardship on the board or that immediate action is required to protect the public interest. The finding shall be adopted by a two-thirds vote of the board or a unanimous vote of those members present if less than two-thirds of the members are present at the meeting.

EMERGENCY MEETINGS

Section 5.

a. An emergency meeting may be called by the president or by the secretary upon the request of any four members without providing the notice otherwise required in the case of a situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities and which is properly a subject of an emergency meeting in accordance with law.

b. The existence of an emergency situation shall be determined by concurrence of six of the members during a meeting prior to an emergency meeting, or at the beginning of an emergency meeting, in accordance with law.

c. Notice of an emergency meeting shall be provided in accordance with law.

CLOSED MEETINGS
Section 6.

Closed sessions shall be held only in accordance with law.

GC 11126

QUORUM

Section 7.

a. The concurrence of six members of the Board shall be necessary to the validity of any of its acts.

EC 33010

b. A quorum of any Board committee shall be a majority of its members, and a committee may recommend actions to the Board with the concurrence of a majority of a quorum.

ORDER OF BUSINESS

Section 8.

The order of business for all regular meetings of the Board shall generally be:

- Call to Order
- Salute to the Flag
- Communications
- Announcements
- Report of the State Superintendent of Public Instruction
- Special Presentations
- Agenda Items
- Adjournment

CONSENT CALENDAR

Section 9.

a. Non-controversial matters and waiver requests meeting established guidelines may be presented to the Board on a consent calendar.

b. Items may be removed from the consent calendar upon the request of an individual Board member or upon the request of Department staff authorized by the State Superintendent of Public Instruction to submit items for consideration by the Board.

c. Items removed from the consent calendar shall be referred to a standing committee or shall be considered by the full Board at the direction of the president.

ARTICLE VI

Committees and Representatives

SCREENING COMMITTEE

Section 1.
a. The president shall appoint a Screening Committee composed of at least three Board members to screen and interview applicants for appointment to Board advisory bodies and other positions as necessary; participate, as directed by the president, in the selection of candidates for the position of student Board member in accordance with law; and recommend appropriate action to the Board. The president shall designate one Board member as Chair of the Screening Committee.

b. In consultation with the chair, the president may appoint additional Board members, such as the appointed Board liaison, to serve as voting members of the Screening Committee on a temporary basis. In accordance with Section 4 of these bylaws, the president may also serve as an ex officio member of the Screening Committee. The quorum requirement shall be increased as necessary to include the total number of Board members, including temporary members, appointed to serve on the Committee for that purpose.

c. As necessary, the chair may create an ad hoc subcommittee of the Screening Committee to assist the Screening Committee with its duties.

AD HOC COMMITTEES

Section 2.

From time to time, the president may appoint ad hoc committees for such purposes as he or she deems necessary. Ad hoc committees shall remain in existence until abolished by the president.

REPRESENTATIVES

Section 3.

From time to time, the president may assign Board members the responsibility of representing the State Board in discussions with staff (as well as with other individuals and agencies) in relation to such topics as assessment and accountability, legislation, and implementation of federal and state programs. The president may also assign Board members the responsibility of representing the Board in ceremonial activities.

ARTICLE VII

Public Hearings: General

SUBJECT OF A PUBLIC HEARING

Section 1.

a. The Board may hold a public hearing regarding any matter pending before it after giving notice as required by law.

b. The Board may direct that a public hearing be held before staff of the Department of Education, an advisory commission to the Board, or a standing or ad hoc committee of the Board regarding any matter which is or is likely to be pending before the Board. If the Board directs that a public hearing be held before staff, then a recording of the public hearing and a staff-prepared summary of comments received at the public hearing shall be made available in advance of the meeting at which action on the pending matter is scheduled in accordance with law.

5 CCR 18460
TIME LIMITS FOR THE PRESENTATION OF PUBLIC TESTIMONY

Section 2.

At or before a public hearing, the presiding individual shall (in keeping with any legal limitation or condition that may pertain) determine the total amount of time that will be devoted to hearing oral comments, and may determine the time to be allotted to each person or to each side of an issue.

WAIVER BY PRESIDING INDIVIDUAL

Section 3.

At any time, upon a showing of good cause, the presiding individual may waive any time limitation established under Section 3 of this article.

ARTICLE VIII

Public Hearings: School District Reorganization

SUBMISSION OF PROPOSALS AND PETITIONS

Section 1.

A proposal by a county committee on school district organization or other public agency, or a petition for the formation of a new district or the transfer of territory of one district to another shall be submitted to the executive officer of the Board. The executive officer of the Board shall cause the proposal or petition to be:

- reviewed and analyzed by the California Department of Education;
- set for hearing before the Board (or before staff if so directed by the Board) at the earliest practicable date; and
- transmitted together with the report and recommendation of the Department of Education to the Board (or to the staff who may be directed by the Board to conduct the hearing) and to such other persons as is required by law not later than ten days before the date of the hearing.

ARGUMENTS PRESENTED AT THE PUBLIC HEARING: ORIGINAL SUBMISSION

Section 2.

At the time and place of hearing, the Board (or staff if so directed by the Board) will receive oral or written arguments
on the proposal or petition. The presiding individual may limit the number of speakers on each side of the issue, limit the time permitted for the presentation of a particular view, and limit the time of the individual speakers. The presiding individual may ask that speakers not repeat arguments previously presented.

CCR 18571

RESUBMISSION OF THE SAME OR ESSENTIALLY IDENTICAL PROPOSAL OR PETITION

Section 3.

If the same or an essentially identical proposal or petition has been previously considered by the Board, the documents constituting such a resubmission shall be accompanied by a written summary of any new factual situations or facts not previously presented. In this case, any hearing shall focus on arguments not theretofore presented and hear expositions of new factual situations and of facts not previously entered into the public record.

CCR 18572

ARTICLE IX

Public Records

Public records of the Board shall be available for inspection and duplication in accordance with law, including the collection of any permissible fees for research and duplication.

GC 6250 et seq.

ARTICLE X

Parliamentary Authority

RULES OF ORDER

Section 1.

Debate and proceedings shall be conducted in accordance with Robert's Rules of Order (Newly Revised) when not in conflict with rules of the Board and other statutory requirements.

Section 2.

Members of the public or California Department of Education staff may be recognized by the president of the Board or other presiding individual, as appropriate, to speak at any meeting. Those comments shall be limited to the time determined by the president or other presiding individual. All remarks made shall be addressed to the president or other presiding individual. In order to maintain appropriate control of the meeting, the president or other presiding individual shall determine the person having the floor at any given time and, if discussion is in progress or to commence, who may participate in the discussion.

Section 3.
All speakers shall confine their remarks to the pending matter as recognized by the president or other presiding individual.

**Section 4.**

Public speakers shall not directly question members of the Board, the State Superintendent, or staff without express permission of the president or other presiding individual, nor shall Board members, the State Superintendent, or staff address questions directly to speakers without permission of the president or other presiding individual.

**Section 5.**

The Chief Counsel to the Board or the General Counsel of the California Department of Education, or a member of the Department's legal staff in the absence of the Board's Chief Counsel, will serve as parliamentarian. In the absence of legal staff, the president or other presiding individual will name a temporary replacement if necessary.

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**ARTICLE XI**

**Board Appointments**

**ADVISORY BODIES**

**Section 1.**

Upon recommendation of the Screening Committee as may be necessary, the Board appoints members to the following advisory bodies for the terms indicated:

- a. Advisory Commission on Special Education. The Board appoints five of 17 members to serve four-year terms.  
  *EC 33590*
- b. Instructional Quality Commission. The Board appoints 13 of 18 members to serve four-year terms.  
  *EC 33530*
- c. Child Nutrition Advisory Council. The Board appoints 13 members, 12 to three-year terms and one student representative to a one-year term. By its own action, the Council may provide for the participation in its meetings of non-voting representatives of interest groups not otherwise represented among its members, such as school business officials and experts in the area of physical education and activity.  
  *EC 49533*
- d. Advisory Commission on Charter Schools. The Board appoints eight members to two-year terms.  
  *EC 47634.2(b)(1)*  
  *State Board of Education Policy 01-04*

**OTHER APPOINTMENTS**

**Section 2.**

On the Board’s behalf, the president shall make all other appointments that are required of the Board or require Board representation, including, but not limited to: WestEd (Far West Laboratory for Educational Research and Development), Trustees of the California State Summer School for the Arts and the California Subject Matter Projects.
SCREENING AND APPOINTMENT

Section 3.

Opportunities for appointment shall be announced and advertised as appropriate, and application materials shall be made available to those requesting them. The Screening Committee shall paper-screen all applicants, interview candidates as the Committee determines necessary, and recommend appropriate action to the Board.

ARTICLE XII

Presidential Appointments

LIAISONS

Section 1.

The president shall appoint one Board member, or more where needed, to serve as liaison(s) to:

a. The Advisory Commission on Special Education.
b. The Instructional Quality Commission.
c. The Advisory Commission on Charter Schools.
d. The National Association of State Boards of Education, if the Board participates in that organization.
e. The Commission on Teacher Credentialing.

OTHER

Section 2.

The president shall make all other appointments that may be required of the Board or that require Board representation.

ARTICLE XIII

Amendment to the Bylaws

These Bylaws may be amended at any regular meeting of the Board, provided that the amendment has been submitted in writing to the Board and members of the public with the meeting notice.

Abbreviations

Abbreviations used in these Bylaws, citing Board authority, are:

<table>
<thead>
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<th>Abbreviation</th>
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<td>CC</td>
<td>Constitution of the State of California</td>
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<td>California Code of Regulations</td>
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### Dates of Adoption and Amendment

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SBE Agenda for March 2017

State Board Members

- Michael W. Kirst, President
- Ilene W. Straus, Vice President
- Sue Burr
- Bruce Holaday
- Feliza I. Ortiz-Licon
- Patricia A. Rucker
- Niki Sandoval
- Ting L. Sun
- Trish Williams
- Olivia Sison, Student Member
- Vacancy

Secretary & Executive Officer

- Hon. Tom Torlakson

Executive Director

- Karen Stapf Walters

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<th>Schedule of Meeting</th>
<th>Location</th>
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| **Wednesday, March 8, 2017**  
8:30 a.m. Pacific Time ± | California Department of Education  
1430 N Street, Room 1101  
Sacramento, California 95814  
916-319-0827 |

STATE BOARD OF EDUCATION
The Closed Session will take place at approximately 8:30 a.m. (The Public may not attend.)

Please see the detailed agenda for more information about the items to be considered and acted upon. The public is welcome.

<table>
<thead>
<tr>
<th>Schedule of Meeting</th>
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| **Thursday, March 9, 2017**  
8:30 a.m. Pacific Time ± | California Department of Education  
1430 N Street, Room 1101  
Sacramento, California 95814  
916-319-0827 |

STATE BOARD OF EDUCATION
Public Session. Public Session, adjourn to Closed Session – IF NECESSARY.

The Closed Session (1) may commence earlier than 8:30 a.m.; (2) may begin at 8:30 a.m., be recessed, and then be reconvened later in the day; or (3) may commence later than 8:30 a.m.

CLOSED SESSION AGENDA

Conference with Legal Counsel – Existing Litigation: Under Government Code sections 11126(e)(1) and (e)(2)(A), the State Board of Education hereby provides public notice that some or all of the pending litigation follows will be considered and acted upon in closed session:
California Parents for the Equalization of Instructional Materials, et. al v. Tom Torlakson in his official capacity and members of the State Board of Education, in their official capacity, et. al, United States District Court (No. Dist. CA), Case No. 4:17-cv-00635

California School Boards Association, et al v. California State Board of Education and Aspire Public Schools, Inc., Alameda County Superior Court, Case No. 07353566, CA Ct. of Appeal, 1st Dist., Case No. A122485, CA Supreme Court, Case No. S186129

Cruz et al. v. State of California, State Board of Education, State Department of Education, Tom Torlakson et al., Alameda County Superior Court, Case No. RG14727139

D.J. et al. v. State of California, California Department of Education, Tom Torlakson, the State Board of Education, Los Angeles Superior Court, Case No. BS142775, CA Ct. of Appeal, 2nd Dist., Case No. B260075 and related complaint from the U.S. Department of Justice


Options for Youth, Burbank, Inc., San Gabriel, Inc. Upland, Inc. and Victor Valley, Notice of Appeal Before the Education Audit Appeals Panel, EAAP Case Nos. 06-18, 06-19-07-07, 07-08 OAH Nos. L2006100966, L2006110025, L20070706022, L200707060728, Los Angeles County Superior Court, Case No. BC 347454

Reed v. State of California, Los Angeles Unified School District, State Superintendent of Public Instruction, Jack O’Connell, California Department of Education, and State Board of Education, et al., Los Angeles County Superior Court, Case No. BC432420, CA Ct. of Appeal, 2nd Dist., Case No. B230817, CA Supreme Ct., Case No. 5191256

Torrey-Love v. State of California, the Department of Education, the State Board of Education, Department of Public Health, Dr. Karen Smith, Director of the Department of Public Health, Governor Edmund G. Brown, United States District Court, Central District of California, Eastern Division, Case No. 5:16-cv-02410-DMG-DTB

Vergara et al. v. State of California, Governor Edmund G. Brown, Tom Torlakson, the California Department of Education, the State Board of Education, Los Angeles County Superior Court, Case No. BC484642, CA Ct. of Appeal 2nd Dist., Case No. B253282, B253310

ALL TIMES ARE APPROXIMATE AND ARE PROVIDED FOR CONVENIENCE ONLY

ALL ITEMS MAY BE HEARD IN A DIFFERENT ORDER THAN HOW THEY ARE LISTED ON THE AGENDA ON ANY DAY OF THE NOTICED MEETING

THE ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE

Time is set aside for individuals desiring to speak on any topic not otherwise on the agenda. Please see the detailed agenda for the Public Session. In all cases, the presiding officer reserves the right to impose time limits on presentations as may be necessary to ensure that the agenda is completed.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, any individual with a disability or any other individual who requires reasonable accommodation to attend or participate in a meeting or function of the California State Board of Education (SBE), may request assistance by contacting the SBE office at 1430 N Street, Room 5111, Sacramento, CA 95814; by telephone at 916-319-0827; or by facsimile at 916-319-0175.

CALIFORNIA STATE BOARD OF EDUCATION

FULL BOARD AGENDA

Public Session Day 1

Wednesday, March 8, 2017
Call to Order
Salute to the Flag
Communications
Announcements
Report of the State Superintendent of Public Instruction
Special Presentations
  Public notice is hereby given that special presentations for informational purposes may take place during this session.
Agenda Items
Adjournment

AGENDA ITEMS DAY 1

PLEASE NOTE: Individual speakers will be limited to one minute each for public comment for all items Wednesday and Thursday. For Item 02 only, a group of five speakers may sign up together and designate one speaker who will be allocated a total of three minutes for the group.

Item 01 (DOC)

Subject: Indicator 17 of the State Performance Plan and Annual Performance Report for Special Education: State Systemic Improvement Plan.

Type of Action: Action, Information

  - Item 01 Attachment 3 (XLS)
  - Accessible Alternative Version (AAV) of Item 01 Attachment 4

Item 02 (DOC)

Subject: Developing an Integrated Local, State, and Federal Accountability and Continuous Improvement System: Update on Continuing Developmental Work and Presentation on the Evaluation Rubrics; Presentation on Alternative Schools; and Update on Local Indicators.

Type of Action: Action, Information

Item 03 (DOC)

Subject: Update on Issues Related to California’s Implementation of the Elementary and Secondary Education Act and Other Federal Programs.

Type of Action: Action, Information

  - Item 03 Slides (PDF; Posted 07-Mar-2017)

Item 04 (DOC)

Type of Action: Action, Information

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Item 05 (DOC)

Subject: California Assessment of Student Performance and Progress: Update on Program Activities Related to the California Assessment of Student Performance and Progress System.

Type of Action: Action, Information

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Item 06 (DOC)

Subject: California Assessment of Student Performance and Progress: Authority to Begin Negotiations with Education Testing Services to Amend the Existing Scope of Work for the California Assessment of Student Performance and Progress Contract.

Type of Action: Action, Information

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ADJOURNMENT OF DAY’S SESSION

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CALIFORNIA STATE BOARD OF EDUCATION

FULL BOARD AGENDA

Public Session Day 2

Thursday, March 9, 2017

Thursday, March 9, 2017 – 8:30 a.m. Pacific Time ±
California Department of Education
1430 N Street, Room 1101
Sacramento, California 95814

- Call to Order
- Salute to the Flag
- Communications
- Announcements
- Report of the State Superintendent of Public Instruction
- Special Presentations
  - Public notice is hereby given that special presentations for informational purposes may take place during this session.
- Agenda Items
- Adjournment

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AGENDA ITEMS DAY 2

PLEASE NOTE: Individual speakers will be limited to one minute each for public comment for all items Thursday.
Item 07 (DOC)

Subject: Consideration of a Retroactive Request for Determination of Funding with “Reasonable Basis”/Mitigating Circumstances as Required for a Nonclassroom-based Charter School Pursuant to California Education Code Sections 47612.5 and 47634.2, and Associated California Code of Regulations, Title 5.

Type of Action: Action, Information

Item 08 (DOC)

Subject: Nonclassroom-based Charter School Resource Center Location, State Board of Education Policy Regarding Waivers to Education Code Sections 47605(a)(1), 47605(a)(4), 47605(a)(5), 47605.1(a), and 47605.1(c) through (e).

Type of Action: Action, Information

- [Item 08 Attachment 1 (DOC)]

**WAIVERS / ACTION AND CONSENT ITEMS**

The following agenda items include waivers that are proposed for consent and those waivers scheduled for separate action because CDE staff has identified possible opposition, recommended denial, or determined they may present new or unusual issues that should be considered by the State Board. Waivers proposed for consent are so indicated on each waiver’s agenda item; however, any board member may remove a waiver from proposed consent and the item may be heard individually. Public testimony may be provided regarding any waiver item, subject to the limits set by the Board President or by the President's designee; and action different from that recommended by CDE staff may be taken.

Administrator/Teacher Ratio (Administrator/Teacher Ratio in High School District)

Item W-01 (DOC)

Subject: Request by Lakeport Unified School District to waive California Education Code Section 41402(b), the requirement which sets the ratio of administrators to teachers for unified school districts at eight for every 100 teachers.

Waiver Number: 20-10-2016

(Recommended for APPROVAL WITH CONDITIONS)

Community Day Schools (CDS) (Colocate Facilities)

Item W-02 (DOC)

Subject: Request by Hacienda la Puente Unified School District for a renewal waiver of portions of California Education Code Section 48661(a) to permit collocation of Community Day School on the same site as Valley Continuation High School and Puente Hills High School Independent Study.

Waiver Number: 19-11-2016

(Recommended for APPROVAL WITH CONDITIONS)
Equity Length of Time

**Item W-03** (DOC)

**Subject:** Request by nine school districts to waive California *Education Code* Section 37202(a), the equity length of time requirement for transitional kindergarten and kindergarten programs at the districts’ elementary schools.

**Waiver Numbers:**
- Anaheim Elementary School District 4-11-2016
- Coronado Unified School District 3-12-2016
- El Centro Elementary School District 8-11-2016
- Escondido Union School District 5-12-2016
- Franklin-McKinley Elementary School District 8-12-2016
- San Ysidro Elementary School District 14-12-2016
- Soulsbyville Elementary School District 7-11-2016
- Southside Elementary School District 26-12-2016
- Tustin Unified School District 12-11-2016

*(Recommended for APPROVAL WITH CONDITIONS)*

Independent Study Program (Pupil Teacher Ratio)

**Item W-04** (DOC)

**Subject:** Request by **Nevada County Office of Education** to waive portions of California *Education Code* Section 51745.6, and *California Code of Regulations*, Title 5, Section 11704, and portions of Section 11963.4(a)(3), related to charter school independent study pupil-to-certificated employees ratio to allow an increase from 25:1 to a 27.5:1 pupil-to-certificated employee ratio at Twin Ridges Home Study Charter School.

**Waiver Number:** 14-9-2016

*(Recommended for APPROVAL WITH CONDITIONS)*

EMPLOYMENT RETIREMENT SYSTEM

**Item W-05** (DOC)

**Subject:** Request by **Sanger Unified School District** to waive California *Education Code* Section 45134(c), to allow the employment of a State Teachers’ Retirement System retiree as a classified school bus driver.

**Waiver Number:** 36-12-2016

*(Recommended for APPROVAL)*

School Construction Bonds (Bond Indebtedness Limit)

**Item W-06** (DOC)
Subject: Request by six districts to waive one or both the California Education Code sections 15102 and 15268 and request by the Soledad Unified School District to waive sections 15106 and 15270(a), to allow the districts to exceed their bonded indebtedness limits. Total bonded indebtedness may not exceed 1.25 percent of the taxable assessed valuation of property for high school and elementary school districts or 2.5 percent for unified districts. Depending on the type of bond, a tax rate levy limit to $30 per $100,000 or assessed value for high school and elementary school districts or $60 per $100,000 for unified districts, may also apply.

Waiver Numbers:

- Alisal Union School District 4-1-2017
- Lennox School District 6-1-2017
- Meadows Union Elementary School District 7-1-2017
- Oxnard School District 8-1-2017
- Seeley Union Elementary School District 2-1-2017
- Soledad Unified School District 10-11-2016

(Recommended for APPROVAL WITH CONDITIONS)

School District Reorganization (Elimination of Election Requirement)

Item W-07 (DOC)

Subject: Request by Lawndale Elementary School District to waive California Education Code Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish a by-trustee-area method of election.

Waiver Number: 15-12-2016

(Recommended for APPROVAL)

Schoolsite Council Statute (Number and Composition of Members)

Item W-08 (DOC)

Subject: Request by four local educational agencies under the authority of California Education Code Section 52863 for waivers of Education Code Section 52852, relating to schoolsite councils regarding changes in shared, composition, or shared and composition members.

Waiver Numbers:

- Central Unified School District 16-11-2016
- Central Unified School District 17-11-2016
- Pomona Unified School District 4-12-2016
- Sacramento County Office of Education 24-12-2016
- Whitmore Union Elementary School District 5-11-2016

(Recommended for APPROVAL WITH CONDITIONS)

Special Education Program (Child Specific/NPA or NPS Certification)

Item W-09 (DOC)
Subject: Request by Livermore Valley Joint Unified School District to waive California Education Code Section 56366.1(a), the requirement for state certification to allow an uncertified nonpublic school, Stellar Academy for Dyslexics located in Newark, California to provide services to one student with disabilities.

Waiver Number: 39-12-2016

(Recommended for APPROVAL)

Special Education Program (Educational Interpreter for Deaf and Hard of Hearing)

Item W-10 (DOC)

Subject: Request by Shasta County Office of Education for a renewal to waive California Code of Regulations, Title 5, Section 3051.16(b)(3), the requirement that educational interpreters for Deaf and Hard of Hearing students meet minimum qualifications as of August 15, 2016, to allow an interpreter to continue to provide services to students until June 30, 2017, under a remediation plan to complete those minimum requirements.

Waiver Number: 9-11-2016

(Recommended for APPROVAL WITH CONDITIONS)

Special Education Program (Extended School Year)

Item W-11 (DOC)

Subject: Request by eleven local educational agencies to waive California Code of Regulations, Title 5, Section 3043(d), which requires a minimum of 20 school days of four hours each for attendance for an extended school year (summer school) for special education students.

Waiver Numbers:

- Butte County Office of Education 22-11-2016
- Chula Vista Elementary School District 13-11-2016
- Covina Valley Unified School District 15-11-2016
- Fall River Joint Unified School District 10-12-2016
- Gateway Unified School District 6-12-2016
- Greenfield Union School District 14-11-2016
- Paradise Unified School District 21-11-2016
- Red Bluff Union Elementary School District 1-11-2016
- San Pasqual Valley School District 18-11-2016
- South Bay Union School District 20-11-2016
- South Whittier Elementary School District 2-11-2016

(Recommended for APPROVAL WITH CONDITIONS)

School Construction Bonds (Bond Indebtedness Limit)

Item W-12 (DOC)
Subject: Request by Centinela Valley Union High School District to waive the California Education Code sections 15102 and 15268 to allow the district to exceed its bonded indebtedness limits. Total bonded indebtedness may not exceed 1.25 percent of the taxable assessed valuation of property. A tax rate levy limit to $30 per $100,000 of assessed value also applies.

Waiver Number: 44-12-2016

(Recommended for APPROVAL WITH CONDITIONS)

END OF WAIVERS

Item 09 (DOC)

Subject: STATE BOARD PROJECTS AND PRIORITIES. Including, but not limited to, future meeting plans; agenda items; and officer nominations and/or elections; State Board appointments and direction to staff; declaratory and commendatory resolutions; Bylaw review and revision; Board policy; approval of minutes; Board liaison reports; training of Board members; and other matters of interest.

Type of Action: Action, Information

Item 10 (DOC; 2MB)

Subject: California Assessment of Student Performance and Progress: Approve Commencement of Rulemaking for Amendments to the California Code of Regulations, Title 5, Sections 850 through 859.

Type of Action: Action, Information

- Item 10 Attachment 4 Addendum (PDF; 2MB; Posted 02-Mar-2017)
- Accessible Alternative Version (AAV) of Item 10 Attachment 4 Addendum

Item 11 (DOC)

Subject: Approval of 2016–17 Consolidated Applications.

Type of Action: Action, Information

Item 12 (DOC)

Subject: Elementary and Secondary Education Act: No Child Left Behind: Approval of Local Educational Agency Plans, Title I, Section 1112.

Type of Action: Action, Information

Item 13 (DOC)

Subject: Approval of the Career Technical Education Incentive Grant: Renewal Grantee List.

Type of Action: Action, Information
Item 14 (DOC)

Subject: Approval of the Schedule of Significant Events (Timeline) and the Application to Serve on the Review Panel (Application) for the 2018 Science Instructional Materials Adoption.

Type of Action: Action, Information

Item 15 (DOC)


Type of Action: Action, Information

- Item 15 Attachment 2 (PDF; 2MB)

Item 16 (DOC)

Subject: Consideration of Retroactive Requests for Determination of Funding as Required for Nonclassroom-based Charter Schools Pursuant to California Education Code Sections 47612.5 and 47634.2, and Associated California Code of Regulations, Title 5.

Type of Action: Action, Information

Item 17 (DOC)

Subject: Consideration of Requests for Determination of Funding as Required for Nonclassroom-based Charter Schools Pursuant to California Education Code Sections 47612.5 and 47634.2, and Associated California Code of Regulations, Title 5.

Type of Action: Action, Information

Item 18 (DOC)

Subject: Consideration of a Request for Determination of Funding with “Reasonable Basis”/Mitigating Circumstances as Required for a Nonclassroom-based Charter School Pursuant to California Education Code Sections 47612.5 and 47634.2, and Associated California Code of Regulations, Title 5.

Type of Action: Action, Information

Item 19 (DOC)

Subject: Approval of the Charter School Numbers Assigned to Newly Established Charter Schools.

Type of Action: Action, Information
**Item 20** (DOC; 1MB)

**Subject:** English Language Proficiency Assessments for California: Approve Commencement of a Second 15-Day Public Comment Period for Proposed Amendments to *California Code of Regulations*, Title 5, Sections 11517.6 through 11519.5.

**Type of Action:** Action, Information

- Item 20 Attachment 5 (PDF; 1MB)
- Accessible Alternative Version (AAV) of Item 20 Attachment 5

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**Item 21** (DOC)

**Subject:** GENERAL PUBLIC COMMENT. Public Comment is invited on any matter not included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the presiding officer may establish specific time limits on presentations.

**Type of Action:** Information

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**ADJOURNMENT OF MEETING**

This agenda is posted on the State Board of Education’s Web site. For more information concerning this agenda, please contact the State Board of Education at 1430 N Street, Room 5111, Sacramento, CA, 95814; telephone 916-319-0827; and facsimile 916-319-0175. Members of the public wishing to send written comments about an agenda item to the board are encouraged to send an electronic copy to SBE@cde.ca.gov, with the item number clearly marked in the subject line. In order to ensure that comments are received by board members in advance of the meeting, please submit these and any related materials to our office by 12:00 Noon on March 3, 2017, the Friday prior to the meeting. If you do not meet the deadline, please provide 25 copies to distribute at the meeting.
This item is the second of two items concerning California’s 2016 State Performance Plan (SPP) and Annual Performance Report (APR) for special education, required annually by the U.S. Department of Education, Office of Special Education Programs (OSEP). The first item, covering Indicators 1–16, was approved at the November 2016 meeting of the State Board of Education (SBE), Item 10. Indicator 17, the recently-established federal requirement for a State Systemic Improvement Plan (SSIP), is presented in this item. The SSIP requirement reflects the OSEP’s shift in focus from ensuring state and local compliance with special education law to also targeting improved outcomes for students through the development of state level systemic plans for increasing student academic performance. At its March 2015 meeting, the SBE approved Phase 1 of California’s SSIP, which included an analysis of infrastructure and a general plan for supporting local educational agencies (LEAs) in improving the academic performance of students with disabilities (SWD). At its March 2016 meeting, the SBE approved Phase 2 of California’s SSIP, which included details of the plan for providing support for LEAs to increase academic performance among SWD. This item presents California’s Phase 3 SSIP report for the SBE’s approval. The Phase 3 submission is due to the OSEP on April 3, 2017.

The Special Education Division (SED) of the California Department of Education (CDE) has developed this proposed SSIP Phase 3 report based on instructions provided by the OSEP and with substantial input on multiple occasions from a variety of stakeholders. California’s SSIP addresses plans for increasing academic performance of students with disabilities. The SSIP covers the six year period from fiscal year 2013–14 through 2018–19, as required by the OSEP. The SSIP is to be developed in three phases, with specific sections required to be completed in each phase. Phase 3, which
focuses on evaluation and refinement of the SSIP, extends for a four-year period, with updates due to the OSEP each year. This report covers the first year of Phase 3.

The Phase 3 report provided with this item includes detailed descriptions of:

- An overview of the state's SSIP, including a description of any changes made to the plan
- Progress made over the year in plan implementation
- Data on plan implementation and outcomes and any potential data quality issues
- Progress toward achieving intended improvements
- Plans for next year

The Phase 3 report builds on the work reported in the Phase 1 and Phase 2 reports. The Phase 1 report included an overview and analysis of current state conditions and a description of the state's general plan for improving SWD academic performance, including:

- An analysis of key state education data
- An analysis of state infrastructure to support improvement and build capacity
- California’s State Identified Measurable Result (SIMR) for SWD
- California’s selection of improvement strategies
- California’s Theory of Action for supporting LEAs to improve SWD academic performance

The Phase 2 report established the structure and details of California’s SSIP, and included detailed descriptions of:

- Improvements to be made to the state infrastructure to support LEAs to implement evidence-based practices to improve the academic performance of SWD.
- The types of supports the CDE will provide to LEAs that will result in changes in school practices leading to the improved academic performance of SWD
- The process the CDE will use to evaluate the effective implementation of California’s SSIP, the impact of the plan in terms of positively affecting school and classroom practices, and the impact on the academic performance of SWD.

California’s SSIP has been developed to align with and support the state’s improvement efforts under the Local Control Funding Formula/Local Control and Accountability Plan.
(LCFF/LCAP) in an effort to progress toward the state’s goal of establishing a single system of public education serving all students. Given that the SSIP is still in early stages of implementation, that it is well-aligned with the state’s current LCFF/LCAP activities, and that its design is sound, the SED proposes to continue implementing the plan that the SBE approved in March 2016. The SED does propose some changes to plan elements to reflect recent stakeholder input and current implementation status, specifically:

- The federally-required SSIP outcome measure, the State Identified Measureable Result (SIMR) that was approved last year was based on the percentage of SWD who were also in one or more of the LCFF-targeted student subgroups (English learners, foster youth, and students eligible for free and reduced price meals) who meet or exceed standards on the statewide assessments in English-language arts and Math. Stakeholders were concerned that this measure does not include the performance of all students with disabilities. Therefore, staff proposes to change California’s SIMR to the percentage of all SWD who meet or exceed standards on the statewide assessments in English-language arts and Math. This change will also establish further alignment with accountability measures under the LCFF/LCAP, which includes all SWD in its outcome measures.

- The SED also proposes to adopt changes to its SSIP implementation timeline due to delays in some aspects of implementation of California’s SSIP. New timeline dates are provided in the SSIP Plan Document, which is Attachment 3 of this item.

RECOMMENDATION

The CDE recommends that the SBE review and approve the SSIP Plan Addendum prepared by the SED to be submitted to the OSEP by the mandated submission date of April 3, 2017.

BRIEF HISTORY OF KEY ISSUES

California is required to have in place an SPP to guide the state’s implementation of Part B of the Individuals with Disabilities Education Act (IDEA), and to describe how the state will meet the SPP implementation targets. OSEP requires that states annually revise and report on their SPP, and provide state data through an APR. California submitted its initial SPP and APR to the OSEP on December 2, 2005, as approved by the SBE and the State Superintendent of Public Instruction. Each year the SPP and APR have been updated to align with changes to federal requirements. In 2013–2014, the OSEP made several important changes to the SPP and APR:
1. Combined the SPP and APR into a single document for submission.

2. Eliminated four indicators (complaints, due process, general supervision, and state data) that required data to be collected and reported.

3. Eliminated the practice of using improvement plans for individual indicators.

4. Created a new indicator, Indicator 17, the State Systemic Improvement Plan.

These changes are part of an increased effort and emphasis on Results Driven Accountability (RDA) initiated by the OSEP. The OSEP’s requirement that a SSIP be included for the new SPP Indicator 17 has required that SED present to the SBE on Indicator 17 separately from the SPP and APR, as the due dates for the two documents are different. The SBE item presented in November 2016 addressed SPP Indicators 1 through 16. This SBE item addresses only Indicator 17, specifically, Phase 3 of the comprehensive, multi-year SSIP. As noted above, the OSEP has required states to develop the SSIP in three phases:

1. Phase 1 (submitted to OSEP in April 2015): Analysis of the current state of California’s education system for the SSIP, including the following areas:

   a. Data analysis (current student performance data, etc.)

   b. Analysis of state infrastructure to support improvement and build capacity (California’s education structure at all levels)

   c. State identified measurable result (SIMR) for SWD (Outcome measure to be used to determine changes in the academic performance of SWD)

   d. Selection of coherent improvement strategies (activities to be implemented to improve academic performance of SWD)

   e. Theory of Action (graphic representation of the general components and intents of the SSIP)

2. Phase 2 (submitted to OSEP in April 2016): SSIP

   a. Infrastructure development

   b. Support for LEA implementation of evidence-based practices

   c. Evaluation
3. Phase 3 (to be submitted to OSEP in April 2017): Evaluation and implementation of the SSIP (state must update this information in its 2018 through 2020 SPP submissions.)
   a. An overview of the state's SSIP, including a description of any changes made to the plan
   b. Progress made over the year in plan implementation
   c. Data on plan implementation and outcomes and any potential data quality issues
   d. Progress toward achieving intended improvements
   e. Plans for next year

The proposed Phase 3 SSIP report is organized as follows:

The Phase 3 Addendum (Attachment 1) provides an update of California's SSIP and addresses specific subjects OSEP requires to be included in the Phase 3 report.

The SSIP Plan Narrative (Attachment 2) provides an overview of California's SSIP as developed and adopted by the SBE in March 2016, and orients the reader to the various elements of the SSIP Plan Document.

The SSIP Plan Document (Attachment 3) provides the detailed, step-by-step SSIP activities as developed and adopted by the SBE in March 2016. This document includes proposed changes to the SSIP implementation timeline based on current and projected progress.

The SSIP Theory of Action (Attachment 4) is a graphic representation of the SSIP as developed and adopted by the SBE in March 2016.

The State Systemic Improvement Plan, State Identified Measureable Result (SIMR) Baseline and Targets (Attachment 5) provides a description, targets, and initial results of California's federally-required SSIP outcome measure.

Additionally, the item includes two appendices: the SSIP Phase 2 Appendix – California Initiatives and Resource Links (Attachment 6), and the Phase 2 Appendix of SED TA Contracts (Attachment 7).

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In March 2015, the SBE approved California's Phase 1 SSIP report (Item 1). In January 2016, the SBE approved California's SPP and APR for 2014–15, reporting the state's
progress on federal compliance and performance indicators 1 through 16, as required by the IDEA (Item 25). In March 2016, the SBE met and approved California’s SSIP Phase 2 report (Item 20). In November 2016, the SBE met and approved California’s SPP and APR for 2015–16, reporting the state’s progress on federal compliance and performance indicators 1 through 16, as required by the IDEA (Item 10).

**FISCAL ANALYSIS (AS APPROPRIATE)**

There is no fiscal impact created by this requirement.

**ATTACHMENT(S)**

Attachment 1: California’s State Systemic Improvement Plan (SSIP) Phase 3 Addendum (12 Pages)

Attachment 2: State Systemic Improvement Plan Phase 3 Plan Narrative (21 Pages)

Attachment 3: State Systemic Improvement Plan, Improvement Plan Document (18 Pages)

Attachment 4: State Systemic Improvement Plan Theory of Action (2 Pages)

Attachment 5: Indicator 17 State Systemic Improvement Plan State Identified Measureable Result Baseline and Targets (1 Page)

Attachment 6: California Initiatives and Resources–Information Links (4 Pages)

Attachment 7: Special Education Division Technical Support Contract Resources Links (2 Pages)
Attachment 1: California’s State Systemic Improvement Plan, Phase 3 Addendum

Organization

This State Systemic Improvement Plan (SSIP) Phase 3 Addendum is organized based on the SSIP State Phase 3 Report Organizational Outline distributed by the U.S. Department of Education, Office of Special Education Programs, dated November 1, 2016.

Changes to Plan

With the two exceptions described below, California’s SSIP remains essentially unchanged. California is confident that the SSIP presented in its Phase 2 report is sound and will effectively support local educational agencies (LEAs) in improving the outcomes of students with disabilities (SWD). The California Department of Education (CDE) will implement the various elements of the plan as described in the state’s Phase 2 SSIP report. California’s SSIP will continue to be a key component of the state’s “One System” approach to education, which is committed to ensuring that all students, including SWD, have access to instruction and resources that provide them an opportunity to succeed.

The two changes to California’s SSIP involve the State Identified Measureable Result (SIMR), and the implementation timeline. In response to stakeholder input, California is proposing to revise its SIMR from that provided in the Phase 2 report. Specifically, while the SIMR will continue to be based on student performance on statewide assessments in English-language arts and math, the student group to be included in the measure will change. In California’s Phase 2 report, the SIMR was described as including SWD who are also English Learners (ELs), foster youth, and/or students eligible for free and reduced-price meals. While this student group represents 70 percent of California’s SWD, stakeholders were concerned that the measure did not include all SWD. Therefore, California proposes to change the student group to be included in its SIMR to all SWD. This change also better aligns California’s SIMR to outcome measures used in the state’s Local Control Funding Formula (LCFF) and Local Control Accountability Plan (LCAP) accountability structure. It is California’s intent to fully align its SIMR with the state’s general LEA accountability measures so that the state’s accountability structure supports California’s goal of having a single system of education that effectively serves all students. Also, given the complexity involved in developing this system, some elements of the system are taking longer to implement than originally anticipated, so California has revised its timeline for implementation of those elements.
A. Summary of Phase 3–General Description of California’s State Systemic Improvement Plan–Logic Model

As shown in California’s SSIP Theory of Action, the state’s activities to support improved outcomes for SWD are closely aligned with the state’s plan to support improved outcomes for all students, the LCFF, and accompanying LCAP requirement. California now provides additional funding to LEAs that serve students in subgroups identified as requiring additional resources. The targeted student subgroups that generate this additional funding include ELs, foster youth, and students eligible for free and reduced-price meals. Through the LCFF, LEAs receive supplemental funding based on the number of students from these subgroups that each LEA serves. Also, LEAs that serve large concentrations of students from these targeted subgroups receive an additional “concentration grant” to provide additional resources that students need to succeed. The law establishing the new LCFF funding approach also established a requirement for each LEA to develop a LCAP that describes the various improvement activities the LEA plans to undertake, and the resources, including LCFF supplemental and concentration funds, the LEA will use to implement those activities. LCAP requirements include substantial involvement from local stakeholders to identify appropriate and effective improvement activities and funds usage. The LEA’s LCAP is reviewed by their county office of education, which provides support and oversight in the LEA’s LCAP development and implementation. At the state level, California is developing an array of technical assistance (TA) resources to support LEAs in assessing areas in which they need to improve, identifying appropriate and effective LEA improvement activities, and selecting evidence-based strategies and resources to achieve the improvements sought. Based on the changes in student performance over time as their LCAPs are implemented, LEAs may be selected for additional assistance and potential intervention by California’s larger LCAP support and oversight system, which includes the capacity to provide direct state support or intervention with LEAs as needed.

In many respects, California’s SSIP mirrors the LCAP process described above. The California Department of Education’s (CDE’s) Special Education Division (SED) is developing an array of TA resources to support LEAs in improving outcomes for students with disabilities. This resource array is intended to address the various areas in which LEAs will be seeking to improve, but will focus on the three areas California previously identified through data review as correlating to SWD academic performance: (1) improved attendance and truancy reduction; (2) reduction of discipline incidents (suspensions and expulsions); and (3) improved instruction and learning in the California (Common Core) Standards. While the resource array that the SED is developing will address the needs of all SWD, it will include resources specific to the needs of SWD who are also in one or more of the three LCAP targeted subgroups to assist LEAs in improving their performance. Also, California’s SSIP will require LEAs that are not showing improved SWD performance to develop a Local SWD Improvement Plan, which is to be aligned with or integrated into the LEA’s LCAP. Based on changes in SWD performance over time as their Local SWD Improvement Plans are
implemented, LEAs may be selected for additional assistance and potential intervention by the SED using its authority under the Individuals with Disabilities Education Act (IDEA). An important component of California’s SSIP involves regular communication between the SED and LEAs to share data concerning student outcomes on multiple measures, identify root causes of low student performance, target specific areas for improvement, and identify improvement activities and resources to effectively address those target areas. Additional areas of development are coordination/communication with County Offices of Education (COEs), who review and approve LCAPs and are responsible for offering TA for LEAs identified as needing support based on student group performance—including performance of SWDs—on multiple measures included in the new accountability system.

In addition to their consistent design elements, California’s LCAP and SSIP activities interface in some important ways. In terms of TA resources, the SED’s SSIP resources are also an element of the state’s LCAP resource array. The evidence-based TA resources and activities that the SED identifies as supporting improved outcomes for SWD will be incorporated into the larger LCAP resource array that support LEAs in improving general student outcomes. The technical assistance contractors that the SED makes available to LEAs to support their SWD Improvement Plan development and implementation will also be available to LEAs to refine their LCAP activities to better meet the needs of their SWD. In terms of identifying LEAs for additional assistance and intervention, the SED will align its student performance targets with the state’s larger LCAP system for LEA selection for LCAP intervention.

Implementation to Date

Over the past year, California has made significant progress in developing its array of resources to support LEAs in improving the outcomes of SWD, and students generally. This work is being completed on two fronts. The LCAP Support Team continues to identify, vet, and make available effective, evidence-based resources and activities for LEAs to use in developing and implementing their local improvement strategies. The SED staff continue to participate on the LCAP Support Team, provide special education expertise, and recommend resources that effectively serve the needs of SWD. Concurrently, the SED continues to work with its TA contractors to refine contractor scopes of work to establish a comprehensive, coherent array of resources and to increase access for LEAs to experts and strategies able to support improved LEA performance and student outcomes.

California is also completing development of its general education accountability structure under the state’s LCFF/LCAP funding and accountability system. Given California’s goal of establishing a single system for all students, SED staff have initiated efforts to align to the degree possible the state’s SIMR with LCFF/LCAP accountability measures. Specifically, LCFF/LCAP accountability includes measuring the performance of all student subgroups, including SWD. However, the LCFF/LCAP measure includes
the performance of all SWD, while the SIMR has included a subgroup of SWD. California proposes to better align its SIMR with the LCFF/LCAP measure by revising the SIMR to include all SWD.

Also, California has begun to implement a more refined communication process to LEAs to assist them in identifying areas of focus for improvement. For the past several years, the CDE has provided each LEA with an annual Performance Indicator Review (PIR) letter that provides the LEA with specific information on how it performed on each federal performance indicator. California's refined communication provides additional information to support LEAs in identifying and addressing areas for improvement. This information includes additional performance data, including the LEA's SIMR result for current and past years, subgroup data on performance on statewide assessments, and data on student discipline. SED staff and stakeholders are considering additional data that would be helpful to LEAs in assessing areas for improvement. The SED also plans to provide LEAs with links to additional data sources and instructions for their use so that LEAs can directly access and analyze data from those sources. Through this process, the SED can guide and assist LEAs in targeting areas for improvement and developing and implementing effective improvement activities. Additionally, the communication will update each LEA on any current required improvement activities, and potential future support or intervention based on the LEA's current performance trajectory.

Data on Implementation and Outcomes

California’s SSIP includes 17 elements consisting of 69 discrete activities (and each activity has multiple implementation steps). Of the 69 activities, 44 were originally planned to be completed by winter 2016 (although some of those activities are ongoing and are planned to be completed annually or more frequently). As of February 2017, the CDE has fully completed 19 of 44 activities planned to be completed. The CDE has made substantial progress on all other planned activities, and completed numerous implementation steps, but these activities cannot yet be described as fully completed. As noted previously, the timeline for a number of SSIP activities has been revised to ensure that the SSIP activities are aligned to the greatest extent possible with California’s general system for LEA support, which is still being developed. Elements of the SSIP for which the timeline has been affected include refining the criteria for LEA selection for additional state assistance, fully implementing communication activities with LEAs concerning SSIP activities, and completing some elements of the SSIP resource array. These are the elements and activities for which most timeline adjustments were required.

California’s SIMR is the proficiency rate on California’s statewide examinations in English-language arts and math among SWD who are also ELs, foster youth, and/or students eligible for free and reduced-price meals. Based on stakeholder input, California established the SIMR performance target at 28.33 percent for SSIP Year 1,
meaning that 28.33 percent of SWD in the SIMR subgroup needed to meet or exceed proficiency standards on the statewide assessments in English-language arts and math. Of the 966 LEAs meeting the N-size requirement for inclusion, 116 LEAs met the SIMR performance target in Year 1. In Year 2, California’s SIMR target increased to 29.33 percent. Of the 966 LEAs meeting the N-size requirement in Year 2, 117 LEAs met the target. These data indicate improved performance in Year 2.

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<td>SIMR Target</td>
<td>28.33%</td>
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<td>Students Meeting Target</td>
<td>2.11%</td>
<td>11.1%</td>
</tr>
<tr>
<td>Districts Meeting Target</td>
<td>116</td>
<td>117</td>
</tr>
</tbody>
</table>

As noted above, California proposes to change its SIMR to include all SWD. The state’s initial SIMR included only students with disabilities who are also in one of the three LCFF-targeted student subgroups. While that population comprises 70 percent of all SWD, stakeholders were concerned that the SIMR did not include all SWD. Also, this change will better align accountability measures under the SSIP with those established under LCFF/LCAP accountability, as that measure reflects the outcomes of all SWD. California anticipates future changes to its SIMR after other elements of the state’s overall accountability system are completed and approved by the SBE. The SED will review those elements and assess opportunities to more fully align the SIMR with them.

**Stakeholder Involvement in State Systemic Improvement Plan Implementation**

Staff from the SED have been involved in numerous presentations and discussions on California’s SSIP to clarify the plan’s Theory of Action, describe its alignment and interaction with the state’s LCFF/LCAP implementation and support efforts, and obtain stakeholder input on the current plan’s areas of focus and suggestions for refinement or revision. These have included presentations and discussions with the following organizations and work groups:

- Special Education Local Plan Area (SELPA) Administrators of California
- Special Education Administrators of County Offices (SEACO)
- California’s Every Student Succeeds Act Writing Team and Division Liaisons
- California’s Advisory Commission Special Education (ACSE)
- Collaboration for Effective Educator Development, Accountability, and Reform (CEEDAR) California Team
Additionally, SED staff conducted a meeting with the SSIP Stakeholder group on January 19, 2017. The meeting included the following activities:

- SED staff provided an update on the state’s work to develop its LEA accountability structure and the interface between that structure and planned SSIP LEA accountability activities.

- Stakeholders shared their perceptions and concerns about the state’s LEA accountability, and the specific SSIP activities related to LEA accountability.

- SED staff provided a general overview of SSIP activities completed, SSIP activities not yet completed, and both the original and revised timeline for completion of SSIP activities.

- SED staff and stakeholders reviewed the current design of California’s SIMR, and discussed the possibility and appropriateness of revising the SIMR design and targets.

- Stakeholders reviewed the current SSIP resource array and LCAP resources, made recommendations for additional resources, and provided input on how resources could best be organized and made available to LEAs and other users.

- Stakeholders reviewed draft communications from the CDE to LEAs and provided input on how the structure and content of those communications could be improved.

The SED is committed to ongoing communications with the SSIP Stakeholder group and to continue to act on input for improving California’s SSIP implementation.

**How the State Monitored and Measured Outputs to Assess the Effectiveness of the Implementation Plan**

California is measuring the effectiveness of its SSIP in three ways:

1) To assess progress of the state’s implementation plan, the CDE periodically reviews its status on each plan component and compares it to the implementation timeline. See the “Data on Implementation and Outcomes” section for details on California’s progress in this area.

2) To assess the effectiveness of the CDE TA and support resources for LEAs, the CDE’s TA contractors survey each LEA accessing those resources concerning
the efficacy of the resources and ability to implement them with fidelity. Based on this information, the CDE can add, refine, or remove resources to ensure that the state’s TA and support resources effectively address LEA needs.

3) To assess the effectiveness of California’s SSIP in supporting improved student outcomes, California reviews student outcome data for each LEA and compares it to the LEA’s performance on the same measures in prior years. This outcome data includes the LEA’s performance on the state’s SIMR, but also includes other measures for which California’s SSIP intends to spur improvement, including attendance, truancy rates, suspension rates, and expulsion rates. Additionally, the CDE assists LEAs in identifying areas for potential improvement by providing them with individualized data reports on the LEA’s performance in these areas. This communication includes an analysis from SED staff on key LEA performance data, identifying areas in which the LEA is encouraged to focus on improvement.

California is currently developing a contract with an external entity to serve as an external evaluator to implement the state’s SSIP evaluation plan. The CDE believes that an external evaluator will ensure that resulting evaluation activities will be performed objectively, and will provide additional perspective to support refinement of the plan.

**How the State Has Demonstrated Progress and Made Modifications to the SSIP as Necessary**

Given that the state’s SSIP implementation is in its early stages, California has determined that it would be premature to make changes to its SSIP, or to other elements of the state’s general plan for supporting LEAs in improving student outcomes. California will continue working with various stakeholders and reviewing student performance outcomes throughout this year and future years of SSIP implementation to consider modifications to its SSIP and make any changes needed to effectively assist LEAs in improving outcomes for SWD. As noted above, California is pursuing a change to its SIMR to include the performance of all SWD to address stakeholder concerns and to better align the SIMR performance measure with that used for SWD under the state’s LCFF/LCAP accountability structure. Also, California has revised some elements of its SSIP implementation timeline due to delays in implementing those plan elements.

**Data Quality Issues**

None
Data Limitations that Have Affected Reports of Progress in Implementing the State Systemic Improvement Plan and Achieving the State Identified Measurable Result Due to the Quality of the Evaluation Data

None

Concern or Limitations Related to the Quality or Quantity of the Data Used to Report Progress or Results

California is concerned that the Office of Special Education Programs (OSEP’s) “single measure” requirement for the SIMR limits the state’s ability to identify LEAs most in need of assistance and intervention. The multiple measures approach adopted in California’s LCFF/LCAP accountability structure provides significantly more nuance in identifying the performance of LEAs, and illuminating areas for improvement. Further, given California’s interest in establishing a single accountability structure that serves all LEAs and students, the state intends to further align SSIP accountability with LCFF/LCAP accountability over the next year. This planned activity underscores the need to consider a multiple measures approach to SSIP accountability. California requests that the OSEP explore allowing states to consider and adopt a SIMR that includes multiple measures to allow for a more nuanced and inclusive view of LEA performance in serving SWD.

Implications for Assessing Progress or Results

California believes that the current SIMR limits the state’s ability to measure actual LEA performance because, based on federal guidance, the state’s SIMR is based on a single performance measure.

Plan for Improving Data Quality

None

Progress toward Achieving Intended Improvements

California has identified several specific metrics for the SED to use to measure the state’s progress toward achieving intended improvements based on the focus areas of the state’s SSIP. These include rates of attendance, truancy, suspension, expulsion, and student proficiency on the statewide assessments. The SED reviews both statewide and individual LEA results in these areas and compares them to performance in prior years to determine progress in the student outcomes measured. Additionally, the state is able to disaggregate results by student subgroups, which provides additional insight on areas to target for improvement.
Assessment of Progress toward Achieving Intended Improvements

Given that improvement activities described in California’s SSIP are in their earliest stages of implementation, changes in student performance on California’s SIMR cannot be correlated with SSIP activities. The state anticipates that changes in student performance related to California’s SSIP activities will be seen after SSIP implementation activities are more fully implemented. While second-year SIMR results indicate some improvements in student performance, California expects that the impact of SSIP activities will be more significant in future SIMR outcomes.

Infrastructure Changes that Support State Systemic Improvement Plan Initiatives, Including How System Changes Support Achievement of the State Identified Measurable Result, Sustainability, and Scale-up

California has begun to implement substantial changes in its education system, including overhauling its funding structure to provide more resources for students most in need of them, and adopting new academic standards in English-language arts, math, and science. The state is also working to reduce the “labeling” and “siloing” of students based on the subgroups with which they are most commonly identified, instead recognizing the individual needs of each student and providing services and supports to the student based on those unique needs. To effectively address each student’s needs, California has adopted a “One System” approach, wherein all elements of the educational system work together to meet student needs. If, for example, a student is identified as a SWD, and as an EL, the student should receive support both to address academic needs stemming from the disability, and support to assist with English acquisition. These supports should be in addition to specific supports provided based on the student's representation in any other student subgroups, and general supports provided to all students. In short, the student should not be limited to receiving supports from special education due to their identification as a SWD, or to supports from English acquisition staff due to their identification as an English learner, but should receive supports and services from a variety of resources (including special education, English acquisition, and general education) to address all of the student’s needs. The CDE will work to ensure that the variety of supports for the student are coordinated as much as possible to complement each other in aiding in the student’s success.

The “One System” approach is demonstrated in California’s efforts to improve LEA and student performance. The state’s new funding structure, the LCFF, includes a requirement for each LEA to develop a LCAP, wherein LEA leadership works with the local community to identify areas for LEA improvement, selects appropriate improvement activities, determines funding sources to be used to implement those activities, and annually reviews its LCAP to ensure its efficacy and make any required revisions. The state has developed an array of technical assistance resources to
support LEAs in self-assessment, improvement activity selection and implementation, and plan revision activities. California’s SSIP adopts this same approach in assisting LEAs to improve performance among their SWD. The SED is developing an array of TA resources targeted to address the needs of SWD, including LEA self-assessment tools and evidence-based improvement activities and resources, to support the LEA in development and implementation of its SWD Improvement Plan. These resources targeting the needs of SWD will also be part of the state’s LCAP technical assistance resource array, further demonstrating California’s commitment to supporting all students and all LEAs through a unified support structure. This approach will also strengthen the system’s sustainability, given that all of the system’s elements have a common goal and are being designed to be mutually supportive.

California’s concept for scale-up of its LCAP may differ from that of other states. Rather than implementing the SSIP on a small scale (e.g., among a small number of LEAs initially), then expanding its scope over time, California is initially implementing its SSIP on a statewide basis. California’s scale-up approach will be adding tiers of intervention in future years as needed based on LEA performance. California’s current implementation includes only Tier 1, making TA resources available to all LEAs and communicating with each LEA, including providing annual performance data to inform their foci for improvement, and informing them of any specific required improvement activities based on their student performance outcomes. In future years, as LEAs are identified for Tier 2 and Tier 3 support and intervention, California will add those tiers to its LEA support structure.

Evidence that State Systemic Improvement Plan’s Evidence-based Practices are Being Carried Out with Fidelity and Having the Desired Effects

California’s SSIP evaluation plan includes requiring TA contractors to survey consumers of SSIP resources to determine:

- The perceived effectiveness of the resource in addressing the issue as intended
- Any difficulties in resource implementation, including the ability to implement the resource with fidelity
- The conditions under which the resource was used, and the degree to which those conditions affected the efficacy of the resource, or the ability to implement with fidelity

Based on user feedback, the SED staff will make appropriate changes to resources included in the SSIP resource array.
Outcomes Regarding Progress toward Short-term and Long-term Objectives that are Necessary Steps toward Achieving the State Identified Measurable Result

California’s SIMR concerns student proficiency rates on statewide examinations in English language arts and mathematics among SWD. Consequently, all efforts to improve academic outcomes for SWD support achieving improved SIMR results. Still, California has identified three specific focus areas for its SSIP that correlate with improved student performance: (1) increased attendance rates and reduced truancy rates; (2) a reduction in suspensions and expulsions, resulting in increased time in class; and (3) improved teaching and learning in the California (Common Core) Standards. The state compared current year to prior year performance of LEAs in these three areas to gauge LEA progress in these areas, the results of which are provided below. We should note that while it is too early in California’s implementation of its SSIP to attribute these results to any SSIP–related activities, the state’s message that these are important focus areas for LEAs may have had some initial impact on performance in these areas.

Measurable Improvements in the State Identified Measurable Result in Relation to Targets

See the “Data on Implementation and Outcomes” section above.

Plans for Next Year

In FY 2017–18, California will continue to implement its SSIP, including undertaking the following activities:

- Continue to build the SSIP resource array by adding evidence-based improvement activities and resources to support LEAs in improving SWD performance.

- Continue to support the state’s implementation of the LCAP requirement by identifying resources for improving outcomes for SWD for inclusion in the CDE’s LCAP support activities to LEAs.

- Refine SED TA Contractor activities to better assist LEAs in their improvement activities, including self-assessment to identify areas for improvement, selecting effective improvement resources and activities, implementing selected improvement activities with fidelity, and reassessing and revising improvement plans as needed.
- Refine and continue the SED’s process for LEA communication, providing annual information to each LEA concerning student and LEA performance on key indicators to assist the LEAs in identifying areas for improvement and effective improvement activities.

- Continue to interact with California’s SSIP stakeholders to review SSIP activities implemented, in-process, and planned, and consider appropriate revisions; review the SSIP resource array to identify resources to be removed, changed or added to meet LEA needs; and review current federal indicator targets to determine whether any adjustments are recommended.

- Engage with the SSIP external evaluator to gauge implementation progress, aggregate stakeholder and resource consumer input, and assist the SED in a process of continuous improvement of California’s SSIP.
Introduction

This Phase 3 submission provides California’s specific intentions and procedures for developing and implementing its State Systemic Improvement Plan (SSIP). As described in the Phase 1 and Phase 2 submissions, California’s SSIP will align with the state’s most significant current endeavor in its public education system, the Local Control Funding Formula (LCFF) and accompanying Local Control and Accountability Plans (LCAP). California’s SSIP implementation will include a tiered structure of supports to local educational agencies (LEAs) (including school districts, county offices of education [COEs], and independent charter schools) to ensure that they have the capacity to positively impact academic performance of targeted students. California’s SSIP targets students who are English Learners (ELs), foster youth, and/or students eligible for free and reduced-price meals, who are also students with disabilities (SWD), to support their improved performance in math and English-language arts as demonstrated on statewide academic assessments. The LCFF and LCAP provide a new state infrastructure for education in California, and serve as the general framework for developing the state’s SSIP. See the California Department of Education (CDE) LCFF Web page at http://www.cde.ca.gov/fg/aa/lc/.

The LCFF is a statewide policy enacted by the Legislature, with the Governor’s approval, and makes a sweeping change in the funding of public education and accountability for student outcomes. In keeping with the state’s emphasis on local control, state categorical program requirements were largely eliminated. The result has provided LEAs with increased flexibility to respond to local conditions unique to their student populations. The LCFF places primary responsibility on the LEA to plan and implement programs that lead to improved student outcomes. The LCFF combines state (not federal) education funds, including funds that were previously devoted to categorical programs (except state special education funds). The funds include three components: (1) a base grant (funding based on average daily attendance); (2) a supplemental grant (based on the unduplicated number of students who are EL, eligible for free and reduced price meals, and/or foster youth); and (3) a concentration grant (for LEAs with a high percentage of their total enrollment from the target groups). The LCFF is being implemented by LEAs statewide. Components of the LCFF are being scaled up over a period of three years.

The LCAP is a locally-developed plan for implementing LCFF funding involving a broad group of local stakeholders. The plan includes specific activities to support student learning and progress goals for all significant student subgroups. While only the three student populations noted above are included in LCFF supplemental funding allocations, all of the Every Student Succeeds Act (ESSA) disaggregated groups are included in the targets for the LCAP, including SWD. To date, all LEAs have developed
and implemented an LCAP. The State Board of Education (SBE) and the CDE have
developed and distributed LCAP templates that incorporate goals and priorities that
apply to each LEA in general and all schools within the LEA. The LCAP template
instructions require that LCAPs must address the following state priorities:

1. Basic conditions of learning (teacher assignment and qualifications,
   standards aligned instructional materials, and well-maintained school
   facilities)

2. Implementation of academic content and performance standards

3. Parental involvement (including students with exceptional needs)

4. Pupil achievement (including assessment results)

5. Pupil engagement (attendance, graduation, and dropout rates)

6. School climate (suspension and expulsion rates)

7. Extent to which students are involved in a broad course of study

8. Pupil outcomes by subject area (e.g., math, English-language arts [ELA],
   science, social science, arts, health, physical education, and other SBE
   prescribed subjects).

Specifics of the LCFF/LCAP accountability process are mostly complete, although some
elements are still in development. In its effort to institute a single, coherent, public
education system that serves all students, California is committed to developing a single
accountability system to identify LEAs for technical assistance (TA), rather than
developing a separate accountability system solely addressing SWD performance.
Therefore, California intends to apply the LEA TA structure being developed pursuant to
the LCAP legislation when selecting LEAs for TA under its SSIP process. As the
LCFF/LCAP accountability structure is finalized, California anticipates making changes
in its SSIP accountability structure over the next year to align with LCFF/LCAP
accountability. However, for this initial Phase 3 submission, California proposes the
same accountability described in its Phase 2 report.

State Systemic Improvement Plan Alignment with Local Control Funding Formula
and Local Control Accountability Plan

As noted above, the CDE is committed to aligning its efforts to improve educational
opportunities for SWD (the SSIP) with the state’s efforts to improve outcomes for all
students (the LCFF/LCAP). California’s SSIP will align with LCAP activities in several
ways. First, the CDE’s Special Education Division (SED) will support LEAs in
developing specific improvement goals, activities, and services for SWD that align with the LEA’s LCAP. California’s intention in this regard is for LEAs to have specific improvement plans for students with disabilities that coordinate with the more general LEA plans developed in their LCAPs. LEAs that do not improve student academic performance over time will receive additional SED-based support to refine their improvement plans and activities. The key LEA performance indicator for the SSIP, California’s State Identified Measurable Result (SIMR) will focus on the performance of SWD on statewide assessments in English-language arts and math.

The SED will also assist in the CDE’s efforts to support LEAs in developing, refining, and implementing their LCAPs. The SED’s participation on the LCAP Support Team will augment special education expertise and resources among the array of supports being developed. The SED will develop the means to provide direct support to LEAs in LCAP development related to SWD when referred by the LCFF/LCAP technical assistance system. Early data indicate that SWD performance may be a key factor in LEA selection for technical assistance, so LCAP refinement for many LEAs may need to include more support for SWD. Given that most SWD are served in general education classrooms, improving their outcomes will require a systemic approach including both general and special education components of the LEA’s structure.

California’s SSIP Theory of Action (Attachment 4) provides a graphic depiction of the interrelationship between LCFF/LCAP activities and the structure and elements of California’s SSIP.

State Systemic Improvement Plan Focus

Much of the state’s SSIP plan involves providing improvement resources to LEAs through a tiered structure that supports LEAs in identifying and addressing the needs of students with disabilities. The CDE will direct LEAs to focus on three general areas of school performance in developing their improvement plans: (1) improved attendance and reduction of truancy; (2) improved student behavior as demonstrated by reduction of suspensions and expulsions; and (3) effective instruction in the California Common Core Standards. Research conducted by the CDE staff and stakeholders identified these areas as highly correlated with student academic performance.

Regarding SSIP support for LEAs, California is developing a three-tiered structure. This structure will include providing an array of support resources that all LEAs may access to address the academic, behavioral, and school climate needs of SWD and their schools (Tier I); advanced TA resources for LEAs identified as “needs assistance” based on flagging performance (Tier II); and direct intervention activities for LEAs with ongoing performance issues that qualify them as “needs intervention” LEAs (Tier III). Criteria for identification of LEAs for assistance or intervention will also include their history of successful implementation of state and federal special education
requirements. An LEA’s performance history may also lead to identification as a “needs assistance” or “needs intervention” LEA, and initiate Tier II or Tier III activities.

As noted, to ensure alignment with the overarching accountability system, the specific criteria for determining whether LEAs qualify for assistance under Tier II or intervention under Tier III will be finalized in the coming year. But the general structure will be as follows: For LEAs identified as at risk for Tier II assistance, the CDE will require them to submit an improvement plan to address all areas of low performance. LEAs that are identified for Tier II assistance will be required to access external expertise and resources to revise their improvement plans and activities for greater impact. If over time these LEAs continue to fall short on positively impacting SWD performance, they may be identified for Tier III and receive direct intervention to support development of effective improvement plans. The development of these improvement plans will be supported by resources the CDE provides in its SSIP support structure at all stages, with increasing levels of support as LEAs enter Tiers II and III.

State Systemic Improvement Plan Elements

The SSIP Plan has been organized in three sections, per instructions for SSIP development issued by the U.S. Department of Education’s Office of Special Education Programs (OSEP). California’s plan is for the most part unchanged from its Phase 2 submission, with the exception of some adjustments to the implementation timeline to reflect current and projected progress in plan implementation.

Section A: Infrastructure Development specifies improvements that will be made to California’s infrastructure to better support LEAs to implement evidence-based practices to support improved outcomes for SWD. California’s SSIP Section 1 addresses the state’s LCAP activities and the SED’s involvement in them. These include major state activities involving LCAP implementation and support and SED’s involvement in them, and specific SED efforts to develop resources for LCAP refinement and implementation.

Section B: Support for LEA Implementation of evidence-based practices (EBPs) describes how the state will support LEAs in implementing the EBP that will result in changes in LEA and school practices that result in improved outcomes for SWD. California’s SSIP divides this element into two subsections: B1–Developing Support for Implementing EBP; and B2–Implementing the System of Support for LEAs. This section includes the activities the SED will undertake in its SSIP to assist LEAs in improving the academic performance of SWD. Major activities include creating assistance resources and activities, increasing communication between the SED and LEAs to improve support and oversight, and implementing an effective LEA improvement process that promotes continuous improvement in outcomes for SWD at the local and state level, including the identification of LEAs that require more intensive SSIP assistance.
Section C: Evaluation describes the activities the SED will undertake to evaluate implementation of California’s SSIP. The evaluation plan will measure performance at multiple levels. It will include an evaluation of the SED’s success in implementing the SSIP as planned, including determining if plan elements are developed and implemented as described, and within the timelines established. The evaluation will also include measures of the usage and quality of support resources the SED makes available to LEAs, using surveys and data analysis. The evaluation will also include calculation of the SIMR and other outcome data concerning student performance.

Section A: Infrastructure Development–The Local Control Funding Formula and Local Control Accountability Plan
(See Attachment 3: SSIP Plan, Lines 1-32)

California is in the midst of establishing a new approach to school funding and accountability intended to effectively support all students. The state has restructured the method by which schools are funded, via the LCFF, which provides additional funding to address the needs of student groups facing additional educational challenges. Concurrently, California is developing accountability and evaluation systems to ensure effective community-based LEA improvement planning through the implementation of LEA LCAPs. Thus, the LCFF legislation has provided the foundational principles for significant changes to California’s public education system that includes a new funding model, a process for developing and coordinating local improvement activities, and greater transparency regarding LEA decision-making and how resources are expended. The state has also adopted new instructional standards, the California State Standards, based on the Common Core, and its process for assessing gains in student learning through a new statewide assessment process. These changes have impacted the design of California’s SSIP. California’s “Blueprint for Great Schools: Version 2.0” developed under the leadership of California’s State Superintendent of Public Instruction, presents a vision for the state’s changes in public education and their impact to improve outcomes for students. (See Attachment 6, California Initiatives and Resources–Information Links, for more information.)

The state’s work is guided by the “One System” concept recommended by California’s Special Education Task Force, created in 2013, which assessed California’s system for educating SWD and produced the report “One System: Reforming Education to Serve ALL Students” in March 2015. (See Attachment 6, California Initiatives and Resources–Information Links, for more information.) Based in part on the report’s recommendations, the SBE envisions creating a system that leads to greater integration of general education and special education elements in LEAs. The intended outcomes of this approach are greater coordination of local resources, systemic accountability measures, and the reduction of “siloing” among LEA components. A singular approach to LEA planning and improvement has inherent benefits over disparate plans, including greater coherence and coordination, and more effective implementation, hence greater positive impact.
The SBE directed the CDE to develop an LCFF Implementation Plan to coordinate efforts to establish and refine the new system, which the CDE periodically updates based on progress made and to address any new issues that arise. At this stage in the system’s development, the LCFF includes the following actions:

- Identify state and local accountability system components that need further alignment to the SBE’s guiding principles.

- Expand the understanding of student and program characteristics that could be captured in the LCAP evaluation rubrics to emphasize transparency, flexibility, and equity. The implementation plan should also provide recommendations on considering additional indicators and metrics for elementary and middle grades, charter schools, and alternative education programs in the LCAP and evaluation rubrics to build capacity and increase support for the LEAs.

- Research the implications of transitioning to the California Assessment of Student Performance and Progress (CAASP) and the English Language Proficiency Assessment for California (ELPAC). These should be studied, as well as the SMARTER balanced summative and assessment scores, in the multiple measures context of the LCAP, evaluation rubrics, and accountability.

- Finalize the evaluation rubrics standards to performance and expectations for improvement that are consistent and aligned to the SBE’s guiding principles to differentiate performance, reflect equity and transparency, and support continuous improvement.

- Coordinate existing and new reporting functions in a useful way that assists parents, LEAs, schools, charter schools, and county offices of education (COEs) with important decisions.

- Propose specific recommendations to eliminate and replace the Academic Performance Index (API).

- Develop a statewide system of support (e.g. Multi-Tiered System of Supports) to ensure the incorporation and alignment across programs of effective student, family, and community engagement strategies.

- Support the inclusion of student access, course participation, and performance in programs that foster college and career readiness. These should be considered as the state develops an accountability system that will strengthen local, regionals, and state partnerships for accountability purposes.
• Identify how to best incorporate the Uniform Complaint Procedures, audits, waivers, and flexibility as components of the local and state partnerships for accountability purposes.

• Integrate lessons from the second year of LCAP implementation and first year of the annual update.

Elements of the Implementation Plan most directly related to California’s SSIP development are discussed in greater detail below:

**Local Control Accountability Plan Electronic Template**

To assist LEAs in developing their LCAPs, the CDE has developed an LCAP electronic template (eTemplate) that LEAs, COEs, and Charter schools may use to organize their plans and ensure that all required elements are included. In the summer of 2015, the CDE conducted a successful field test of the eTemplate. The state released the first LCAP eTemplate in February 2016. Per SBE direction, the CDE refined the LCAP Template and reintroduced it in July 2016. Refinements were based on the responses to a field survey conducted by the CDE, the results of which were presented to the SBE in April 2016. Additionally, California has developed two user guides to assist LEAs in the eTemplate’s use, with a third user guide being developed. The LCAP template, through the eTemplate, establishes a standard for improvement plan development that can assist LEAs in creating effective plans to improve the performance of SWD.

**Evaluation Rubrics**

As part of its LCFF/LCAP implementation activities, the SBE has adopted LCFF evaluation rubrics, which reflect a holistic, multi-dimensional assessment of LEA and individual school site performance, and address all of the state LCFF priorities. The evaluation rubrics provide a process for LEAs to assess their own performance and identify strengths, weaknesses, and areas that require improvement across the LCFF priorities. The primary purpose of the rubrics is as a self-evaluation tool, helping LEAs to analyze and evaluate their own strengths and weaknesses on outcomes and improvement within the LCFF priority areas. As a whole, the rubrics provide standards for continuous improvement as related to the identified LCFF state priorities. The rubrics support LEAs in evaluating their performance for each of their student subgroups, including for SWD. The state’s goal is to create a clear connection between the evaluation rubrics, planning, assistance, and intervention, and to address the needs of all student subgroups. Hence, the rubrics are a key component not only for the LCFF/LCAP system, but to the entire new system for accountability. When completed, the LCFF evaluation rubrics will serve as a resource that aligns with the LCFF’s approach to improving a broad range of student outcomes through strategic planning,
alignment of LEA resources, TA, and intervention. California has developed a data dashboard as an easily-accessible display of each LEA’s data used in the evaluation rubrics.

Accountability and Assistance Roles in the Local Control Funding Formula and Local Control Accountability Plan System

While the state’s improvement planning focuses on assisting LEAs in improving their own performance, California recognizes that it may be necessary to provide direct support and potential intervention to those LEAs unable to improve on without outside assistance. The LCFF/LCAP structure assigns responsibilities to a number of agencies and other public entities to ensure accountability and improved quality in the LCAP process, including COEs, the SBE’s California Collaborative for Educational Excellence (CCEE), the State Superintendent of Public Instruction (SSPI), and the CDE.

COEs have a primary role for providing TA under any of the following conditions:

1. The governing board of a LEA requests TA
2. The county superintendent does not approve a local control and accountability plan or annual update; or
3. The LEA fails to improve pupil achievement across more than one state priority for one or more pupil subgroups (which includes SWD)

The technical assistance provided by COEs fits within a Tier I of a multi-tiered intervention process, is intended to include one or more of the following:

1. Identification of the LEA’s strengths and weaknesses in regard to the state LCFF priorities, including a review of effective, evidence-based programs that apply to the school district’s goals.
2. Assignment of an academic expert or team of academic experts to assist the LEA in identifying and implementing effective programs that are designed to improve the outcomes for all pupil subgroups.
3. Request that the SSPI assign the CCEE to provide advice and assistance to the school district.

The accountability system for the LCFF/LCAP also includes the CCEE, which is to advise and assist LEAs and COEs in achieving the goals in an LCAP. This level of intervention is similar to the SSIP Tier II structure for intervention. The membership of the CCEE is specified in law and members include the SSPI, the President of the State Board of Education, and other local officials and stakeholders appointed by the
governor and the Legislature. A local educational agency, or consortium of local educational agencies, are contracted to serve as the fiscal agent for the CCEE. Funds appropriated for the CCEE are apportioned to the fiscal agent. At the direction of the governing board of the CCEE, the fiscal agent will contract with individuals, local educational agencies, or organizations with the expertise, experience, and a record of success in the following State Priority areas:

- Improving the quality of teaching
- Improving the quality of school district and school site leadership
- Successfully addressing the needs of special pupil populations, including, but not limited to, ELs, pupils eligible to receive a free or reduced-price meal, pupils in foster care, and SWD.

The SSPI has an important role in LCAP assistance and accountability, and may direct the CCEE to advise and assist a LEA or COE in any of the following circumstances:

- If the LEA or COE requests the advice and assistance of the CCEE
- If the county superintendent of schools of the county in which the LEA is located determines, following the provision of technical assistance as applicable, that the advice and assistance of the CCEE is necessary to help the school district or charter school accomplish the goals described in their LCAP
- If the SSPI determines that the advice and assistance of the CCEE is necessary to help a LEA or COE accomplish the goals set forth in the LCAP

The SSPI may identify LEAs in need of intervention, with the approval of the SBE, if the district meets both of the following criteria:

1) The LEA did not improve the outcomes for three or more pupil subgroups in more than one state or local priority in three out of four consecutive school years

2) The CCEE has provided advice and assistance to the LEA and makes either of the following findings:
   a. That the LEA has failed, or is unable, to implement the recommendations of the CCEE; or
b. That inadequate performance of the LEA, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent, or acute, as to require intervention.

For LEAs that need intervention, the SSPI may, with the approval of the SBE, do one or more of the following:

1) Make changes to a LCAP adopted by the governing board of the LEA

2) Develop and impose a budget revision, in conjunction with revisions to the LCAP, that the SSPI determines would allow the LEA to improve the outcomes for all pupil subgroups in regard to state and local priorities

3) Stay or rescind an action, if that action is not required by a local collective bargaining agreement, that would prevent the LEA from improving outcomes for all pupil subgroups in regard to state or local priorities

4) Appoint an academic trustee to exercise the powers and authority specified in this section on his or her behalf.

LCFF and LCAP activities are supported by the CDE’s Local Agency Systems Support Office (LASSO). The LASSO provides guidance and TA to LEAs regarding programmatic implementation of LCFF though the development and maintenance of a CDE LCFF Web Page and frequently asked questions (FAQs) http://www.cde.ca.gov/fg/aa/lc/index.asp, as well as providing presentations to various advocacy and education groups, and responses to numerous telephone or emailed inquiries. The office is also responsible for preparing LCFF agenda items for the SBE, including working with LEAs, and others, to identify and showcase potential tools, resources, and promising practices (EBPs).

The LASSO has been developing modalities for distribution of TA resources that will be helpful for LEAs in formulating and evaluating their LCAPs. Some of these resources have been made available through the CDE’s Web page on Quality Schooling Framework http://www.cde.ca.gov/qf/qs/. This site serves as a clearinghouse for timely tools and practices to guide effective planning, policy, expenditure, and instructional decisions at all schools and LEAs. Some of the resources are LCFF/LCAP specific while others will be useful to districts as they formulate LCAP goals that are aligned to the state priorities. The resources are made available under the following categories to enhance student learning leading to thriving students:

- Professional Learning
- Assessment
- Curriculum
- Family and Community
- Instruction
- Equity
• Leaders
• Teachers
• Culture and Climate
• Resource Alignment

In addition to the LASSO, the SSPI has created an inter-divisional workgroup to help support the transition and implementation of the new accountability system. The LCAP Support Team works collaboratively to:

• Identify, review, and disseminate high-quality LCAP support resources;

• Serve as a liaison to the CDE branches/divisions to ensure strong internal CDE communications;

• Identify, review, and make available high-quality LCAP support resources and TA specific to the work being done by branches/divisions and assigned state LCFF priority or priorities as aligned to the branches/divisions work (engagement in developing/evolving the infrastructure for the new accountability system).

The LCAP Support Team also participates in LEA specific, and/or regional/statewide support/TA activities; assisting LEAs and CDE to identify the manner in which LCAP/LCFF aligns with existing and future federal obligations, and how to best leverage federal and state resources to meet the state priorities (Tier I activities).

The CDE’s SED is a direct participant in implementation of the LCFF and LCAP in California, providing support to the agency in providing special education expertise, identifying LEA needs concerning SWD, and participating on the LCAP Support Team. (See Attachment 6, California Initiatives and Resources–Information Links, for more information on LCFF and LCAP.)

Section B – Support for Local Educational Agency Implementation of Evidence-based Practices

California has previously developed a substantial structure of TA and monitoring to support LEAs in providing effective services to SWD and meeting state and federal requirements concerning the education of SWD. Recently introduced federal requirements, including the SSIP requirement, have led the SED to develop additional planned activities and resources to support LEAs in improving the performance of SWD. The SED has therefore divided Section II, Support for Implementation of Evidence-Based Practices, into two parts to clarify: (1) work the division will undertake in developing new elements of its LEA support and review processes; and, (2) work the SED will complete in incorporating the new elements in the current system and implementing the revised system in working with the state’s LEAs. Section 2A includes
activities the SED is undertaking to develop support for LEAs to implement evidence-based practices. Section 2B describes the refined system the SED will implement to assist LEAs in improving student outcomes by: (1) providing assistance to all LEAs; and, (2) identifying LEAs needing additional assistance and providing them with enhanced support and potential intervention.

**B1. Developing Support For Implementing Evidence-based Practices**
(See Attachment 3, SSIP Plan, Lines 33–75)

The SED is undertaking several steps in developing its capacity to support LEAs to implement EBPs in providing instruction and services to students with disabilities. These steps include:

- Refining the SED’s system for selecting LEAs for SSIP assistance
- Developing special education support for including in the CDE’s structure to assist LEAs in LCAP development and implementation
- Developing additional communication processes with LEAs concerning LEA performance data, LEA monitoring status, and assignment and completion of LEA requirements related to performance outcomes
- Enhancing current CDE resources regarding EBPs, particularly for SWD and students in the subgroups targeted by the LCFF

**Refining the Special Education Division’s System for Selecting Local Educational Agencies for State Systemic Improvement Plan Assistance**

As noted previously, California will implement a tiered system in providing LEAs assistance in improving student performance on the state’s SIMR. LEAs in Tier I will be able to access a variety of resources that support improved SWD performance, with a focus on supports for students with particular challenges: SWD who are also ELs, foster youth, and/or eligible for free and reduced price meals. LEAs meeting performance targets or showing improvement toward those targets will be able to self-select resources and improvement activities that they predict will result in improved performance on the SIMR. LEAs that are not meeting targets and not showing improved performance will be subject to required state assistance or intervention. The SED has proposed SIMR targets for Federal Fiscal Years (FFY) 2014 through 2018 based on stakeholder input from the SSIP Work Group and in compliance with OSEP’s instructions. The CDE proposes to change its SIMR from that proposed in the Phase 2 submission. In response to concerns that the initial SIMR did not include the performance of all SWD, California’s proposed SIMR for the current year is to include all SWD in the SIMR calculation. This change will also better align the SSIP accountability
structure with that for the LCFF/LCAP. See Attachment 5, State Systemic Improvement Plan State Identified Measureable Result Baseline and Targets for more information.

It should be noted that California anticipates changing its selection process over the next year to further align with the state’s LCFF/LCAP accountability structure, resulting in a coherent state approach in supporting LEA improvement. While that alignment work is being completed, the CDE will continue to implement its LEA selection process under the SSIP as was described in the Phase 2 Response:

Year 1: All LEAs receive information on their recent performance, current monitoring status, and specific reporting requirements based on their status. LEAs that are meeting performance targets are required to report disaggregated data concerning the performance of the student subgroups included in California’s SIMR, but are not required to provide the CDE with a Local SWD Improvement Plan. However, LEAs that are not meeting performance targets are identified as at risk of Tier II assistance and thus are required to develop and implement a Local SWD Improvement Plan in addition to the requirement to report disaggregated student data. The SED will support LEAs in developing these plans by developing and distributing an LEA Self-assessment Tool that focuses on the needs and circumstances of SWD. LEAs may also access the resource array the SED is developing to support improved academic performance among these students. The metric used to identify Tier I LEAs required to complete an Improvement Plan will be based on the following concept:

<table>
<thead>
<tr>
<th>LEA Performance</th>
<th>Improve</th>
<th>Worsen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meet Performance Target</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Do Not Meet Performance Target</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

LEAs that meet state identified targets for performance and are demonstrating improvement on performance measures from the prior year are assigned an LEA Performance Score of 4.

LEAs that meet state identified targets for performance, but are demonstrating declining performance on performance measures compared to the prior year, are assigned a 3.

LEAs that do not meet state identified targets for performance, but are demonstrating improvement on performance measures compared to the prior year, are assigned a 2.

LEAs that do not meet state identified targets for performance, and are demonstrating declining performance on performance measures compared to the prior year, are assigned a 1.

Tier I LEAs assigned an LEA Performance Score of 1 are selected to develop and implement a Local SWD Improvement Plan.
Year 2: If LEAs required to develop and implement Local SWD Improvement Plans do not show improved performance after implementing their plans, they will be identified in the subsequent year for Tier II intervention, and will be required to access external expertise to assist them in reviewing areas needing improvement, re-examining potential root causes, and identifying different or additional improvement activities. These LEAs will then be required to redevelop their Local SWD Improvement Plan based on new information developed with the assistance of their external expert(s) and submit the new plan to the SED for review.

Year 3: Tier I and Tier II conditions continue to apply to LEAs based on their performance in the prior year. LEAs that were identified as meeting targets in Year 1 continue to implement local improvement activities, and LEAs identified as “at risk” in Year 1 have their recent performance reviewed to determine their status as either Tier I LEAs, or as new Tier II LEAs. LEAs identified for Tier II assistance in Year 1 that continue to show declines in their performance will be identified as Tier III LEAs. Tier III LEAs will receive direct intervention from CDE staff or contractors to re-examine root causes of poor performance, identify effective improvement activities to address those root causes, and develop a new Local SWD Improvement Plan designed to ensure effective implementation of improvement activities.

Developing Special Education Support for Inclusion in the California Department of Education’s Structure to Assist Local Educational Agencies in Local Control Accountability Plan Development and Implementation

The SED is a direct participant in the CDE’s efforts to provide assistance and resources to support LEAs in their development and implementation of their LCAPs. This participation will include providing special education expertise and resources in the development of the CDE’s array of resources to assist LEAs in effective LCAP development and implementation. SED staff will participate in LCAP Support Team meetings and activities to ensure that the needs of SWD are addressed in Team activities. Additionally, SED staff will prepare to participate in the CDE’s direct support to LEAs as needed regarding LCAP development and implementation, including establishing means for LEAs to request SED assistance, and a process for addressing referrals for LEA assistance made by the SSPI, CCEE, or a COE, through the LCAP Technical Assistance structure.

Developing Additional Communication Processes with Local Educational Agencies Concerning Performance Data, Monitoring Status, and Assignment and Completion of Requirements Related to Performance Outcomes

Effective implementation of California’s SSIP will require enhanced communication between the SED and LEAs. The SED has developed a process to annually provide data to each LEA to highlight the performance of students with disabilities to assist the
LEA in assessing the current performance of SWD and begin to identify patterns that may reveal potential root causes impeding higher performance. This annual update supports LEAs in identifying effective local improvement efforts, and thus assists LEAs required to develop a local SWD Improvement Plan in initiating their root cause analysis and other plan development activities.

Enhancing Current California Department of Education Resources Regarding Evidenced-based Practices, Particularly for Students with Disabilities and Students in the Subgroups Targeted by the Local Control Funding Formula

Many of the CDE’s SSIP-related activities involve developing and refining the support resources needed to assist LEAs in improving in areas that affect student performance. As noted in our Phase 1 and 2 submissions, California has identified three key prerequisite activities that affect student performance generally, and SWD performance specifically, and will advise LEAs to focus on these areas in their improvement activities. These prerequisite activities are: (1) improved attendance; (2) reduction of discipline incidents (suspensions and expulsions); and (3) effective instruction in the California Common Core Standards. Also, recognizing that SWD who are also ELs, foster youth, and/or students eligible for free and reduced-price meals, often face particularly challenging circumstances in pursuing their educational goals, the CDE advises LEAs to ensure that their improvement plans address the needs of those student subgroups. Consequently, California’s SSIP and LEA support resources target these general themes:

- LEAs will achieve improved academic performance among their SWD who are ELs, foster youth, and/or eligible for free and reduced price meals, as demonstrated by their improved performance on statewide assessments in ELA and math.

- LEAs will support improved SWD achievement by focusing on three areas: improved attendance, reduction of discipline incidents, and improved instruction in the California Common Core Standards.

- LEAs will implement improvement activities that support improved outcomes for all students, but will particularly focus improvement efforts on students with disabilities who are also ELs, foster youth, and/or eligible for free and reduced-price meals.

The CDE supports LEAs in these improvement efforts by making available a broad array of resources engendering the use of effective, EBPs in schools and classrooms. The EBPs included in this array seek to address the many factors influencing the achievement of SWD: attendance issues; behavioral issues and consequent discipline incidents that affect access to instruction; effective instruction in the common core; and
other related resources. Recognizing that SWD who are also ELs, foster youth, and/or students eligible for free and reduced price meals face additional challenges, the CDE will include resources to address the needs of these student groups. The SED is refining internal division resources, as well as revising SED contractor scopes of work (SOWs) to ensure that contractors are well-aligned to support the technical assistance structure being developed. The CDE will communicate regularly with all LEAs on these efforts, making LEAs aware of resources available to support improvement.

Development work required to implement these activities includes taking inventory of current resources; identifying additional resources needed to address target topics or student groups; developing those resources; reviewing and revising SED contractor SOWs to align with the SED’s technical assistance structure; and creating processes, forms, templates, and correspondence to support planned communication activities. (See Attachment 7–SED Technical Support Contract Resources Links, for more information on current SED contractor resources.)

B2. Implementing the System of Support for Local Educational Agencies
(See Attachment 3: SSIP Plan, Lines 76–204)

Section B2 describes the refined system the SED will implement to assist LEAs in improving student outcomes. This system will be designed to provide assistance to all LEAs by connecting them to the array of resources to support the implementation of EBP, as described in Section 2A. The system will also identify LEAs requiring additional assistance or intervention as evidenced by lack of improvement in student performance or other factors, such as lack of compliance with state and federal requirements. The SED’s system for support to LEAs includes the following components:

- Developing and publishing key LEA performance data, disaggregated by student subgroups, including each LEA’s SIMR
- Connecting LEAs with the resource array to assist LEAs in identifying areas for improvement, implementing EBP to support improved student outcomes, and creating or refining local SWD improvement plans
- Notifying LEAs of their current monitoring status, and any TA options or requirements incurred based on the LEA’s monitoring status
- Communicating with LEAs identified for assistance or intervention and providing direct assistance as needed based on performance outcomes
- Receiving and processing LEA reports on their improvement efforts, including self-assessment results, Local SWD Improvement Plans development and implementation, and key data related to student performance (e.g., assessment results, attendance and truancy data, discipline data)
Developing and Publishing Key Local Educational Agency Performance Data

The SED continues collecting, analyzing, and reporting data from LEAs related to state and federal reporting requirements, including data on all federal indicators included in the Annual Performance Report (APR). Additionally, the SED collects, analyzes, and reports data specific to SWD by student subgroups, including the LCFF-targeted student subgroups. These data include each LEA’s performance on the SIMR. This process requires multiple steps in data collection, data validation, training of LEA staff involved in data collection and reporting, data aggregation and other data processing, and preparation and distribution of reported information.

Connecting Local Educational Agencies with the Resource Array

As noted in Section 2A, the SED is developing a substantial array of resources to support LEAs in implementing EBPs to support improved instruction and learning to positively impact student performance. These resources include technical expertise provided by the SED staff and contractors, and selected online resources reflecting evidenced based practices. The resources will address both general school improvement and the focus areas of attendance/truancy, behavior, and improved teaching and learning. The array will include resources targeted to meet the needs of the SWD, EL, foster youth, and students eligible for free and reduced-price meals. California’s SSIP includes specific actions the SED will undertake to ensure that LEAs have access to these resources. These actions include providing direct communication to LEAs regarding the resource array, developing the SED contractor capacity to interact with LEAs and respond to requests for assistance, and instituting communication processes to improve connections among the staff of the CDE staff, LEA staff, and the SED contractors.

Notifying Local Educational Agencies of Their Current Monitoring Status

A key element of California’s support structure will be direct communication to LEAs on their current performance, identified areas for improvement, and potential consequences and required actions should local performance on the SIMR not improve. In addition to regular, less formal communication, the CDE will annually notify each LEA of the LEA’s performance on key indicators related to the SIMR to support the LEA’s self-assessment of areas in which it needs to improve. In cases in which LEA performance does not meet targets, this formal communication will also include specific actions the LEA will be required to undertake due to the CDE’s finding that the LEA needs assistance or intervention. This communication will both support the LEA in identifying areas in need of improvement and developing a local improvement plan, and clarify to the LEA any current or potential required improvement efforts for the year.
Providing Direct Assistance to Local Educational Agencies

In those cases in which LEA performance requires the development of a Local SWD Improvement Plan, or when an LEA’s performance results in a finding that the LEA “Needs Assistance”, the SED will need to provide the LEA with instructions and support to complete the additional improvement activities required based on the LEA’s performance status. As described in Section 2A, LEAs selected to develop an improvement plan, or for Tier II or Tier III assistance, incur specific local activities and reporting requirements, including submission of the locally-developed improvement plan and regular updates on plan implementation. In cases in which external assistance is required, LEAs will receive direct support from the SED staff or SED contractors to support refinement of the improvement plan and selection and implementation of specific improvement activities. All of these plan components include multiple implementation steps involving the SED staff and SED contractors to implement the three tiers of assistance and intervention described in Section 2A, and coordination and collaboration with staff of LEAs receiving assistance or intervention.

Receiving and Processing Local Educational Agency Reports on Their Improvement Efforts

The impact of California’s SSIP will be largely determined by the effectiveness of LEA plan development and implementation, so the SED will require regular communication from LEAs concerning results of LEA self-assessment activities, the content of Local SWD Improvement Plans, progress on plan implementation, the impact of improvement activities on teaching and learning, and changes in improvement strategies and plan components. This will require the SED to implement a new reporting process to allow the LEAs to provide the SED with this information, and for the SED to receive and process the information. The SSIP includes the specific activities that the SED will undertake to develop the LEA reporting process, and the steps involved in the SED’s review of the reported information and any necessary follow-up activities.

Hence, California’s SSIP activities to support LEA implementation of evidence-based practices include a tiered process that:

- Provides support resources for all LEAs
- Identifies some LEAs for greater assistance and potential intervention based on student performance over time
- Builds an array of evidence-based resources to support LEA improvement
• Includes direct communication between the SED and LEAs concerning their current data, status in implementing local improvement efforts, and status concerning state-level requirements for local improvement

• Supports implementation of the LCAP in LEAs by providing special education expertise as needed

Section C – Evaluation
(See Attachment 3: SSIP Plan, Lines 205–237)

California’s SSIP evaluation activities consist of three primary components: (1) evaluation of the CDE’s implementation of its SSIP; (2) evaluation of the ability of the state’s SSIP resource array to positively impact teaching and learning in LEAs; and (3) evaluation of the SSIP’s impact on student performance as measured by the state’s SIMR. The SED will contract with an external expert to lead California’s SSIP evaluation processes, and will engage stakeholders in all elements of the evaluation to ensure that the perspective of the field is included in evaluation activities. The external evaluator will be charged with implementing a continuous cycle of improvement, employing evaluation data and stakeholder input to refine California’s SSIP over time. Details on the three elements of California’s SSIP evaluation plan are provided below.

Evaluation of the California Department of Education’s Implementation of its State Systemic Improvement Plan

The evaluation of the CDE’s SSIP implementation will include two elements: (1) the implementation will be evaluated for the ability of the CDE to accomplish timelines and goals set forth in the plan; and (2) the SED will collect information on unmet or developing field needs in early stages of SSIP implementation and identify appropriate plan changes for subsequent phases of SSIP development.

California has identified specific short-term and long-term activities that need to be completed to implement the SSIP. California has developed a timeline indicating when each of those activities are to be completed. The SED will review the planned activities and implementation timeline at least monthly to ensure that activities are implemented on schedule. The CDE will also involve special education stakeholders in an evaluation of progress made on SSIP Implementation, by presenting biannual updates on SSIP activities, timeline, and goals to the SSIP Stakeholder Group. This group will assist the CDE in determining whether it is meeting its objectives and provide feedback to assist the CDE in meeting objectives in the future. Inclusion of the SSIP Stakeholder group in the SED’s SSIP evaluation activities will ensure that SSIP implementation and refinement is informed by feedback and input from special education stakeholders. The SED met with the SSIP Stakeholder Group in January 2017 to review the progress on the SSIP, and anticipates a second meeting later in the year. The SSIP Stakeholder
group includes members of SELPAs, LEAs, the CDE, parents, teachers, and other special education advocates. In each Stakeholder meeting, the CDE presents the most current data and progress information on intermediary goals in the focus areas, and progress on the SIMR. The meetings will then be organized around receiving specific and focused feedback to improve the SSIP and its implementation. The recommendations provided by the group are be used to update the SSIP and also be presented to the SBE for approval. Key stakeholder feedback over the past year has included identification of additional resources for the SSIP resource array, guidance in how best to make resources accessible to LEAs and other interested parties, and consideration of refinements to California’s SIMR.

California is committed to implementing a continuous cycle of improvement to ensure that the SSIP is addressing the field’s changing needs and is refined over time for maximum effectiveness. The contracted external evaluator will lead this cyclical process, which includes: (1) the collection and analysis of data concerning SSIP activities and resources being implemented in LEAs; (2) engagement with stakeholders in reviewing implementation data, any implementation concerns arising in the field, and a review of the implementation timeline and determination of whether implementation benchmarks are being met; and (3) identification of any needed changes to the SSIP plan or specific elements, and planning for implementing such changes.

Evaluation of the Impact of California’s State Systemic Improvement Plan on Teaching and Learning

The CDE will examine the effect that infrastructure changes and increased targeted support to LEAs have on the intermediary focus areas such as attendance, suspension, and instruction in the common core. As noted in Section 2, the CDE will work with SED contractors to make available training and resources to Tier I, II, and III districts, to support improvement in the intermediary outcomes and on the SIMR. To evaluate the ability of these resources to support improved teaching and learning in schools, the CDE will obtain impact data from two key sources: SED contractors, and LEAs that use SSIP resources.

The CDE will require SED contractors to obtain key information from consumers of support resources. This information will include the names and number of LEAs that consume the resources, and surveys of those consumers to obtain information on the efficacy and perceived positive impact of those resources on school and classroom practices. The SED and SED contractors will develop an online and paper survey so that survey results can be sent directly to the CDE. Contractors will provide results of this data collection to the SED on a quarterly basis and the contractors will provide a summary to the SSIP Stakeholder Group bi-annually. The group will provide feedback and suggestions to the CDE to ensure that contractors are providing the most effective EBPs for LEAs. The SED will also use its regular communication processes with LEAs
and SELPAs to identify any LEA resource needs not yet addressed by the SSIP resource array.

LEAs will support the process of evaluating the SSIP’s impact on teaching and learning by providing additional information on specific LEA improvement activities. LEAs selected for both Tier II and Tier III resources will be required to submit a report on a quarterly basis that identifies their baseline and current data points for the focus areas. Upon selection for Tier II and Tier III, the SED will provide each LEA a template for the report, and training on data analysis, so that the information that the LEA provides will be accurate and reported in a consistent manner. This information will be used to determine the progress of the LEA in achieving goals and making improvements. The CDE will also use this information to evaluate how all LEAs in Tier II and Tier III are making progress towards improvement, and what SSIP resources are being used to support improvement efforts. On an annual basis, the CDE will collect data on the changes in the assessment trends for the schools in the tiers that accessed resources to determine if the resources improved the intermediary focus areas in the short-term and the SIMR in the long-term.

**Evaluation of the State Systemic Improvement Plan’s Impact on Student Performance as Measured by the State Identified Measurable Result**

The final component of California’s SSIP Evaluation Plan concerns actual changes in the academic performance of SWD, as measured by California’s SIMR. California initially identified proficiency rates on statewide assessments in English-language arts and math among SWD who are ELs, foster youth, and/or eligible for free and reduced-price meals. In response to stakeholder concerns that the initial SIMR did not include the performance of all students with disabilities, California proposes to change its SIMR to include all SWD. Specifically California’s SIMR for the 2017–18 school year is proposed to be based on the percentage of all SWD who meet or exceed standards on statewide assessments in English-language arts and math. California will calculate its SIMR annually upon availability of data on the statewide assessment and compare year-to-year results to measure the impact of the state’s SSIP on student academic performance. As noted previously, California anticipates proposing additional changes to its SIMR in its next Phase 3 submission. The goal of such changes will be to align SSIP performance measures with those adopted in the LCFF/LCAP accountability structure.
Attachment 4: State Systemic Improvement Plan Theory of Action

California’s *Theory of Action* section is a graphic representation of how the various elements of California’s state and local education structures coordinate to implement an effective system that supports high-quality instruction and support for students with disabilities (SWD), and provide the means to increase the state’s capacity to achieve improved teaching and learning in California’s schools.

The following acronyms are used in the *Theory of Action* graphic:

“SWD” means students with disabilities

“ELs” are English Learners

“LEAs” are local educational agencies

“RDA” is Results-driven Accountability, the new federal policy concerning special education

“SIMR” is State Identified Measureable Result, the federal measure for special education progress

“LRE” is Least Restrictive Environment, the federal requirement to serve students with disabilities in the most inclusive environment possible for meeting the student’s academic needs

“MTSS” is Multi-tiered System of Supports, the concept of providing varying levels of service to meet the individual’s or organization’s support requirements

“CA CCSS” is California Common Core State Standards

“SEA” is State Education Agency
California’s State Systemic Improvement Plan – Theory of Action

<table>
<thead>
<tr>
<th>If California...</th>
<th>Then the SEA will...</th>
<th>Then each LEA will...</th>
<th>Process Outcomes</th>
<th>Student Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reprioritizes state education resources and efforts to address high-needs students: SWD, ELs, foster youth, and socio-economically disadvantaged Local Control Funding Formula (LCFF)</td>
<td>Provide base funding, plus supplemental funding for all high-needs students, and concentration grants for LEAs serving large numbers of high-needs students</td>
<td>Use enhanced resources to target factors improving academic progress for all students, ensuring improved academic results of high-needs students</td>
<td>LEAs optimize their use of resources by developing and implementing LEA improvement plans for SWD aligned with LEA LCAPs, resulting in improved student, school, LEA, and state academic performance</td>
<td>Through well-developed, aligned or integrated LEA improvement plans, implemented effectively, that include evidence-based strategies and goals targeted to improve SWD access to instruction and their academic performance, SWD will benefit from increased instructional opportunities and improved academic outcomes, as measured by their improved performance on statewide assessments</td>
</tr>
<tr>
<td>Requires each LEA to establish a comprehensive improvement plan Local Control Accountability Plan (LCAP)</td>
<td>Develop instructions for LCAP and accountability structure to ensure plans include appropriate improvement activities and goals</td>
<td>Create LEA plans, as well as plans for SWD, with improvement efforts targeting high-needs students, establishing clear, aligned efforts to improve LEA performance</td>
<td>Improvement activities and goals for SWD and their families focus on:</td>
<td></td>
</tr>
<tr>
<td>Implements its general supervision system, providing oversight and assistance to LEAs to ensure that SWD receive the education and services to which they are entitled</td>
<td>Facilitate use of federally funded support activities (Title 1, RDA) in state improvement activities</td>
<td>Implement locally-developed improvement plans, using state resources as needed</td>
<td>LEAs meeting targets implement planned improvement activities</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Provide data (SIMR, etc.) to identify LEA improvement areas</td>
<td>LEAs failing to meet targets use state expertise to reevaluate strategies and goals, producing effective plans to improve student academic performance</td>
<td>LEAs meeting targets implement planned improvement activities</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Create a tiered system supporting LEA improvement plans, including:</td>
<td>LEAs continually missing targets receive direct state intervention to revise improvement strategies and effectively implement plans to improve student performance</td>
<td>LEAs meeting targets implement planned improvement activities</td>
<td></td>
</tr>
<tr>
<td></td>
<td>➢ Identifying effective educational practices and resources for all LEAs</td>
<td></td>
<td>LEAs meeting targets implement planned improvement activities</td>
<td></td>
</tr>
<tr>
<td></td>
<td>➢ Providing expertise in LEA improvement plan execution</td>
<td></td>
<td>LEAs meeting targets implement planned improvement activities</td>
<td></td>
</tr>
<tr>
<td></td>
<td>➢ Identifying and intervening with direct support when goals are not met</td>
<td></td>
<td>LEAs meeting targets implement planned improvement activities</td>
<td></td>
</tr>
</tbody>
</table>

An accessible text alternative of the California’s State Systemic Improvement Plan – Theory of Action diagram is available at [http://www.cde.ca.gov/be/ag/ag/yr17/mar17item01a4p2aav.asp](http://www.cde.ca.gov/be/ag/ag/yr17/mar17item01a4p2aav.asp)
Attachment 5: Indicator 17-State Systemic Improvement Plan State Identified Measureable Result–Baseline and Targets

Description:

This is a relatively new performance indicator that replaces the individual improvement plans required in the State Performance Plan and the Annual Performance Report. In Phase II of the SSIP, California established a baseline and set targets for Federal Fiscal Years (FFY) 2014–2018, and based California’s State Identified Measurable Result (SIMR) on performance on statewide assessments for students with disabilities who are also in one more of the following categories: free and reduced-priced meal eligible, English language learners or in foster care. Based on stakeholder input, California is proposing to revise its SIMR to include all SWD. This change also aligns the SIMR with the outcome measure California uses for SWD under the Local Control Funding Formula/Local Control and Accountability Plan (LCFF/LCAP) accountability structure. California also anticipates potential future changes to its SIMR to more fully align with the LCFF/LCAP accountability structure in its effort to fulfill its goal of establishing a single system of public education implementation and accountability.

Measurement

The data represents the assessment outcomes for SWD. California is using results from the 2015–2016 California Assessment of Student Performance and Progress in English language arts and mathematics. The rate is calculated by the number of students in the SIMR subgroup who scored “Meets Requirements” or “Exceeds Requirements” divided by all students in the SIMR subgroup.

Results and Baseline Data for 2014–2015

In 2014–2015, the percent of SIMR subgroup that met or exceeded standards was 5.71% for English Language Arts (ELA) and 4.6% for Math. The number of districts for which the SIMR subgroup scored lower than that rate was 807 out of 1229.

**Target Met:** BASELINE YEAR

<table>
<thead>
<tr>
<th>Indicator</th>
<th>BASELINE</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>ELA</td>
<td>5.71%</td>
<td>5.71%</td>
<td>5.71%</td>
<td>10.71%</td>
<td>15.71%</td>
</tr>
<tr>
<td>Math</td>
<td>4.6%</td>
<td>4.6%</td>
<td>4.6%</td>
<td>9.6%</td>
<td>14.6%</td>
</tr>
</tbody>
</table>
# Attachment 6 – California Initiatives and Resources—Information Links

<table>
<thead>
<tr>
<th>Initiative/Resource</th>
<th>Resource Description</th>
<th>Web link</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Blueprint for Great Schools: Version 2.0</strong></td>
<td>In 2011, the California State Superintendent of Public Schools employed a Transition Advisory Team and issued “A Blueprint for Great Schools” which outlined the administrations vision for public education. The update to this report: “A Blueprint for Great Schools: Version 2.0”, outlines recommendations in five critical areas: California (CCSS) standards (1), teaching and leading excellence (2), student success (3), continuous improvement and accountability systems (4), and systems change and support (5). The California Department of Education’s (CDE) work, as guided by this document, is focused on three guiding areas. The CDE Mission (1), employing the Right Drivers (2), and following Guiding Principles (3).</td>
<td><a href="http://www.cde.ca.gov/eo/in/bp/bp2content.asp">http://www.cde.ca.gov/eo/in/bp/bp2content.asp</a></td>
</tr>
</tbody>
</table>
| **California Statewide Special Education Task Force Report** | In 2013, a statewide task force was set up to examine California’s systems for serving students with disabilities. In December 2014, the completed report entitled “One System: Reforming Education to Serve All” provided the state with the following recommendations for consideration:  
  • Early Learning  
  • Evidence-based School and Classroom Practices  
  • Educator Preparation and Professional Learning  
  • Assessment  
  • Accountability  
  • Family and Student Engagement  
<p>| <strong>Local Control Funding Formula (LCFF)</strong>                | The LCFF is a statewide policy enacted by the Legislature, with the Governor’s approval, and makes a sweeping change in funding of public education and accountability for student outcomes. The intended result is to give districts increased flexibility to respond to local conditions unique to their student populations. The LCFF resources help LEAs to plan and implement programs that lead to improved student outcomes. | <a href="http://www.cde.ca.gov/fg/aa/lc/">http://www.cde.ca.gov/fg/aa/lc/</a> |
| <strong>WestEd’s LCFF Resource</strong>                              | California State Board of Education’s LCFF resource site. The resources available at this site complement information available at the CDE with the goal of supporting local implementation of California’s new LCFF. | <a href="http://lcff.wested.org/">http://lcff.wested.org/</a> |
| <strong>English Learners and Foster Youth Under the LCFF - FAQ</strong> | Frequently asked questions and answers regarding the Local Control Funding Formula as it pertains to English Learners and Foster Youth.                                                                                 | <a href="http://www.cde.ca.gov/fg/aa/lc/lcfffaq.asp">http://www.cde.ca.gov/fg/aa/lc/lcfffaq.asp</a>     |</p>
<table>
<thead>
<tr>
<th>Program</th>
<th>Description</th>
<th>URL</th>
</tr>
</thead>
<tbody>
<tr>
<td>English Learners</td>
<td>There are many programs and services to help students who do not speak, read, write, or understand English well. The overall goal of these programs is to improve the English language skills of students. This link helps to support EL programs in California.</td>
<td><a href="http://www.cde.ca.gov/sp/el/er/">http://www.cde.ca.gov/sp/el/er/</a></td>
</tr>
<tr>
<td>Foster Youth Services Programs</td>
<td>Provide support services to foster children who suffer the traumatic effects of displacement from family and schools and multiple placements in foster care. Ensure that health and school records are obtained to establish appropriate placements and coordinate instruction, counseling, tutoring, mentoring, vocational training, emancipation services, training for independent living, and other related services. FYS programs increase the stability of placements for foster children and youth. These services are designed to improve the students’ educational performance and personal achievement, directly benefiting them as well as providing long-range cost savings to the state.</td>
<td><a href="http://www.cde.ca.gov/lis/pf/fy/">http://www.cde.ca.gov/lis/pf/fy/</a></td>
</tr>
<tr>
<td>Discipline and Truancy Resources</td>
<td>Research on student engagement, academic success, drop out and graduation rates has shown the need to replace punitive discipline practices. The sites provide current research and effective strategies and resources on effective school discipline and school climate to support student attendance and reduction of discipline incidents.</td>
<td><a href="http://www.cde.ca.gov/ls/ss/se/behaviorialntervention.asp">http://www.cde.ca.gov/ls/ss/se/behaviorialntervention.asp</a></td>
</tr>
<tr>
<td>Multi-Tiered System of Support</td>
<td>This Web page provides numerous national and state Web resources selected on the basis of usefulness to beginning as well as advanced Response to Instruction and Intervention and MTSS implementers in kindergarten through twelfth grade contexts. Annotations help locate needed information quickly.</td>
<td><a href="http://www.cde.ca.gov/ci/cr/ri/">http://www.cde.ca.gov/ci/cr/ri/</a></td>
</tr>
<tr>
<td>Scale Up MTSS Statewide (SUMS)</td>
<td>The road to every child succeeding involves a statewide transformation that: 1) enhances equitable access to opportunity; 2) develops the whole child; and 3) closes the achievement gap for all students. To fulfill the CDE’s vision of “one coherent system of education”, SUMS will create a universal process for MTSS implementation. California’s vast and complex PreK-12 educational system requires a multi-faceted approach that is scalable and sustainable. By using the principles of Implementation Science, Universal Design for Learning (UDL), and the Whole Child approach, the California SUMS Initiative will build the foundation for such a statewide infrastructure.</td>
<td><a href="https://www.mydigitalchalkboard.org/portal/default/Group/Viewer/GroupView?action=2&amp;gid=6301">https://www.mydigitalchalkboard.org/portal/default/Group/Viewer/GroupView?action=2&amp;gid=6301</a></td>
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<tr>
<td>Family Engagement Framework</td>
<td>This framework was developed by WestEd as a resource for the school community to develop effective family engagement strategies to support student achievement</td>
<td><a href="http://www.wested.org/online_pubs/cpei/family-engagement-framework.pdf">http://www.wested.org/online_pubs/cpei/family-engagement-framework.pdf</a></td>
</tr>
<tr>
<td>Quality Schooling Framework (QSF)</td>
<td>The QSF resource is the California educator’s destination for timely tools and practices to guide effective planning, policy, expenditure, and instructional decisions at all schools and districts.</td>
<td><a href="http://www.cde.ca.gov/qs/">http://www.cde.ca.gov/qs/</a></td>
</tr>
<tr>
<td>California Common Core State Standards (CCSS) Resources for Special Education</td>
<td>This Web site offers resources and guidelines for administrators, teachers, parents, and stakeholders on what the CCSS and the new tests will mean for California students in the Special Education community.</td>
<td><a href="http://www.cde.ca.gov/sp/se/cc/">http://www.cde.ca.gov/sp/se/cc/</a></td>
</tr>
<tr>
<td>California Common Core State Standards (CCSS) Site</td>
<td>The California CCSS site offers a collection of resources to support implementation of the CCSS.</td>
<td><a href="http://www.cde.ca.gov/re/cc/index.asp">http://www.cde.ca.gov/re/cc/index.asp</a></td>
</tr>
<tr>
<td>California State Board of Education March 2015 Agenda Item 1: Indicator 17 of the State Performance Plan and Annual Performance Report for Special Education: State Systemic Improvement Plan for Program Year 2013–2014.</td>
<td>This item was the first of three items (including the attached item for March 2017) concerning California’s 2015 State Systemic Improvement Plan (SSIP) for special education, required annually by the U.S. Department of Education, Office of Special Education Programs (OSEP). This item provided a general overview of the state’s infrastructure, analysis of data, and California’s general plan for assisting LEAs in improving the academic outcomes of students with disabilities.</td>
<td><a href="http://www.cde.ca.gov/be/ag/ag/yr15/agenda201503.asp">http://www.cde.ca.gov/be/ag/ag/yr15/agenda201503.asp</a> (See Agenda Item 1)</td>
</tr>
<tr>
<td>California State Board of Education March 2016 Agenda Item 20: Indicator 17 of the State Performance Plan and Annual Performance Report for Special Education: State Systemic Improvement Plan for Program Year 2014–2015.</td>
<td>This item was the second of three items (including the attached item for March 2017) concerning California’s 2015 SSIP for special education, required annually by the U.S. Department of Education, OSEP. This item provided an overview and detailed activities included in California’s plan for assisting LEAs in improving the academic outcomes of students with disabilities.</td>
<td><a href="http://www.cde.ca.gov/be/ag/ag/main201603.asp">http://www.cde.ca.gov/be/ag/ag/main201603.asp</a> (See Agenda Item 20)</td>
</tr>
</tbody>
</table>
Attachment 7–Special Education Division Technical Support Contract Resources Links

- **Aligning and Integrating Special Education Practices (AISEP) Project** develops resources and provides technical assistance to districts, schools, and families regarding special education services in inclusive settings. Specifically, this project is creating modules to help the field align individual Educational Plans to the California Standards. Additional information is available at [https://www.wested.org/online_pubs/RD-04-01.pdf](https://www.wested.org/online_pubs/RD-04-01.pdf).

- **California State Technical Assistance and Training Project** supports the field of special education. Priority area resources and training identified by experts in the field that supports local educational agency trainings and technical assistance throughout California and the Special Edge newsletter are key components of the contract. Additional information is available at [http://www.calstat.org/](http://www.calstat.org/).

- **Desired Results: Access for Children with Disabilities Project** is responsible for the development, research, implementation, and training of the Desired Results Disability Project access, and works with 132 Special Education Local Plan Areas to manage the Desired Results assessment system for federal reporting. Additional information is available at [http://draccess.org/](http://draccess.org/).

- **Seeds of Partnership** assists special educators, administrators, staff, and families involved in programs for children with disabilities. They create and provide avenues and tools to increase improvement of partnerships, provide professional development resources, and tools that will assist local educational agencies seeking to improve their family engagement program practices and educational outcomes.

- **Family Empowerment Disability Council Project** supports the work of the Family Empowerment Disability Council which is comprised of Family Empowerment Centers. Additional information is available at [http://www.cde.ca.gov/sp/se/qa/caprntorg.asp](http://www.cde.ca.gov/sp/se/qa/caprntorg.asp).

- **Supporting Inclusive Practices Project** develops and addresses the monitoring indicator five, which measures the percent of time that children with disabilities are in the general education classroom; percent of time children with disabilities are removed from the regular class; and served in separate schools, residential facilities, or homebound/hospital placements. Additional information is available at [http://www.inclusioncollaborative.org](http://www.inclusioncollaborative.org).

- **Supporting Early Education Delivery Systems Project** is responsible for research, product development, and systems support for early childhood special education programs for children birth to five years. Additional information is available at [http://www.seedsofpartnership.org](http://www.seedsofpartnership.org).

- **State Performance Plan–Technical Assistance Project** addresses the ongoing need for technical assistance on compliance and performance problems for LEAs identified as, or in danger of being identified as, significantly disproportionate. Additional information is available at [https://spptap.org/](https://spptap.org/).
**Project READ** delivers evidence-based professional development to increase the reading achievement and improve academic outcomes for middle school students in high-need districts. Additional Information is available at the [http://caspdg.org/](http://caspdg.org/).

**TEACH California** is the only CDE teacher recruitment Web site and one of only a few state-based educator recruitment efforts in California. The site provides the information needed to become a credentialed California teacher or administrator, with emphasis on serving prospective special education, mathematics, and science teachers. Additional information is available at [http://www.teachcalifornia.org/](http://www.teachcalifornia.org/).
<table>
<thead>
<tr>
<th>Subject</th>
<th>Activity</th>
<th>Implementation Steps</th>
<th>Person/ Division Responsible</th>
<th>Proposed Completion Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Section 1. Infrastructure Development</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>LCFF and LCAP Support</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>CDE - Assemble and deploy a cross-divisional LCAP Support Team to coordinate department wide resources and technical assistance</td>
<td>Identify team members from relevant divisions, including Title I - III, Special Education, Student Support, Assessment, etc.</td>
<td>Chief Deputy and Local Accountability Systems and Support Office (LASSO)</td>
<td>November 2015</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td>Orient members to LCAP requirements, purpose of the team, logistics of team activities.</td>
<td>Chief Deputy and Local Accountability Systems and Support Office (LASSO)</td>
<td>November 2015</td>
</tr>
<tr>
<td>5</td>
<td></td>
<td>Schedule and conduct team meetings every two weeks.</td>
<td>Chief Deputy and Local Accountability Systems and Support Office (LASSO)</td>
<td>November 2015 (ongoing)</td>
</tr>
<tr>
<td>6</td>
<td>CDE - Develop LCAP Resources</td>
<td>Create plan to develop an array of technical resources to support LEAs in LCAP development and implementation</td>
<td>LCAP Support Team members</td>
<td>July 2016 (ongoing)</td>
</tr>
<tr>
<td>7</td>
<td></td>
<td>Develop a communication process to ensure LEA access technical expertise from CDE staff and contractor resources</td>
<td>LCAP Support Team members</td>
<td>July 2016</td>
</tr>
<tr>
<td>8</td>
<td></td>
<td>Take inventory of existing Web resources - e.g., Quality Schooling Framework, California State Standards (Common Core)</td>
<td>Chief Deputy and Local Accountability Systems and Support Office (LASSO)</td>
<td>July 2016 (Ongoing)</td>
</tr>
<tr>
<td>9</td>
<td></td>
<td>Identify any deficiencies in resources related to the eight/ten LCAP priority areas.</td>
<td>Chief Deputy and Local Accountability Systems and Support Office (LASSO)</td>
<td>July 2016</td>
</tr>
<tr>
<td>10</td>
<td></td>
<td>Locate additional resources and evaluate for inclusion with existing Web resources that provide support to LEAs in LCAP development and implementation of LCAP resource array</td>
<td>Chief Deputy and Local Accountability Systems and Support Office (LASSO)</td>
<td>July 2016 (ongoing)</td>
</tr>
<tr>
<td>11</td>
<td>CDE - Distribute LCAP resources</td>
<td>Connect LEAs to the LCAP resource array</td>
<td>Chief Deputy and Local Accountability Systems and Support Office (LASSO)</td>
<td>July 2016 (ongoing)</td>
</tr>
<tr>
<td>12</td>
<td></td>
<td>Implement communication process for LEAs to access technical expertise from CDE staff and contractor resources</td>
<td>Chief Deputy and Local Accountability Systems and Support Office (LASSO)</td>
<td>July 2016</td>
</tr>
<tr>
<td>13</td>
<td></td>
<td>Explore the implementation of a LCAP conference to connect LEAs with exemplary practices.</td>
<td>Chief Deputy and Local Accountability Systems and Support Office (LASSO)</td>
<td>November 2015</td>
</tr>
<tr>
<td>14</td>
<td>CDE/SBE - Develop LCAP Evaluation Rubrics</td>
<td>Contract for rubric development</td>
<td>SBE, WestEd</td>
<td>July 2013 - FY 2015/1016</td>
</tr>
<tr>
<td>15</td>
<td></td>
<td>Conduct stakeholder input meetings</td>
<td>SBE, WestEd</td>
<td>Summer - Fall 2013</td>
</tr>
<tr>
<td>16</td>
<td></td>
<td>Prepare draft evaluation rubrics for SBE consideration</td>
<td>SBE, WestEd</td>
<td>Summer/Fall - 2015</td>
</tr>
<tr>
<td>17</td>
<td></td>
<td>Conduct additional stakeholder input sessions (user acceptance testing pilot)</td>
<td>SBE, WestEd, LEAs</td>
<td>October 2015 - March 2016</td>
</tr>
<tr>
<td>Subject</td>
<td>Activity</td>
<td>Implementation Steps</td>
<td>Person/ Division Responsible</td>
<td>Proposed Completion Dates</td>
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</tr>
<tr>
<td>18</td>
<td>Prepare evaluation rubric for SBE final approval</td>
<td>SBE, WestEd</td>
<td>Fall 2016</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>SBE, CDE, COEs and CCEE - disseminate evaluation rubrics</td>
<td>TBD</td>
<td>SBE, CDE, CCEE, COEs</td>
<td>Fall 2016</td>
</tr>
<tr>
<td>20</td>
<td>LEAs and COEs - apply evaluation rubrics</td>
<td>Use rubrics annually to evaluate and revise LCAPs as appropriate</td>
<td>LEAs, COEs</td>
<td>Fall/Spring 2016</td>
</tr>
<tr>
<td>21</td>
<td>CCEE - convene quarterly and develop system of LCAP technical assistance</td>
<td>TBD</td>
<td>CCEE, SBE</td>
<td>Spring/Summer 2016 (ongoing)</td>
</tr>
<tr>
<td>22</td>
<td>SED - Participate on LCAP Support Team</td>
<td>Identify SED administrator to participate in Support Team activities and to make SED unit staff and contractors available to contribute to the activities of the team.</td>
<td>SED Director, SED Leadership Team</td>
<td>November 2015</td>
</tr>
<tr>
<td>23</td>
<td>Participate in team meetings scheduled every other month to represent SED and SWDs in LCAP support activities</td>
<td>SED Representative to LCAP Support Team</td>
<td>November 2015 (ongoing)</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Assist the LCAP Support Team in identifying and developing resources that assist LEAs in LCAP development and implementation</td>
<td>SED Representative to LCAP Support Team</td>
<td>November 2015 (ongoing)</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>SED - Provide resources for including SWDs in LCAPs in coordination with CCEE</td>
<td>Attend bimonthly meetings</td>
<td>SED Representative to LCAP Support Team</td>
<td>November 2015 (ongoing)</td>
</tr>
<tr>
<td>26</td>
<td>Provide information and presentations related to the SSIP and resources available to support SWDs in LCAPS as requested by team</td>
<td>SED Representative to LCAP Support Team</td>
<td>November 2015 (ongoing)</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Receive and follow up on referrals from LCAP Support Team for assistance to LEAs related to SWDs</td>
<td>SED Director, SED Representative to LCAP Support Team</td>
<td>November 2015 (ongoing as needed)</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>SED - Provide information and support to California County Superintendents Educational Services Association (CCSESA)</td>
<td>Provide information and presentations related to the SSIP and resources available to support SWDs in LCAPS</td>
<td>SED Director</td>
<td>November 2015 (ongoing as needed)</td>
</tr>
<tr>
<td>29</td>
<td>Receive and followup on referrals for assistance to LEAs related to SWDs</td>
<td>SED Director</td>
<td>November 2015 (ongoing as needed)</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>SED - Work with SELPA to increase SPED participation in LEA LCAP planning</td>
<td>Participate in monthly SELPA meetings to share information about LCAP support team activities and to receive information on local concerns.</td>
<td>SED Director, SED Representative to LCAP Support Team</td>
<td>Spring 2013 (ongoing)</td>
</tr>
<tr>
<td>31</td>
<td>Solicit input on products and activities that would encourage SELPAs to become more visible and participatory in LEA LCAP evaluation and revision</td>
<td>SED Director</td>
<td>Spring 2013 (ongoing)</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Support SELPA Directors to assist LEA special education personnel to participate in the development, evaluation and revision of the LCAP</td>
<td>SED Director</td>
<td>Spring 2013 (ongoing)</td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>2A. Developing Support for Implementing EBPs</td>
<td></td>
<td></td>
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<tr>
<td>34</td>
<td>Refine system for selecting LEAs for SSIP Assistance</td>
<td></td>
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<tr>
<td>Subject</td>
<td>Activity</td>
<td>Implementation Steps</td>
<td>Person/ Division Responsible</td>
<td>Proposed Completion Dates</td>
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<tr>
<td>35</td>
<td>Develop the selection measures to be used to identify LEAs for higher levels of assistance and potential intervention - criteria to include the LEA's recent compliance history, progress toward performance indicator targets, and changes in SIMR results</td>
<td>Identify the data or other criteria the CDE will use to select LEAs for assistance, which may include the LEA's recent compliance history/determinations, progress toward performance indicator targets, and changes in SIMR results</td>
<td>AES Administrator</td>
<td>Fall/Winter 2015</td>
</tr>
<tr>
<td>36</td>
<td>Identify the data or other criteria the CDE will use to select LEAs for assistance, which may include the LEA's recent compliance history/determinations, progress toward performance indicator targets, and changes in SIMR results</td>
<td>For each data element or other criterion to be used in the LEA selection process, develop performance targets against which each LEA will be measured to enable the CDE to determine those LEAs that are making appropriate progress, and those LEAs that require additional assistance or intervention</td>
<td>AES Administrator</td>
<td>Fall/Winter 2015</td>
</tr>
<tr>
<td>37</td>
<td>For each data element or other criterion to be used in the LEA selection process, develop performance targets against which each LEA will be measured to enable the CDE to determine those LEAs that are making appropriate progress, and those LEAs that require additional assistance or intervention</td>
<td>Obtain stakeholder (i.e., LCAP Support Team, SELPA) input on the calculation process for identifying LEAs for assistance or intervention and refine the process based on input obtained</td>
<td>AES Administrator</td>
<td>Fall/Winter 2015, ongoing</td>
</tr>
<tr>
<td>38</td>
<td>Obtain stakeholder (i.e., LCAP Support Team, SELPA) input on the calculation process for identifying LEAs for assistance or intervention and refine the process based on input obtained</td>
<td>Develop systems for receiving and acting on referrals for assistance from the LCFF/LCAP technical assistance system.</td>
<td>PPS Unit Administrator</td>
<td>Winter/Spring 2015</td>
</tr>
<tr>
<td>39</td>
<td>Develop systems for receiving and acting on referrals for assistance from the LCFF/LCAP technical assistance system.</td>
<td>Provide special education expertise and resources for inclusion in the LCAP technical assistance structure being developed to support LEAs in implementing effective LCAPs</td>
<td>PPS Unit Administrator</td>
<td>Winter/Spring 2015</td>
</tr>
<tr>
<td>40</td>
<td>Provide special education expertise and resources for inclusion in the LCAP technical assistance structure being developed to support LEAs in implementing effective LCAPs</td>
<td>Establish the means by which the CCEE, a COE, or a single school district may submit a request to the SED to provide expertise or assistance to support improved LCAP development and/or implementation</td>
<td>SED Director, Associate Director</td>
<td>Winter/Spring 2015</td>
</tr>
<tr>
<td>41</td>
<td>Establish the means by which the CCEE, a COE, or a single school district may submit a request to the SED to provide expertise or assistance to support improved LCAP development and/or implementation</td>
<td>Build SED capacity to respond to requests for assistance from LEAs or COEs seeking to improve their LCAP development and/or implementation processes</td>
<td>PPS Unit Administrator</td>
<td>Fall/Winter 2015</td>
</tr>
<tr>
<td>42</td>
<td>Build SED capacity to respond to requests for assistance from LEAs or COEs seeking to improve their LCAP development and/or implementation processes</td>
<td>Communicate SIMR and related data to LEAs</td>
<td>SED Director, AES Administrator</td>
<td>Fall/Winter 2015</td>
</tr>
<tr>
<td>43</td>
<td>Communicate SIMR and related data to LEAs</td>
<td>Develop process for SED to annually provide data to each LEA to highlight the performance of students with IEPs who are members of the LCAP target groups.</td>
<td>SED Director, AES Administrator</td>
<td>Fall/Winter 2015</td>
</tr>
<tr>
<td>44</td>
<td>Develop process for SED to annually provide data to each LEA to highlight the performance of students with IEPs who are members of the LCAP target groups.</td>
<td>Develop process for compiling data for each LEA on the selected data elements</td>
<td>SED Director, AES Administrator</td>
<td>Winter 2015</td>
</tr>
<tr>
<td>45</td>
<td>Develop process for compiling data for each LEA on the selected data elements</td>
<td>Compile results for each LEA to include in an annual update on the status of the LEA to assist in identifying areas for LEA improvement</td>
<td>SED Director, AES Administrator</td>
<td>Winter 2015 1st implementation Winter 2016??</td>
</tr>
<tr>
<td>Subject</td>
<td>Activity</td>
<td>Implementation Steps</td>
<td>Person/ Division Responsible</td>
<td>Proposed Completion Dates</td>
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<tr>
<td>46</td>
<td>Identify information to be included in the annual update to each LEA, including current data on key elements, noted concerns identified by the data, potential areas on which to focus LEA self-evaluation, the LEA's monitoring status, etc.</td>
<td>SED Director</td>
<td>Winter 2015</td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>Develop template for the annual update to LEAs that will allow for inclusion of information specific to each LEA</td>
<td>SED Director, AES Administrator</td>
<td>Winter 2015/2016</td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>Develop system for reporting progress to the CDE/SED</td>
<td>SED Director</td>
<td>Fall/Winter 2015</td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>Develop a self-assessment process to be used by LEAs identified for assistance or intervention to assist them in identifying areas for improvement, citing root causes, and selecting effective improvement activities - the results of which are to be included in the LEA reporting process</td>
<td>SED Director</td>
<td>Fall/Winter 2015</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>Determine the most effective mode and layout for LEAs to report information the CDE needs to evaluate LEA improvement efforts, progress on implementing the local improvement plan, etc.</td>
<td>SED Director</td>
<td>Fall/Winter 2015</td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>Develop means for receiving reported information, reviewing it, and providing feedback to districts on reporting elements as necessary</td>
<td>SED Director, AES Administrator</td>
<td>Fall/Winter 2015</td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>Develop repository for EBPs and resources to support LEA improvement</td>
<td>SED Director, PPS Administrator</td>
<td>Spring 2016</td>
<td></td>
</tr>
<tr>
<td>53</td>
<td>Develop dedicated Web page on the CDE Web site as a repository of EBP resources, links to EBP resources at other Web sites, and contact information for CDE Contractors who provide EBP-based support services</td>
<td>SED Director, PPS Administrator</td>
<td>Spring/Summer 2016</td>
<td></td>
</tr>
<tr>
<td>54</td>
<td>Identify target areas (e.g., improved attendance, improved student behavior, improved instruction in the California State Standards) in which LEAs will benefit from direct support from SED contractors in implementing EBPs that support improved student performance among SWDs and student subgroups targeted by the LCFF</td>
<td>SED Director, PPS Administrator</td>
<td>Spring/Summer 2016</td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>Survey current SED contractor SOWs and evaluate the extent to which they currently provide EBP-based resources and support on the target topics</td>
<td>SED Director, PPS Administrator</td>
<td>Spring/Summer 2016</td>
<td></td>
</tr>
<tr>
<td>Subject</td>
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<tr>
<td>56</td>
<td>Identify areas in which more contractor resources are needed, as well as areas in which contractor activities are redundant or not connected to the target topics - Include the following activities in contractor SOWs: Tier I (available to all LEAs): advice lines, links to resources, referrals to experts and materials, self-assessment tools based on EBPs, Webinars, communities of practice; Tier II (for selected LEAs): specialty communities of practice, guided self-assessment and improvement plan development, expert support for implementation; Tier III (for selected LEAs): Appropriate expertise assigned by the SED based on LEA needs, direct support in identifying areas for improvement and selection of effective improvement activities, and expert assistance in revising and refining the local SWD Improvement Plan</td>
<td>SED Director, PPS Administrator</td>
<td>Spring/Summer 2016</td>
<td></td>
</tr>
<tr>
<td>57</td>
<td>Revise SED contractor SOWs as needed to ensure that as a whole they provide sufficient EBP-based resources and services to address LEA needs on the target topics, and that they are coordinated to limit redundancy in resources and services provided</td>
<td>PPS Administrator</td>
<td>Summer/Fall 2016</td>
<td></td>
</tr>
<tr>
<td>58</td>
<td>Develop consistent approaches to provision of technical assistance</td>
<td>Plan and conduct in person and/or electronic contractor meetings</td>
<td>Fall/Winter 2016</td>
<td></td>
</tr>
<tr>
<td>59</td>
<td>Arrange training and facilitation to ensure consistent approaches to incorporating implementation science into advice lines, self assessment tools and technical assistance events</td>
<td></td>
<td>Winter/Spring 2017</td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>Establish quarterly reporting mechanisms regarding inquiries, service requests, and issue resolution</td>
<td></td>
<td>Winter/Spring 2017</td>
<td></td>
</tr>
<tr>
<td>61</td>
<td>Develop contractor capacity to receive and respond to LEA information requests</td>
<td>Identify the responsibilities and specific tasks involved to ensure that all SED contractors identified as part the SSIP EBP resource array are prepared to receive and respond to LEA requests for assistance from LEAs</td>
<td>PPS Administrator</td>
<td>Winter/Spring 2017</td>
</tr>
<tr>
<td>62</td>
<td>Revise SED contractor SOWs as needed to clarify their responsibilities to receive and respond to all LEA requests for assistance related to the target topics</td>
<td>PPS Administrator</td>
<td>Winter/Spring 2017</td>
<td></td>
</tr>
<tr>
<td>63</td>
<td>Develop clear process for LEAs to access contractor resources</td>
<td>Work with SED contractors to identify the most effective means for receiving LEA requests for information and assistance on target topics each contractor addresses</td>
<td>PPS Administrator</td>
<td>Summer/Fall 2016</td>
</tr>
<tr>
<td>64</td>
<td>Develop any procedures necessary to support SED contractors in preparing to receive and respond to LEA requests for information and assistance on target topics</td>
<td>PPS Administrator</td>
<td>Summer/Fall 2016</td>
<td></td>
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<tr>
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<tr>
<td>65</td>
<td>Ensure that all SED contracts include the requirement for contractors to receive and respond to LEA requests for information and assistance in their contract SOWs</td>
<td>PPS Administrator</td>
<td>Summer/Fall 2016</td>
<td></td>
</tr>
<tr>
<td>66</td>
<td>Develop and update an annual notice for SELPAs and LEAs to identify the availability of resources to support LEAs</td>
<td>SED Director</td>
<td>Spring/Summer 2016</td>
<td></td>
</tr>
<tr>
<td>67</td>
<td>Develop and distribute periodic notices on available EBP-based resources via the SED's e-mail listservs as new resources become available, or semi-annually, whichever is more frequent</td>
<td>SED Director</td>
<td>Starting Spring/Summer 2016</td>
<td></td>
</tr>
<tr>
<td>68</td>
<td>Inform SELPA directors of their responsibilities to assist LEAs in meeting performance targets and understanding potential consequences for not doing so, identifying instances of noncompliance and instituting procedures to correct them and avoid future occurrences, conducting self-assessment activities, and developing and refining local improvement plans</td>
<td>SED Director</td>
<td>Spring 2016</td>
<td></td>
</tr>
<tr>
<td>69</td>
<td>Develop or refine existing materials to support implementation of Tier 1, 2, and 3 technical assistance evaluations and plans</td>
<td>SED Director, Associate Director, AES Administrator</td>
<td>Fall 2016</td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>Refine existing review instructions for LEAs as appropriate to support evaluation and planning activities in the LEA</td>
<td>Quality Assurance Administrator, FMTA Administrators, PPS Administrator</td>
<td>Winter 2016</td>
<td></td>
</tr>
<tr>
<td>71</td>
<td>Refine existing review instructions for staff as appropriate to support evaluation and planning activities in the LEA</td>
<td>Quality Assurance Administrator, FMTA Administrators, PPS Administrator</td>
<td>Winter 2016</td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>Develop or adapt existing compliance review materials for use in Tier 1, 2, or 3 evaluations</td>
<td>Quality Assurance Administrator, FMTA Administrators, PPS Administrator</td>
<td>Winter 2016</td>
<td></td>
</tr>
<tr>
<td>73</td>
<td>Develop or refine LEA reporting and improvement plan forms/formats for use in Tier 1, 2, or 3 activities</td>
<td>Quality Assurance Administrator, FMTA Administrators, PPS Administrator</td>
<td>Winter/Spring 2017</td>
<td></td>
</tr>
<tr>
<td>74</td>
<td>Adapt existing correspondence templates and notices to provide feedback to LEAs</td>
<td>Quality Assurance Administrator, FMTA Administrators, PPS Administrator</td>
<td>Winter/Spring 2017</td>
<td></td>
</tr>
<tr>
<td>75</td>
<td>Revise notice regarding annual compliance determinations to support activities under the SSIP</td>
<td>SED Director, Associate Director, AES Administrator</td>
<td>Winter 2016 (Jan-March)</td>
<td></td>
</tr>
<tr>
<td>76</td>
<td>Annually Publish SIMR Results</td>
<td>AES Administrator</td>
<td>June 2016 (Ongoing)</td>
<td></td>
</tr>
<tr>
<td>77</td>
<td>Collect and Unduplicate CASEMIS data</td>
<td>AES Administrator</td>
<td>Fall 2015 (ongoing)</td>
<td></td>
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<tr>
<td>79</td>
<td>Conduct statewide trainings (5)</td>
<td>AES Administrator</td>
<td>Fall/Winter 2015 (ongoing)</td>
<td></td>
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<tr>
<td>80</td>
<td>Validate SELPA data submissions</td>
<td>AES Administrator</td>
<td>Spring/Summer 2016 (ongoing)</td>
<td></td>
</tr>
<tr>
<td>81</td>
<td>Track and report on CASEMIS submissions</td>
<td>AES Administrator</td>
<td>Summer 2016 (ongoing)</td>
<td></td>
</tr>
<tr>
<td>82</td>
<td>Secure late and incomplete data</td>
<td>AES Administrator</td>
<td>Summer 2016 (ongoing)</td>
<td></td>
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<tr>
<td>83</td>
<td>Prepare Unduplication data sets</td>
<td>AES Administrator</td>
<td>Summer 2016 (ongoing)</td>
<td></td>
</tr>
<tr>
<td>84</td>
<td>Send duplicated data notices to SELPAs</td>
<td>AES Administrator</td>
<td>Summer/Fall 2016 (ongoing)</td>
<td></td>
</tr>
<tr>
<td>85</td>
<td>Receive and analyze SELPA responses</td>
<td>AES Administrator</td>
<td>Summer/Fall 2016 (ongoing)</td>
<td></td>
</tr>
<tr>
<td>86</td>
<td>Finalize unduplicated data sets</td>
<td>AES Administrator</td>
<td>Summer/Fall 2016 (ongoing)</td>
<td></td>
</tr>
<tr>
<td>87</td>
<td>Identify students with IEPs who are in the target groups for LCFF</td>
<td>Secure data identifying target group students including English Learners, Foster Youth and students eligible for free and reduced price meals (FRPM).</td>
<td>AES Administrator</td>
<td>Spring 2016 (ongoing)</td>
</tr>
<tr>
<td>88</td>
<td>Prepare a data set of students with IEPs who are also target group students</td>
<td>AES Administrator</td>
<td>Spring 2016 (ongoing)</td>
<td></td>
</tr>
<tr>
<td>89</td>
<td>Calculate assessment results by LEA for students with IEPs who are in the target groups for LCFF</td>
<td>Secure student level assessment results</td>
<td>AES Administrator</td>
<td>Summer 2016 (ongoing)</td>
</tr>
<tr>
<td>90</td>
<td>Match results for students with IEPs who are also target group students</td>
<td>AES Administrator</td>
<td>Summer/Fall 2016 (ongoing)</td>
<td></td>
</tr>
<tr>
<td>91</td>
<td>Identify proficiency levels for ELA and Math for each student</td>
<td>AES Administrator</td>
<td>Summer/Fall 2016 (ongoing)</td>
<td></td>
</tr>
<tr>
<td>92</td>
<td>Calculate additional metrics (school climate, student behavior, instructional efficacy, etc.) for students with IEPs as adopted from SSIP stakeholder recommendations</td>
<td>Secure data regarding additional metrics for suspension and expulsion, truancy and other LCAP metrics identified by SSIP stakeholders</td>
<td>AES Administrator</td>
<td>December 2016</td>
</tr>
<tr>
<td>93</td>
<td>Aggregate by LEA</td>
<td>AES Administrator</td>
<td>December 2016</td>
<td></td>
</tr>
<tr>
<td>94</td>
<td>Format for inclusion in annual APR and for individual reports to LEAs who are identified to develop Tier 1, 2, and 3 plans</td>
<td>AES Administrator</td>
<td>December 2016</td>
<td></td>
</tr>
<tr>
<td>95</td>
<td>Aggregate assessment results by LEA</td>
<td>AES Administrator</td>
<td>December 2016 (Ongoing)</td>
<td></td>
</tr>
<tr>
<td>96</td>
<td>Prepare and publish APR results for the SIMR (Indicator 17)</td>
<td>Compare aggregated LEA data to state targets</td>
<td>AES Administrator</td>
<td>December 2016</td>
</tr>
<tr>
<td>97</td>
<td>Prepare a preview of the data for SELPA review</td>
<td>AES Administrator</td>
<td>December 2016</td>
<td></td>
</tr>
<tr>
<td>98</td>
<td>Receive and respond to questions and comments</td>
<td>AES Administrator</td>
<td>December 2016</td>
<td></td>
</tr>
<tr>
<td>99</td>
<td>Send results to each LEA</td>
<td>AES Administrator</td>
<td>December 2016</td>
<td></td>
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<tr>
<td>100</td>
<td>Post results on the CDE web site</td>
<td>AES Administrator</td>
<td>December 2016</td>
<td></td>
</tr>
<tr>
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<tr>
<td>101</td>
<td>LEA Notification</td>
<td>Identify technical assistance selection score for each LEA</td>
<td>Compare current year performance with prior year performance to identify technical assistance selection score for each LEA: 4 = met target and increased percent proficient over prior year 3 = met target and decreased percent proficient over prior year 2 = did not meet target and increased percent proficient over prior year 1 = did not meet target and decreased percent proficient over prior year</td>
<td>AES Administrator</td>
</tr>
<tr>
<td>102</td>
<td>Identify level of assistance that LEAs may require</td>
<td>Assign a compliance determination of “needs assistance” to districts with a technical assistance selection score of “1”</td>
<td>AES Administrator</td>
<td>Spring/Summer 2016</td>
</tr>
<tr>
<td>103</td>
<td>Review prior year(s) compliance determination to identify needs for technical assistance - Tier 1/No plan required - all LEAs who earn a selection score of 2,3, or 4 Tier 1/ Plan required - all LEAs with a first year of selection score of 1 Tier 2 - all LEAs with two consecutive years of selection score of 1 (compliance determination of needs assistance for two years) Tier 3 - all districts who have previously implemented a Tier 2 plan and continue to receive a selection score of 1 (compliance determination of needs assistance for more than 2 years)</td>
<td>SED Director, Associate Director, AES Administrator</td>
<td>Spring/Summer 2016</td>
<td></td>
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<tr>
<td>Subject</td>
<td>Activity</td>
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</tbody>
</table>
| 104     | Prepare notices for LEAs | Prepare notices for all LEAs  
Tier 1/No plan required - Identify availability of technical assistance resources available through the CDE website and from CDE/SED contractors  
Tier 1/ Plan required - Identify requirement to submit an improvement plan to the SED/CDE and provide instructions for preparing and submitting plan (aligned to existing Performance Indicator Review process)  
Tier 2 - Identify requirement to secure technical assistance and identify special grant conditions per 34 CFR 300.600 for LEAs with 2 consecutive years of needs assistance compliance determination. Provide instructions for conducting an assessment of compliance issues and evidence based practices related to the SIMR. Provide instructions for submitting a plan and for submission of ongoing evaluation data. Identify resources available through the CDE website. Identify resources available from SED/CDE contractors  
Tier 3 - Identify requirement to secure technical assistance and identify special grant conditions per 34 CFR 300.600 for LEAs with 2 or more consecutive years of needs assistance compliance determination. Provide instructions for participating in a CDE-led assessment of compliance issues and evidence based practices related to the SIMR. Provide instructions for implementing the resultant corrective action and improvement plans and for submission of ongoing evaluation data. Identify resources available through the CDE website. Identify resources available from SED/CDE contractors. | Associate Director, Quality Assurance Admin II | Summer/Fall 2016 |
<p>| 105     | Provide Tier 1 resources to all LEAs | Verify availability of evidence based practices on CDE and CDE/SED contractor websites | PPS Administrator | Spring - Fall 2016 |
| 106     | Repair any broken links | Verify availability of evidence based practices on CDE and CDE/SED contractor websites | PPS Administrator | Spring - Fall 2016 |
| 107     | Remove outdated resources | Verify availability of evidence based practices on CDE and CDE/SED contractor websites | PPS Administrator | Spring - Fall 2016 |
| 108     | Conduct annual validation of staffing | Verify availability of evidence based practices on CDE and CDE/SED contractor websites | PPS Administrator | Spring - Fall 2016 |
| 109     | Conduct annual validation of expert consultants and exemplary programs | Verify availability of evidence based practices on CDE and CDE/SED contractor websites | PPS Administrator | Spring - Fall 2016 |
| 110     | Conduct annual validation of help desk protocols | Verify availability of evidence based practices on CDE and CDE/SED contractor websites | PPS Administrator | Spring - Fall 2016 |
| 111     | Verify self assessment tools | Verify availability of evidence based practices on CDE and CDE/SED contractor websites | PPS Administrator | Spring - Fall 2016 |
| 112     | Verify Communities of Practice | Verify availability of evidence based practices on CDE and CDE/SED contractor websites | PPS Administrator | Spring - Fall 2016 |
| 113     | Verify annual webinar schedule | Verify availability of evidence based practices on CDE and CDE/SED contractor websites | PPS Administrator | Spring - Fall 2016 |
| 114     | Update descriptive materials regarding CDE and CDE/SED resources | Verify availability of evidence based practices on CDE and CDE/SED contractor websites | PPS Administrator | Spring - Fall 2016 |</p>
<table>
<thead>
<tr>
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<th>Person/ Division Responsible</th>
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<tbody>
<tr>
<td>115</td>
<td>Prepare and send resources to all Tier 1, 2, and 3 LEAs</td>
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<tr>
<td>116</td>
<td>Provide specialized supports to Tier 1/Plan required LEAs</td>
<td>Update CDE resources</td>
<td>Conduct training with Focused Monitoring and Technical Assistance (FMTA) Unit staff and CDE/SED contractors regarding data calculation, selection, procedures and evaluation criteria for Tier 1 plans.</td>
<td>Associate Director, Quality Assurance Admin II</td>
</tr>
<tr>
<td>117</td>
<td>Conduct training with Focused Monitoring and Technical Assistance (FMTA) Unit staff and CDE/SED contractors regarding data calculation, selection, procedures and evaluation criteria for Tier 1 plans.</td>
<td>Meet with Monitoring workgroup to review requirements and to plan dissemination</td>
<td></td>
<td>Associate Director, Quality Assurance Admin II</td>
</tr>
<tr>
<td>118</td>
<td>Update materials posted on the CDE/SED website</td>
<td></td>
<td></td>
<td>Associate Director, Quality Assurance Admin II</td>
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<tr>
<td>119</td>
<td>Verify TA contacts in SED for data and for plan submission/evaluation</td>
<td></td>
<td></td>
<td>Associate Director, Quality Assurance Admin II</td>
</tr>
<tr>
<td>120</td>
<td>Prepare site and format for documenting questions from LEAs and answers provided</td>
<td></td>
<td></td>
<td>Associate Director, Quality Assurance Admin II</td>
</tr>
<tr>
<td>121</td>
<td>Review the Tier 1/Performance Indicator Review (PIR) process with SELPAs and LEAs</td>
<td></td>
<td></td>
<td>Associate Director, Quality Assurance Admin II</td>
</tr>
<tr>
<td>122</td>
<td>Conduct training at SELPA meeting</td>
<td></td>
<td></td>
<td>Associate Director, Quality Assurance Admin II</td>
</tr>
<tr>
<td>123</td>
<td>Conduct statewide webinar</td>
<td></td>
<td></td>
<td>Associate Director, Quality Assurance Admin II</td>
</tr>
<tr>
<td>124</td>
<td>Disseminate notices to Tier 1/Plan required LEAs</td>
<td>Provide letters and lists to Focused Monitoring and Technical Assistance unit managers and staff</td>
<td></td>
<td>Associate Director, Quality Assurance Admin II</td>
</tr>
<tr>
<td>125</td>
<td>Provide copies of letters and lists to CDE/SED contractors</td>
<td></td>
<td></td>
<td>Associate Director, PPS Unit Administrator</td>
</tr>
<tr>
<td>126</td>
<td>Answer questions and provide technical assistance regarding plan requirements</td>
<td>Document questions and record responses</td>
<td></td>
<td>FMTA Units</td>
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<tr>
<td>127</td>
<td>Provide clarification by phone and in writing as appropriate</td>
<td></td>
<td></td>
<td>FMTA Units</td>
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<tr>
<td>128</td>
<td>Refer to CDE/SED contractors as appropriate</td>
<td></td>
<td></td>
<td>FMTA Units</td>
</tr>
<tr>
<td>129</td>
<td>Receive, review and approve plan submissions</td>
<td></td>
<td></td>
<td>FMTA Units</td>
</tr>
<tr>
<td>130</td>
<td>Record submissions</td>
<td></td>
<td></td>
<td>FMTA Units</td>
</tr>
<tr>
<td>131</td>
<td>Document needs for technical assistance from CDE/SED staff and contractors that are embedded in the plan.</td>
<td></td>
<td></td>
<td>FMTA Units</td>
</tr>
<tr>
<td>132</td>
<td>Provide evaluation feedback to LEA - secure additional information as required to meeting plan requirements</td>
<td></td>
<td></td>
<td>FMTA Units</td>
</tr>
<tr>
<td>133</td>
<td>Review plan and evaluation with unit manager</td>
<td></td>
<td></td>
<td>FMTA Units</td>
</tr>
<tr>
<td>134</td>
<td>Prepare successful submission letter that confirms plans for provision of assistance by CDE/SED staff and consultants.</td>
<td></td>
<td></td>
<td>FMTA Units</td>
</tr>
<tr>
<td>Subject</td>
<td>Activity</td>
<td>Implementation Steps</td>
<td>Person/ Division Responsible</td>
<td>Proposed Completion Dates</td>
</tr>
<tr>
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</tr>
<tr>
<td>138</td>
<td>Provide technical assistance as planned in successful submission letter</td>
<td>Verify continued need and content in advance of the planned date.</td>
<td>FMTA Units</td>
<td>Fall - Winter 2017</td>
</tr>
<tr>
<td>139</td>
<td>Provide assistance; gather evaluations as appropriate for group events</td>
<td></td>
<td>FMTA Units</td>
<td>Fall - Winter 2017</td>
</tr>
<tr>
<td>140</td>
<td>Conduct follow-up calls to solicit evaluation information.</td>
<td></td>
<td>FMTA Units</td>
<td>Winter - Spring 2017</td>
</tr>
<tr>
<td>141</td>
<td>Provide Tier 2 supports to LEAs</td>
<td>Update Tier 2 resources</td>
<td>FMTA Units</td>
<td>Summer - Fall 2018</td>
</tr>
<tr>
<td>142</td>
<td>Verify availability and schedule of Community of Practice</td>
<td></td>
<td>FMTA Units</td>
<td>Summer - Fall 2018</td>
</tr>
<tr>
<td>143</td>
<td>Verify expert consultants are available to facilitate Tier 2 evaluation and planning processes</td>
<td></td>
<td>FMTA Units</td>
<td>Summer - Fall 2018</td>
</tr>
<tr>
<td>144</td>
<td>Review the Tier 2 process</td>
<td>Meet with Monitoring workgroup to review processes and requirements; responsibilities for technical assistance and special conditions</td>
<td>Associate Director, Quality Assurance Admin II</td>
<td>Fall - Winter 2018</td>
</tr>
<tr>
<td>145</td>
<td>Conduct training at SELPA meeting</td>
<td></td>
<td>Associate Director, Quality Assurance Admin II</td>
<td>Fall - Winter 2018</td>
</tr>
<tr>
<td>146</td>
<td>Conduct statewide webinar for Tier 2 LEAs</td>
<td></td>
<td>Associate Director, Quality Assurance Admin II</td>
<td>Fall - Winter 2018</td>
</tr>
<tr>
<td>147</td>
<td>Disseminate notices to Tier 2 LEAs</td>
<td>Provide letters and lists to Focused Monitoring and Technical Assistance unit managers and staff</td>
<td>Associate Director, Quality Assurance Admin II</td>
<td>Winter 2018</td>
</tr>
<tr>
<td>148</td>
<td>Provide copies of letters and lists to CDE/SED contractors</td>
<td></td>
<td>Associate Director, Quality Assurance Admin II</td>
<td>Winter 2018</td>
</tr>
<tr>
<td>149</td>
<td>Answer questions and provide technical assistance regarding Tier 2 plan requirements</td>
<td></td>
<td>FMTA Units</td>
<td>Winter 2018</td>
</tr>
<tr>
<td>150</td>
<td>Document questions and record responses</td>
<td></td>
<td>FMTA Units</td>
<td>Winter 2018</td>
</tr>
<tr>
<td>151</td>
<td>Provide clarification by phone and in writing as appropriate</td>
<td></td>
<td>FMTA Units</td>
<td>Winter 2018</td>
</tr>
<tr>
<td>152</td>
<td>Coordinate responses with CDE/SED contractors whenever possible.</td>
<td></td>
<td>FMTA Units</td>
<td>Winter 2018</td>
</tr>
<tr>
<td>153</td>
<td>Link LEAs to CDE/SED contractors for assistance in conducting Tier 2 evaluation</td>
<td>Identify contact person in the LEA</td>
<td>FMTA Units</td>
<td>Winter 2018</td>
</tr>
<tr>
<td>154</td>
<td>Make a joint call to the LEA contact with the appropriate CDE/SED contractor to identify the support resources available, the pool of expert facilitators, and the Community of Practice that includes other districts engaged in the same planning process</td>
<td></td>
<td>FMTA Units</td>
<td>Winter 2018</td>
</tr>
<tr>
<td>155</td>
<td>Receive, review and approve plans to conduct Tier 2 evaluation and improvement planning.</td>
<td>Track plan submissions - contact LEAs in advance of due dates to verify progress</td>
<td>FMTA Units</td>
<td>Winter - Spring 2019</td>
</tr>
<tr>
<td>156</td>
<td></td>
<td>Record submissions</td>
<td>FMTA Units</td>
<td>Winter - Spring 2019</td>
</tr>
<tr>
<td>Subject</td>
<td>Activity</td>
<td>Implementation Steps</td>
<td>Person/ Division Responsible</td>
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</tr>
<tr>
<td>157</td>
<td>Conduct plan evaluation using CDE/SED protocol ensuring that the plan includes: Internal facilitator contracted to facilitate the evaluation and plan development Names and roles of participating staff, parents and experts representing general education, special education, English learners, foster youth and FRPM Methods and items for evaluating related compliance items Methods and data that will be used to assess root cause issues. Tools that will be used to evaluate implementation of evidence based practices. Major activities and timelines.</td>
<td>FMTA Units</td>
<td>Winter - Spring 2019</td>
<td></td>
</tr>
<tr>
<td>158</td>
<td>Provide evaluation feedback to LEA - secure additional information as required to meeting planning requirements</td>
<td>FMTA Units</td>
<td>Winter - Spring 2019</td>
<td></td>
</tr>
<tr>
<td>159</td>
<td>Review plan with unit manager</td>
<td>FMTA Units</td>
<td>Winter - Spring 2019</td>
<td></td>
</tr>
<tr>
<td>160</td>
<td>Prepare successful submission letter that confirms that the plan meets CDE/SED requirements for a Tier 2 evaluation.</td>
<td>FMTA Units</td>
<td>Spring - Summer 2019</td>
<td></td>
</tr>
<tr>
<td>161</td>
<td>Provide technical assistance as needed to assist LEA to complete Tier 2 evaluation</td>
<td>FMTA Units</td>
<td>Summer - Fall 2019</td>
<td></td>
</tr>
<tr>
<td>162</td>
<td>Note any changes to the evaluation plan</td>
<td>FMTA Units</td>
<td>Summer - Fall 2019</td>
<td></td>
</tr>
<tr>
<td>163</td>
<td>Arrange or provide assistance as agreed</td>
<td>FMTA Units</td>
<td>Summer - Fall 2019</td>
<td></td>
</tr>
<tr>
<td>164</td>
<td>Receive, review and approve initial LEA report of Tier 2 evaluation and improvement planning</td>
<td>Review Tier 2 evaluation using CDE/SED protocol ensuring that the LEA implemented the evaluation plan as approved or modified (in agreement with CDE/SED). Validate that LEA: Contracted for an External facilitator to facilitate the evaluation and plan development Included staff, parents and experts representing general education, special education, English learners, foster youth and FRPM Evaluated compliance items using the methods in the plan Assessed root cause issues using the data and methods in the plan Evaluated implementation of evidence based practices.</td>
<td>FMTA Units</td>
<td>Summer - Fall 2019</td>
</tr>
<tr>
<td>165</td>
<td>Review the results of the evaluation to identify corrective actions that are required due to findings of noncompliance</td>
<td>FMTA Units</td>
<td>Summer - Fall 2019</td>
<td></td>
</tr>
<tr>
<td>166</td>
<td>Review the improvement plan to determine its relationship to the root cause issues identified and the extent to which it relies on the components of implementation science.</td>
<td>FMTA Units</td>
<td>Summer - Fall 2019</td>
<td></td>
</tr>
<tr>
<td>Subject</td>
<td>Activity</td>
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</tr>
<tr>
<td>167</td>
<td>Review the improvement plan to verify the collection, use and reporting of evaluation information to the CDE using CDE issued self evaluation report formats.</td>
<td>FMTA Units</td>
<td>Fall - Winter 2019</td>
<td></td>
</tr>
<tr>
<td>168</td>
<td>Provide feedback to LEA regarding the need for more information - secure additional information as needed to meet compliance or improvement plan requirements</td>
<td>FMTA Units</td>
<td>Fall - Winter 2019</td>
<td></td>
</tr>
<tr>
<td>169</td>
<td>Review plan with unit manager</td>
<td>FMTA Units</td>
<td>Fall - Winter 2019</td>
<td></td>
</tr>
<tr>
<td>170</td>
<td>Prepare successful submission letter that confirms that the plan meets CDE/SED requirements for a Tier 2 evaluation.</td>
<td>FMTA Units</td>
<td>Winter - Spring 2019</td>
<td></td>
</tr>
<tr>
<td>171</td>
<td>Receive, review and approve periodic LEA self-evaluation reports</td>
<td>FMTA Units</td>
<td>Winter - Spring 2019</td>
<td></td>
</tr>
<tr>
<td>172</td>
<td>Contact LEA to remind them of deadlines for self evaluation reports.</td>
<td>FMTA Units</td>
<td>Winter - Spring 2019</td>
<td></td>
</tr>
<tr>
<td>173</td>
<td>Review self evaluation reports for clarity and completeness</td>
<td>FMTA Units</td>
<td>Summer 2019</td>
<td></td>
</tr>
<tr>
<td>174</td>
<td>Follow up on correction of noncompliance</td>
<td>Review LEA evidence that they have corrected noncompliance for identified students</td>
<td>FMTA Units</td>
<td>Summer 2019</td>
</tr>
<tr>
<td>175</td>
<td>Conduct a subsequent review of student records to ensure noncompliance is corrected in a new sample of students at the 100% level per OSEP requirements</td>
<td>FMTA Units</td>
<td>Summer 2019</td>
<td></td>
</tr>
<tr>
<td>176</td>
<td>Provide Tier 3 supports to LEAs</td>
<td>Update Tier 3 resources Identify CDE/SED staff available to lead a Tier 3 review</td>
<td>FMTA Units</td>
<td>Fall - Winter 2019</td>
</tr>
<tr>
<td>177</td>
<td>Verify capability in CDE/SED contractors</td>
<td>FMTA Units</td>
<td>Fall - Winter 2019</td>
<td></td>
</tr>
<tr>
<td>178</td>
<td>Verify availability and schedule of Community of Practice</td>
<td>FMTA Units</td>
<td>Fall - Winter 2019</td>
<td></td>
</tr>
<tr>
<td>179</td>
<td>Verify expert consultants are available to participate in Tier 3 evaluation and planning processes</td>
<td>FMTA Units</td>
<td>Fall - Winter 2019</td>
<td></td>
</tr>
<tr>
<td>180</td>
<td>Review the Tier 3 process Meet with Monitoring workgroup to review processes and requirements; responsibilities for technical assistance and special conditions</td>
<td>Associate Director, Quality Assurance Admin II</td>
<td>Fall - Winter 2019</td>
<td></td>
</tr>
<tr>
<td>181</td>
<td>Conduct training at SELPA meeting</td>
<td>Associate Director, Quality Assurance Admin II</td>
<td>Fall - Winter 2019</td>
<td></td>
</tr>
<tr>
<td>182</td>
<td>Conduct statewide webinar for Tier 3 LEAs</td>
<td>Associate Director, Quality Assurance Admin II</td>
<td>Fall - Winter 2019</td>
<td></td>
</tr>
<tr>
<td>183</td>
<td>Disseminate notices to Tier 3 LEAs</td>
<td>Provide letters and lists to Focused Monitoring and Technical Assistance unit managers and staff</td>
<td>Associate Director, Quality Assurance Admin II</td>
<td>Fall - Winter 2019</td>
</tr>
<tr>
<td>184</td>
<td>Provide copies of letters and lists to CDE/SED contractors</td>
<td>Associate Director, Quality Assurance Admin II</td>
<td>Fall - Winter 2019</td>
<td></td>
</tr>
<tr>
<td>185</td>
<td>Contact LEA to arrange Tier 3 review</td>
<td>Review the identification process and the data that was used to identify the LEA</td>
<td>FMTA Units</td>
<td>Winter - Spring 2020</td>
</tr>
<tr>
<td>186</td>
<td>Identify the role of the CDE/SED and the requirements for district participation</td>
<td>FMTA Units</td>
<td>Winter - Spring 2020</td>
<td></td>
</tr>
<tr>
<td>Subject</td>
<td>Activity</td>
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<td>Proposed Completion Dates</td>
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</tr>
<tr>
<td>187</td>
<td>Identify a schedule that includes an initial review of compliance and evidence based practices and a schedule of improvement planning meetings to be held once the initial Tier 3 evaluation is completed.</td>
<td></td>
<td>FMTA Units</td>
<td>Winter - Spring 2020</td>
</tr>
<tr>
<td>188</td>
<td>Answer questions and provide technical assistance regarding Tier 3 plan requirements</td>
<td></td>
<td>FMTA Units</td>
<td>Winter - Spring 2020</td>
</tr>
<tr>
<td>189</td>
<td>Document questions and record responses</td>
<td></td>
<td>FMTA Units</td>
<td>Winter - Spring 2020</td>
</tr>
<tr>
<td>190</td>
<td>Provide clarification by phone and in writing as appropriate</td>
<td></td>
<td>FMTA Units</td>
<td>Winter - Spring 2020</td>
</tr>
<tr>
<td>191</td>
<td>Coordinate responses with CDE/SED contractors whenever possible.</td>
<td></td>
<td>FMTA Units</td>
<td>Winter - Spring 2020</td>
</tr>
<tr>
<td>192</td>
<td>Record submissions</td>
<td></td>
<td>FMTA Units</td>
<td>Winter - Spring 2020</td>
</tr>
<tr>
<td>193</td>
<td>Assemble collaborative team to conduct Tier 3 review</td>
<td>Assemble outside staff and experts to assist in the review, including staff of the CDE/SED, SELPA/LEA staff, content experts</td>
<td>FMTA Units</td>
<td>Spring - Summer 2020</td>
</tr>
<tr>
<td>194</td>
<td>Identify other participants from within the district including parents, staff and experts representing general education, special education, English learners, foster youth and FRPM</td>
<td></td>
<td>FMTA Units</td>
<td>Spring - Summer 2020</td>
</tr>
<tr>
<td>195</td>
<td>Orient staff to the purpose of the review, the processes that will be used and the roles of each of the participants.</td>
<td></td>
<td>LEAs, FMTA Units</td>
<td>Spring - Summer 2020</td>
</tr>
<tr>
<td>196</td>
<td>Conduct meetings with the LEA to develop means for conducting the Tier 3 evaluation.</td>
<td>Identify each of the following: External facilitator contracted to facilitate the evaluation and plan development Names and roles of participating staff, parents and experts representing general education, special education, English learners, foster youth and FRPM Methods and items for evaluating related compliance items Methods and data that will be used to assess root cause issues. Tools that will be used to evaluate implementation of evidence based practices. Major activities and timelines.</td>
<td>LEAs, FMTA Units</td>
<td>Spring - Summer 2020</td>
</tr>
<tr>
<td>197</td>
<td>Conduct Tier 3 review and prepare and review compliance and improvement plans</td>
<td>Review the results of the evaluation to identify corrective actions that are required due to findings of noncompliance</td>
<td>LEAs, FMTA Units</td>
<td>Summer - Fall 2020</td>
</tr>
<tr>
<td>198</td>
<td>Identify root cause issues and identify major activities to address them</td>
<td></td>
<td>LEAs, FMTA Units</td>
<td>Summer - Fall 2020</td>
</tr>
<tr>
<td>Subject</td>
<td>Activity</td>
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<td>Person/ Division Responsible</td>
<td>Proposed Completion Dates</td>
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<tr>
<td>199</td>
<td>Prepare an improvement plan based on implementation science that identifies: Evidence based practices that will be implemented to address the root causes Sites that will be selected for implementation and key groups that will be convened to implement, review and adjust plans at the school and district level Specific training and other preparation that will take place to prepare for implementation Other, ongoing supports (e.g., coaching) that will be provided to ensure the fidelity of implementing the practices selected Data that will be collected and used to evaluate the results being achieved and the needs to adjust the implementation process Methods that will be used to prepare and submit evaluation data to the CDE on a twice a year basis.</td>
<td>LEAs, FMTA Units</td>
<td>Summer - Fall 2020</td>
<td></td>
</tr>
<tr>
<td>200</td>
<td>Prepare a summary report and plan for review by the district board and submission to the CDE</td>
<td>Submit LEA board-approved plan to the CDE</td>
<td>LEAs, FMTA Units</td>
<td>Fall - Winter 2020</td>
</tr>
<tr>
<td>201</td>
<td>Prepare successful submission letter that confirms that the plan meets CDE/SED requirements for a Tier 3 evaluation.</td>
<td>FMTA Units</td>
<td>Fall - Winter 2020</td>
<td></td>
</tr>
<tr>
<td>202</td>
<td>Receive, review and approve periodic self evaluation reports</td>
<td>Contact LEA and contracted facilitator at key phases in their Tier 3 implementation to assess their progress, ascertain any changes to their plan, and to offer assistance.</td>
<td>FMTA Units</td>
<td>Fall - Winter 2020</td>
</tr>
<tr>
<td>203</td>
<td>Contact LEA to remind them of deadlines for self evaluation reports.</td>
<td>FMTA Units</td>
<td>Fall - Winter 2020</td>
<td></td>
</tr>
<tr>
<td>204</td>
<td>Review self evaluation reports for clarity and completeness.</td>
<td>FMTA Units</td>
<td>Fall - Winter 2020</td>
<td></td>
</tr>
</tbody>
</table>

3. Evaluation

<table>
<thead>
<tr>
<th>Subject</th>
<th>Activity</th>
<th>Implementation Steps</th>
<th>Person/ Division Responsible</th>
<th>Proposed Completion Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>205</td>
<td>Select an external evaluation contractor</td>
<td>Develop a scope of work that identifies the purposes of the evaluation, the key evaluation questions, data collection methods and instrumentation, specifications for data analysis, reports and timelines.</td>
<td>PPS Administrator, AES Administrator</td>
<td>Winter 2015</td>
</tr>
<tr>
<td>206</td>
<td>Identify potential contractors</td>
<td>PPS Administrator, AES Administrator</td>
<td>Winter 2015</td>
<td></td>
</tr>
<tr>
<td>207</td>
<td>Secure and evaluate bids</td>
<td>PPS Administrator, AES Administrator</td>
<td>Winter 2015</td>
<td></td>
</tr>
<tr>
<td>208</td>
<td>Select contractor</td>
<td>PPS Administrator, AES Administrator</td>
<td>Spring 2016</td>
<td></td>
</tr>
<tr>
<td>Subject</td>
<td>Activity</td>
<td>Implementation Steps</td>
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<tr>
<td>210</td>
<td>Meet with contractor to review and refine evaluation questions</td>
<td>Discuss and evaluate the following evaluation questions. Did the CDE and its contractors complete planned activities in a timely manner? To what extent did LEAs consume technical assistance and supports? To what extent did the LEA consumers find the technical assistance resources valuable? To what extent did SSIP implementation (e.g., increased incorporation of SWDs in LCAPs, provision of data that highlighted performance of SWDs in the target population, consumption of Tier 1, 2 or 3 resources) have positive impacts on SIMR improvement? Did the CDE collect and evaluate information related to relevant sections of the SSIP Theory of Action? Did the CDE collaborate with stakeholders to implement a continuous improvement process for the SSIP?</td>
<td>PPS Administrator, AES Administrator</td>
<td>Spring 2016</td>
</tr>
<tr>
<td>211</td>
<td>Meet with contractor to review and refine methods for data collection and instrumentation</td>
<td>Clarify the methods that will be used to collect data and the specific instruments and data recording systems that will be used for the evaluation</td>
<td>PPS Administrator, AES Administrator</td>
<td>Spring 2016</td>
</tr>
<tr>
<td>212</td>
<td>Meet with contractor to review and refine data analysis</td>
<td>Methods for collecting and analyzing information about completing SSIP activities Methods for measuring and analyzing use of SSIP data and technical assistance resources Methods for measuring the analyzing the LEAs evaluation of effectiveness of SSIP resources and supports Methods for measuring and analyzing impact SSIP activities on the SIMR for individual LEAs and for the state as a whole</td>
<td>PPS Administrator, AES Administrator</td>
<td>Spring 2016</td>
</tr>
<tr>
<td>213</td>
<td>Meet with the contractor to clarify responsibilities and timelines for preparing quarterly and annual reports</td>
<td>Prepare quarterly reports related to SSIP accomplishments, resource use by LEAs, and LEA evaluation of SSIP resources</td>
<td>PPS Administrator, AES Administrator</td>
<td>Spring 2016</td>
</tr>
<tr>
<td>214</td>
<td></td>
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<tr>
<td>215</td>
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</tr>
<tr>
<td>216</td>
<td>Meet with the contractor to review responsibilities for working with the CDE and its SSIP contractors to develop data collection instruments and to collect data</td>
<td>Plan for quarterly meetings to develop and refine instruments and data collection and to collectively analyze the results of data collection activities.</td>
<td>PPS Administrator, AES Administrator</td>
<td>Spring 2016</td>
</tr>
<tr>
<td>Subject</td>
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<tr>
<td>217</td>
<td>Meet with contractor to review responsibilities for preparing reports for use by the SSIP stakeholder group, meeting with stakeholders and capturing stakeholder recommendations.</td>
<td>Meet with the CDE to plan biannual meetings, prepare data summaries, present information, and record meeting proceedings.</td>
<td>PPS Administrator, AES Administrator</td>
<td>Spring 2016</td>
</tr>
<tr>
<td>218</td>
<td>Develop Evaluation Instruments Evaluation of CA's SSIP Implementation</td>
<td>Develop implementation timeline to measure SED's progress Identify specific steps required to effectively implement California's SSIP including dates by which they are to be accomplished (refer to all activities in this table).</td>
<td>SED Director</td>
<td>Fall - Winter 2015</td>
</tr>
<tr>
<td>219</td>
<td>Establish specific dates for completion of each step in California's implementation of its SSIP, and include them in a comprehensive timeline of California SSIP implementation</td>
<td></td>
<td>SED Director</td>
<td>November 2015 - February 2016</td>
</tr>
<tr>
<td>220</td>
<td>Develop reporting information from SED contractors concerning the level of consumption of contractor products among LEAs</td>
<td>Initiate quarterly evaluation meetings with contractors. Identify information to be reported by all SED contractors regarding LEA consumption of contractor resources</td>
<td>SED Director, PPS Administrator</td>
<td>Quarterly starting Spring 2016</td>
</tr>
<tr>
<td>221</td>
<td>Develop a process for all SED contractors to report information regarding LEA consumption of contractor resources</td>
<td></td>
<td>SED Director, AES Administrator</td>
<td>Spring - Fall 2016</td>
</tr>
<tr>
<td>222</td>
<td>Develop means for receiving and compiling information provided by contractors regarding LEA consumption of contractor resources</td>
<td></td>
<td>SED Director, AES Administrator</td>
<td>Spring - Fall 2016</td>
</tr>
<tr>
<td>223</td>
<td>Develop survey information from all resource consumers</td>
<td>Consult with the SSIP Work Group to identify the type of information needed from consumers of contractor resources to determine the efficacy and relative effectiveness of those resources to support LEAs in meeting local improvement goals and improving results on California's SIMR</td>
<td>SED Director</td>
<td>Spring - Fall 2016 (Ongoing)</td>
</tr>
<tr>
<td>224</td>
<td>Develop a survey instrument to be used by all SED contractors with consumers of contractor resources that will provide the information needed to determine the efficacy and relative effectiveness of contractor resources in providing support to LEAs in their improvement. Explore using an automatic e-mail to LEA participants requesting that they complete an online survey</td>
<td></td>
<td>SED Director, AES Administrator</td>
<td>Spring - Fall 2016</td>
</tr>
<tr>
<td>225</td>
<td>Calculate SIMRs for each LEA and the state as a whole Assign staff of the SED's Assessment, Evaluation, and Support Unit (AES) to process annual statewide assessment results as needed to calculate California's SIMR annually</td>
<td></td>
<td>SED Director, AES Administrator</td>
<td>Fall 2016 (Ongoing)</td>
</tr>
<tr>
<td>226</td>
<td>Annually calculate California’s SIMR, and provide California’s SIMR results from prior years (as available) and calculate year-to-year changes and longitudinal trends in SIMR results</td>
<td></td>
<td>SED Director, AES Administrator</td>
<td>October - November 2016 (Ongoing)</td>
</tr>
<tr>
<td>227</td>
<td>Collect and analyze data</td>
<td>Review the California SSIP implementation timeline at least monthly to monitor the state’s progress in implementation to ensure that all milestones in the timeline are met</td>
<td>PPS Administrator, Evaluation Contractor</td>
<td>Beginning March 2016 (Ongoing)</td>
</tr>
<tr>
<td>Subject</td>
<td>Activity</td>
<td>Implementation Steps</td>
<td>Person/ Division Responsible</td>
<td>Proposed Completion Dates</td>
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<tr>
<td>228</td>
<td>Contact key staff and stakeholders to obtain information about activities completed, barriers encountered, outcomes achieved, and next steps planned. Compare to planned activities.</td>
<td>PPS Administrator, Evaluation Contractor</td>
<td>Beginning March 2016, ongoing</td>
<td></td>
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<tr>
<td>229</td>
<td>Secure usage information from contractors including metadata related to online hits to website materials.</td>
<td>PPS Administrator, Evaluation Contractor</td>
<td>Beginning March 2016, ongoing</td>
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<tr>
<td>230</td>
<td>Secure survey information. Prepare summary statistics about usage and survey information.</td>
<td>PPS Administrator, Evaluation Contractor</td>
<td>Beginning March 2016, ongoing</td>
<td></td>
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<tr>
<td>231</td>
<td>Secure appropriate CASEMIS, CALPADS and Assessment data to prepare SIMR and other information. Conduct analysis of services consumed and their relationship to changes in the SIMR</td>
<td>AES Administrator, Evaluation Contractor</td>
<td>Beginning March 2016, ongoing</td>
<td></td>
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<tr>
<td>232</td>
<td>Prepare quarterly reports related to SSIP accomplishments, resource use by LEAs, and LEA evaluation of SSIP resources</td>
<td>AES Administrator, Evaluation Contractor</td>
<td>Beginning March 2016 (Ongoing)</td>
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<tr>
<td>233</td>
<td>Prepare biannual reports analyzing the impact of SSIP activities and progress on the SIMR for use in meetings with CDE and stakeholder groups.</td>
<td>AES Administrator, Evaluation Contractor</td>
<td>Beginning March 2016 (Ongoing)</td>
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<tr>
<td>234</td>
<td>Prepare an annual report and recommendations for the CDE to consider for proposing modifications to the SIMRs and SSIP activities to the Superintendent, the SBE and the OSEP.</td>
<td>AES Administrator, Evaluation Contractor</td>
<td>Beginning March 2016 (Ongoing)</td>
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<tr>
<td>235</td>
<td>Expand Stakeholder group and work with stakeholder group to refine SSIP activities</td>
<td>SED Director, PPS Administrator, Evaluation Contractor</td>
<td>March to May 2016</td>
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<tr>
<td>236</td>
<td>Schedule and conduct biannual SSIP Stakeholder group meetings to discuss evaluation findings, review the adequacy of the current EBP-resource array, assess student performance on the SIMR, and recommend activities needed to refine the State's support to LEAs on SSIP implementation.</td>
<td>SED Director, PPS Administrator, Evaluation Contractor</td>
<td>June and December of 2016</td>
<td></td>
</tr>
<tr>
<td>237</td>
<td>Work with SED contractors to develop additional resources, services, or activities identified by the SSIP Work Group as needed by LEAs to support improved SWD academic performance</td>
<td>SED Director, PPS Administrator, Evaluation Contractor</td>
<td>June 2016, ongoing</td>
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<td>Legend</td>
<td>Acronym</td>
<td>Term</td>
<td>Description</td>
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<td>Administrator</td>
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<td>Analysis Measurement and Accountability Reporting Division</td>
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<td>California Special Education Management Information System</td>
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<td>California Collaborative on Educational Excellence</td>
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<td></td>
<td>CCSESA</td>
<td>California County Superintendents Educational Services Association</td>
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<td>California Department of Education</td>
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<td>Code of Federal Regulations</td>
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<td>EBP</td>
<td>Evidence Based Practice</td>
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<td>Focused Monitoring and Technical Assistance Unit</td>
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<td>State Identified Measurable Result</td>
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<td>Scope(s) of Work</td>
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<td>Student(s) With Disability(ies)</td>
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<td></td>
<td>WestEd</td>
<td>Contractor/consultant to the SBE developing the LCAP evaluation rubrics</td>
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State Systemic Improvement Plan Theory of Action

California's *Theory of Action* section is a graphic representation of how the various elements of California's state and local education structures coordinate to implement an effective system that supports high-quality instruction and support for students with disabilities (SWD), and provide the means to increase the state's capacity to achieve improved teaching and learning in California's schools.

The following acronyms are used in the Theory of Action graphic:

- “SWD” means students with disabilities
- “ELs” are English Learners
- “LEAs” are local educational agencies
- “RDA” is Results-driven Accountability, the new federal policy concerning special education
- “SIMR” is State Identified Measureable Result, the federal measure for special education progress
- “LRE” is Least Restrictive Environment, the federal requirement to serve students with disabilities in the most inclusive environment possible for meeting the student’s academic needs
- “MTSS” is Multi-tiered System of Supports, the concept of providing varying levels of service to meet the individual’s or organization’s support requirements
- “CA CCSS” is California Common Core State Standards
- “SEA” is State Education Agency

**California’s State Systemic Improvement Plan – Theory of Action**

**If California...**

- Reprioritizes state education resources and efforts to address high-needs students: SWD, ELs, foster youth, and socio-economically disadvantaged (Local Control Funding Formula [LCFF])
- Requires each LEA to establish a comprehensive improvement plan (Local Control Accountability Plan [LCAP])
- Implements its general supervision system, providing oversight and assistance to LEAs to ensure that SWD receive the education and services to which they are entitled

**Then the SEA will...**

- Provide base funding, plus supplemental funding for all high-needs students, and concentration grants for LEAs serving large numbers of high-needs students
- Develop instructions for LCAP and accountability structure to ensure plans include appropriate improvement activities and goals
- Facilitate use of federally funded support activities (Title 1, RDA) in state improvement activities
- Provide data (SIMR, etc.) to identify LEA improvement areas
- Create a tiered system supporting LEA improvement plans, including:
  - Identifying effective educational practices and resources for all LEAs
  - Providing expertise in LEA improvement plan execution
  - Identifying and intervening with direct support when goals are not met
Then each LEA will...

- Use enhanced resources to target factors impeding academic progress for all students, ensuring improved academic results of high-needs students
- Create LEA plans, as well as plans for SWD, with improvement efforts targeting high-needs students, establishing clear, aligned efforts to improve LEA performance
- Implement locally-developed improvement plans, using state resources as needed
  - LEAs meeting targets implement planned improvement activities
  - LEAs failing to meet targets use state expertise to reevaluate strategies and goals, producing effective plans to improve student academic performance
  - LEAs continually missing targets receive direct state intervention to revise improvement strategies and effectively implement plans to improve student performance

Process Outcomes

- LEAs optimize their use of resources by developing and implementing LEA improvement plans for SWD aligned with LEA LCAPs, resulting in improved student, school, LEA, and state academic performance
- Improvement activities and goals for SWD and their families focus on:
  - Improved access to effective instruction:
    - Placement (LRE, MTSS)
    - Enhanced instruction (CA CCSS)
    - More instructional time (reduced truancy, suspension, and expulsion)
  - Improved performance:
    - Increased achievement on statewide assessments

Student Outcomes

Through well-developed, aligned or integrated LEA improvement plans, implemented effectively, that include evidence-based strategies and goals targeted to improve SWD access to instruction and their academic performance, SWD will benefit from increased instructional opportunities and improved academic outcomes, as measured by their improved performance on statewide assessments.
California’s new accountability and continuous improvement system is being built on the foundations of the Local Control Funding Formula (LCFF). The new local, state, and federal accountability system will provide a more complete picture of what contributes to a positive educational experience for students by reporting performance on multiple measures across the LCFF priorities.

The State Board of Education (SBE) is required to develop an accountability tool, known as evaluation rubrics, that assists local educational agencies (LEAs) in identifying strengths, weaknesses, and areas in need of improvement across all LCFF priorities. The SBE adopted the evaluation rubrics, including the performance standards for all the local performance indicators and state indicators, at their September 2016 and January 2017 meetings.

This item includes an update on the development of the new accountability system, an overview of alternative schools in preparation for the development of indicators for alternative schools, and an update on the local indicators, specifically the work being undertaken by the School Conditions and Climate Work Group (SCCWG).

This item is the thirteenth in a series of regular updates on California’s progress towards transitioning to an integrated local, state, and federal accountability and continuous improvement system based on multiple measures, as defined by the LCFF. The purpose of this item is to present the SBE with an update on the rollout of the evaluation rubrics, also known as the California School Dashboard, including an update on the local indicators, and development of indicators for alternative schools.

**RECOMMENDATION**

There is no recommended action for this item.
BRIEF HISTORY OF KEY ISSUES

*Education Code (EC)* Section 52064.5 identifies three statutory purposes for the LCFF evaluation rubrics: to support LEAs in identifying strengths, weaknesses and areas for improvement; to assist in determining whether LEAs are eligible for technical assistance; and to assist the State Superintendent of Public Instruction in determining whether LEAs are eligible for more intensive state support/intervention.

In March 2017, the field test for the California School Dashboard will be released to the public. The Dashboard is a Web site with a series of easy-to-use reports showing how LEAs and schools are performing on the concise set of state and local indicators that the SBE included in the evaluation rubrics. In anticipation of this public release, the California Department of Education (CDE) and SBE hosted a series of Webinars throughout February 2017 to assist LEAs prepare for the release. An LEA preview of the Dashboard began in early February 2017, to assist LEAs with becoming familiar with the Dashboard, the state and local indicators, and the methodology for measuring performance.

Attachment 1 is an update on the California School Dashboard rollout. Staff will provide an orientation of the Dashboard at the March meeting.

Attachment 2 is an update related to the work of the state indicators for the 2017–18 school year and future years to inform action by the SBE in September 2017 for the fall 2017-18 Dashboard release in November.

Attachment 3 provides information about guest speakers, Dr. Jorge Ruiz de Velasco, Associate Director, John W. Gardner Center at Stanford University, Dr. Roger Rice, Deputy Superintendent, Student Services, Ventura County Office of Education, and Ms. Elsbeth Prigmore, Principal, Pioneer Continuation High School.

Attachment 4 is an update on the School Conditions and Climate Work Group. Staff and two guest presenters will provide a verbal update on their progress to date to the SBE at the March meeting.

Attachment 5 provides an updated draft timeline for the integrated, local, state, and federal accountability and continuous improvement system that includes a summary of outreach with stakeholders.

Attachment 6 contains *EC* sections referencing the LCFF.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In February 2017, the SBE received the following information memoranda:
• Updated Summary of SBE Actions Related to Adopting the LCFF Evaluation Rubrics
  (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-feb17item01v2.doc)

• Update on the LCFF Evaluation Rubrics Components: Statements of Model Practices
  (http://www.cde.ca.gov/be/pn/im/documents/memo-exe-jan17item02.doc)

In January 2017, the SBE approved the Academic Indicator, based on student test scores on English Language Arts/Literacy (ELA) and Mathematics for grades 3–8, that includes results from the second year of Smarter Balanced tests, and the definition of the EL student group for the Academic Indicator. Additionally, the SBE approved the self-reflection tools for local educational LEAs to determine progress on the local performance indicators for Implementation of State Academic Standards (Priority 2) and Parent Engagement (Priority 3).
(http://www.cde.ca.gov/be/ag/ag/yr17/documents/jan17item02.doc)

In January 2017, the SBE received the following information memoranda:

• Update on School Conditions and Climate Workgroup
  (http://www.cde.ca.gov/be/pn/im/documents/memo-exe-jan17item01.doc)

In December 2016, the SBE received the following information memoranda:

• Overview of Course Enrollment/Completion Data Collection
  (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-nov16item01.doc)

• Update on the Draft of the Local Performance Indicators: Implementation of State Academic Standards (Priority 2) and Parent Engagement (Priority 3)
  (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-dec16item01.doc)

• Summary of State Board of Education Actions Related to Adopting the Local Control Funding Formula Evaluation Rubrics
  (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-dec16item02.doc)

In November 2016, the SBE approved the proposed self-reflection tools for LEAs to determine progress on the local performance indicators for Basics (Priority 1), School Climate (Priority 6), Coordination of Services for Expelled Students (Priority 9), and Coordination of Services for Foster Youth (Priority 10). The SBE also clarified that LEAs must report the results of the local measurement of progress to their local governing boards at a regularly scheduled public meeting of the local governing board.
Additionally, the CDE withdrew a recommendation to adopt the performance standards for the academic indicator based on the percent of students who met or exceeded standards for English language arts and mathematics Smarter Balanced test results for grades three through eighth. The CDE agreed to present a revised recommendation using scale scores to measure schools progress at the January SBE 2017 meeting. (http://www.cde.ca.gov/be/ag/ag/yr16/documents/nov16item03.doc)

At the November 2016 meeting, the SBE also adopted the proposed Revised Local Control and Accountability Plan and Annual Update Template. (http://www.cde.ca.gov/be/ag/ag/yr16/documents/nov16item04.doc)

In October 2016, the SBE received the following information memoranda:


- An overview of the historical information on alternative school accountability and upcoming activities in the development of the new alternate accountability system (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-oct16item03.doc).


In September 2016, the SBE approved the performance standards for all local indicators and all but one of the state indicators, and the annual process for the SBE to review the rubrics to determine if updates or revisions are necessary. The SBE also directed CDE staff to: (1) develop recommended cut scores and performance categories for the ELA and mathematics assessments in grades three through eight, (2) further develop the statements of model practices, (3) continue the developmental work on the CCI (http://www.cde.ca.gov/be/ag/ag/yr16/documents/sep16item01.doc).

In September 2016, the SBE also received the following information memorandum:

- An update on the proposed revisions to the LCAP template and instructions (http://www.cde.ca.gov/be/pn/im/documents/memo-exec-lasso-sep16item01.doc)

In August 2016, the SBE received the following information memoranda:
• An update on developing the new accountability and continuous improvement system draft timeline (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-aug16item01.doc)

• A framework for supporting local educational agencies and schools (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-aug16item02.doc)

• An overview of the college/career indicator structure and proposed measures (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-aug16item01.doc)

• Proposed percentile cut scores for state indicators (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-aug16item02rev.doc)

In July 2016, the SBE approved a design for the LCFF evaluation rubrics that includes: a measure of college/career readiness; a methodology for establishing standards for the LCFF priorities that are not addressed by the state indicators; the inclusion of standard for the use of school climate surveys to support a broader assessment on school climate (Priority 6); the inclusion of an equity report; and directed staff to develop an updated timeline (http://www.cde.ca.gov/be/ag/ag/yr16/documents/jul16item02.doc).

In June 2016, the SBE received the following information memoranda:

• Update on possible student-growth models to communicate Smarter Balanced Results (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-jun16item01.doc)

• A summary of the decisions on accountability and continuous improvement that were approved at the May 2016 meeting (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-jun16item01.doc)

• Draft statements of model practices (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-jun16item02.doc)

• Process to identify options for school climate surveys and a composite measure of English learner proficiency (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-jun16item02.doc)

In May 2016, the SBE approved a design for the LCFF evaluation rubrics that includes: a set of state indicators; a methodology for calculating performance as a combination of status and change for the state indicators in order to differentiate performance at the LEA and school levels, and for student groups; a component that supports the use of local data; and concepts for a top-level display. The SBE also directed staff to prepare a recommendation for the July 2016 Board meeting for establishing standards for the LCFF priorities that are not addressed by the state indicators and options for
incorporating college and career readiness, local climate surveys, and an English
learner composite into the overall LCFF evaluation rubrics design
(http://www.cde.ca.gov/be/ag/ag/yr16/documents/may16item02revised.doc).

In April 2016, the SBE received the following information memoranda:

- A summary of the decisions on accountability and continuous improvement that
  were approved at the March 2016 meeting
  (http://www.cde.ca.gov/be/pn/im/documents/memo-amard-apr16item01.doc)

- Further analysis on potential key indicators
  (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-apr16item02.doc)

- Additional analysis on the graduation rate to inform the methodology to set
  standards for performance and expectations for improvement
  (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-apr16item04.doc)

- Results of Local Control and Accountability Plan Template Redesign Stakeholder
  Survey (http://www.cde.ca.gov/be/pn/im/documents/memo-exec-lasso-apr16item01.doc)

In March 2016, the SBE reviewed the proposed architecture of the single, coherent
accountability and continuous improvement system and options for developing a
concise set of state indicators for accountability and continuous improvement purposes.
The SBE took action to direct staff to proceed with further analysis and design work to
develop a complete draft of the LCFF evaluation rubrics prototype

In February 2016, the SBE received a series of information memoranda on the following
topics:

- Updated timeline that details the proposed transition to the new accountability
  and continuous improvement system

- Common terminology and definition of terms used to describe the proposed
  architecture for the new accountability and continuous improvement system

- Draft architecture that clarifies how the pieces of the emerging, integrated
  accountability system will fit together
  (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-feb16item03.doc).

- Further analysis on the graduation rate indicator to illustrate potential standards
• Options for key indicators that satisfy the requirements of the LCFF and ESSA (http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-feb16item05.doc).


• Review of college and career indicator (CCI) options (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-feb16item02.doc).

FISCAL ANALYSIS (AS APPROPRIATE)

The 2016–17 state budget includes $71.9 billion in the Proposition 98 Guarantee. This includes an increase of more than $2.9 billion to support the continued implementation of LCFF and builds upon the investment of more than $12.8 billion provided over the last three years. This increase brings the formula to 96 percent of full implementation.

ATTACHMENT(S)

Attachment 1: California School Dashboard Update (2 Pages)

Attachment 2: Update on State Indicator Development for 2017–18 (3 Pages)

Attachment 3: Alternative Schools Overview (2 Pages)

Attachment 4: Update on the School Conditions and Climate Work Group (7 Pages)

Attachment 5: Draft Timeline for the Integrated, Local, State, and Federal Accountability and Continuous Improvement System, Including Outreach with Stakeholders (10 Pages)

Attachment 6: California Education Code Sections 52064.5, 47607, 47607.3, 52071, 52071.5, 52072, 52072.5, 52060, 52066, 52064, and 52052 (18 Pages)
California School Dashboard Update

The California School Dashboard is a new Web site that shows how local educational agencies (LEAs) and schools are performing on the state and local indicators included in California’s new school accountability system.

California is currently field-testing the Dashboard to gather feedback before California’s accountability and continuous improvement system for LEAs is fully operational in 2017–18. This Attachment highlights some activities to support the public rollout of the Dashboard’s field test in March 2017.

Webinars

On February 10, 2017, the Dashboard preview opened for LEAs. To assist LEAs in understanding the Dashboard features, an Orientation Webinar (http://www.cde.ca.gov/ta/ac/cm/documents/dashboardorientation.pdf) was developed and offered on six separate occasions from February 2 to 7, 2017. Approximately 1300 people participated across the six Webinars.

Beginning on February 8, 2017, the California Department of Education (CDE) also hosted a five-part In-depth Webinar Series, which averaged 500 participants per Webinar, and reviewed the following aspects of the Dashboard:

1. Overview of the Dashboard and Impact on LCAP Development
2. Academic Indicator
3. English Learner Progress Indicator and Suspension Rate Indicator
4. Graduation Rate and College/Career Indicator
5. Local Performance Indicators and Chronic Absenteeism, and the statements of model practices and local indicators

The slides for these Webinars are being prepared for posting to the CDE California Accountability Model & School Dashboard Web page http://www.cde.ca.gov/dashboard. (Select the Resources tab.)

Communications Toolkit

A communications toolkit is available to support communications with local stakeholders about the Dashboard. The communications toolkit includes: core messages, key points, a sample Web site blurb, a sample letter to stakeholders, and a sample PowerPoint presentation. Additional resources, such as translations of select materials, a one-page summary of the Dashboard and new accountability system, and short introductory
video, are in development. This toolkit is available on the California Department of Education Accountability Model & School Dashboard Web page at http://www.cde.ca.gov/dashboard. (Select the Communications Toolkit tab.)
Update on State Indicator Development for 2017–18

The State Board of Education (SBE) is required to develop an accountability tool, known as evaluation rubrics, that assists local educational agencies (LEAs) in identifying strengths, weaknesses, and areas in need of improvement across all LCFF priorities.

The SBE adopted the evaluation rubrics, including the performance standards for all the local performance indicators and state indicators, at their September 2016 and January 2017 meetings. The California School Dashboard is a new website that shows how LEAs and schools are performing on the indicators included in the evaluation rubrics. The Dashboard is how performance data from the evaluation rubrics will be displayed publicly.

In approving the new accountability tool, the SBE also approved an annual process to review the indicators and performance standards to consider whether changes or improvements are needed based on newly available data, recent research, and feedback from stakeholders. The annual review process requires that the California Department of Education (CDE) update the SBE at their March meeting on which indicators are under consideration for review and/or revisions for action at the September SBE meeting.

As this is the initial year of the rollout of the evaluation rubrics, this attachment identifies a multi-year plan for four state indicators that the CDE will review for consideration in the 2017–18 and 2018–19 California School Dashboard release: (1) College/Career Indicator (CCI), (2) student-level growth model, (3) Chronic Absenteeism Indicator, and (4) English Learner Progress Indicator (ELPI).

College/Career Indicator

At the September 2016 SBE meeting, the SBE adopted the CCI as a state indicator for measuring performance in priority 7 (access to a broad course of study) and priority 8 (outcomes in a broad course of study). Prior discussions related to the CCI aligned the four performance levels with the Smarter Balanced Summative Assessment achievement levels as follows:

- Well Prepared
  (Note: this achievement level was not adopted and will not be in the initial release of the Dashboard)
- Prepared
- Approaching Prepared
- Not Prepared
In the absence of robust career data, valid and reliable career criteria for the “Well Prepared” performance level could not be determined and was not ultimately adopted by the SBE. The SBE expressed further concern that the CCI model contained an over-emphasis on college measures and directed CDE staff to evaluate the model, with input from education researchers, practitioners, and stakeholders, to develop a revised CCI model for the fall 2017 Dashboard.

The initial spring 2017 release of the Dashboard does not include the CCI as a state indicator. Instead, the CCI will be included in one of the detailed reports on the Dashboard. The first time the Dashboard will report the CCI (Status only) as a state indicator will be in the fall 2017 release. The first graduating class to take the Smarter Balanced Summative Assessments as juniors was in the spring of 2015, when the assessment first became operational. Therefore, the 2015–16 four-year graduation cohort is the first cohort with grade 11 Smarter Balanced Summative Assessments results. The fall 2018 Dashboard will be the first time Smarter Balanced Summative Assessment results will be available for two graduating classes (Class of 2016 and Class of 2017), and therefore, the first time the CCI will have Status and Change reported.

Although the grade 11 Smarter Balanced Assessment results are included in the CCI, the Dashboard detailed reports will also include a grade 11 report that provides the Status and Change based on the Distance from Level 3 methodology approved for the grades three through eight Academic Indicator. Including the grade 11 report in the Dashboard will provide transparency to the public regarding how well grade 11 students are performing on the statewide English language arts and mathematics assessments.

The CDE will bring together individuals to serve on a CCI Work Group that will explore revisions to the CCI for implementation in fall 2017 and future years. These are some sample questions for consideration by the CCI Work Group:

- What additional valid and reliable measures for career preparedness are currently available and what measures need to be collected in the California Longitudinal Pupil Achievement Data System (CALPADS)?

- What additional reports should be included in the Dashboard that would provide LEAs and schools with actionable data to improve their CCI performance level?

- Are there methodologies that would ensure that all graduates, not just students who are prepared, contribute to the CCI performance level?

- Can student course-taking information currently collected in CALPADS be used to measure access to a broad course of study (Priority 7) in the CCI?

- What is required to improve the course-taking information?
Student-Level Growth Model

In January 2017, CDE staff met with the California Assessment of Student Performance and Progress (CAASPP) Stakeholder Group to discuss the criteria for a student-level growth model that would become the “Change” component in the Academic Indicator. The CAASPP Stakeholders’ feedback was shared with the Technical Design Group (TDG) at their February 2017 meeting.

CDE continues to discuss the modeling with their testing vendor, Educational Testing Service (ETS), who will be producing two growth model options for review. The CDE will make a recommendation to the SBE on which two student-growth models to explore further at the May SBE meeting. The work on the growth model will take approximately 12 to 18 months to complete. Therefore, the earliest a student-level growth model could be incorporated in the Academic Indicator is the fall 2018 Dashboard release. The CDE will regularly update the SBE on the progress of the growth model.

Chronic Absenteeism Indicator

At the September 2016 SBE meeting, the SBE adopted chronic absenteeism as a state indicator. Attendance data that is needed to calculate chronic absenteeism will be collected through CALPADS for the first time at the end of the 2016–17 school year. The CDE will review the quality of the data collected and work with the TDG to determine the best methodology for calculating the Chronic Absenteeism Indicator. An update on the progress of the indicator and a potential timeline for inclusion in the Dashboard will be provided to the SBE at the September 2017 SBE meeting.

English Learner Progress Indicator

The SBE directed the CDE to determine if long-term English learners could be incorporated in the ELPI. The CDE convened a Work Group in October 2016, and, to date, the group has held three meetings. The ELPI Work Group will have their last scheduled meeting in late March 2017. The CDE anticipates providing a recommendation to the SBE on the ELPI at the May 2017 SBE meeting. For more information on the progress of the Work Group, see Attachment 5.
Alternative Schools Overview

As referenced in the information memorandum to the SBE in October 2016, Introduction to the Development of a New Alternative Accountability System ((http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-oct16item03.doc)), the SBE will hear a presentation from a panel of alternative education researcher and practitioners.

**Jorge Ruiz de Velasco** is the Associate Director of the John W. Gardner Center at Stanford University. Prior to his position at the Gardner Center, Dr. Ruiz de Velasco served as the Director of the Chief Justice Earl Warren Institute on Law and Social Policy at the University of California Berkeley. The focus of Dr. Ruiz de Velasco’s presentation will be on the variations among alternative schools and the challenges these schools encounter.

**Roger Rice** serves as the Deputy Superintendent for Student Services with the Ventura County Office of Education (VCOE) where he is responsible for Court and Community Schools; Special Education; Career Education; Charter Schools; Migrant, Foster and Homeless Youth; and Student Competitions. Prior to his current assignment with VCOE, Dr. Rice served as an Assistant Superintendent and High School Principal with the Oxnard Union High School District, and as Dean of Students with the Hueneme School District. Dr. Rice began his career as a teacher, coach and Gang and Substance Abuse Resource Advisor at Montgomery High School in the Sweetwater Union High School District where he grew up and went to school as a student.

**Elsbeth Prigmore** is the Principal of Pioneer Continuation High School within the Shasta Union High School District where she has worked for 16 years. The past 12 years she has spent directing alternative education schools at each grade span within the District. Ms. Prigmore has a Masters of Education and Community Health Services with an emphasis in Primary Prevention Teenage Drug and Alcohol Abuse. Ms. Prigmore is a member of the Association of California School Administrators (ACSA) Board of Directors Region 1, and formally served as the ACSA Educational Options Council President from 2013 to 2016.

As way of background on this topic, the following publications are provided for review:


Stanford University, the National Center for Urban Transformation at San Diego State University, and WestEd. Retrieved from https://gardnercenter.stanford.edu/sites/default/files/Alternative%20Education%20Options%20Issue%20Brief.pdf


Update on School Conditions and Climate Workgroup

Background

The Local Control Funding Formula (LCFF) statute (California Education Code (EC) Section 52060(d) (6)) identifies three measures relevant to school climate. Two of these, pupil suspension and pupil expulsion rates, are collected and reported statewide at the Local Educational Agency (LEA), school, and student group levels. The third is “other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.” There is currently no statewide survey or other measure required of all LEAs related to safety and school connectedness.

At its July 13, 2016 meeting, the State Board of Education (SBE) approved a methodology for establishing standards for local performance indicators, including one related to the use of local climate surveys to support a broader assessment of performance related to School Climate (LCFF Priority 6). The SBE adopted the LCFF Evaluation Rubrics, now called the California School Dashboard, including the standard for the use of local climate surveys, at its September 2016 meeting (http://www.cde.ca.gov/be/ag/ag/yr16/documents/sep16item01.doc). The approved approach focuses on the initial year of implementation of the LCFF Evaluation Rubrics as the state transitions to an integrated local, state, and federal accountability and continuous improvement system.

The purpose of the School Conditions and Climate Workgroup (CCWG) is to explore options for further development in the area of school climate measures (Priority 6) and in relation to the broader context of school conditions as part of California’s accountability and continuous improvement system. The role of the CCWG is advisory to the State Superintendent of Public Instruction and the California Department of Education (CDE).

The CCWG includes a broad range of stakeholders with various perspectives to assist in developing advisory recommendations to the CDE for creating and using school conditions and climate metrics.

CCWG Work to Date

Initially, the CCWG worked to develop a foundation for developing recommendations and to help shape future work. This includes a working definition and features of school conditions and climate, a recommendation framework that summarizes the elements of work the CCWG is discussing and exploring to advise the CDE, and cross-cutting themes/considerations that underlie all of the elements. The foundation was developed and shaped through CCWG in-person meetings and with information garnered from stakeholder engagement sessions.

A summary of the definition and features, recommendation framework, and the CCWG timeline is available in the January 2017 SBE Information Memorandum (http://www.cde.ca.gov/be/pn/im/infomemojan2017.asp). The list of CCWG members,
roles and responsibilities of membership, and a description of the cross-cutting themes is also included in the January Memorandum. The last page of this attachment includes an updated version of the definition, features, and cross-cutting themes (lenses).

The CCWG formed subgroup teams (Scale, Modality, and Validity) to explore each element of the recommendation framework in depth. The exploration led to three key questions that warrant further consideration.

**Key Questions**

- What information should be collected?
- How should we collect the information?
- How do we best interpret and use the collected information?

As the CCWG has developed and responded to these questions, several important elements have emerged as organizing frames, including the following:

- **“Data”** which describes the information that should be collected, including the:
  1. Scale or scope of data (e.g. statewide, local, hybrid, other)
  2. Modality or method of collecting the data (e.g. tools, surveys, observations, others)
  3. Validity of the data (e.g. use, meaning, evidence, credibility)

- **“Meaning”** refers to a cycle of inquiry/reflecting on policies and practices by analyzing data, understanding meaning, and implementing changes to support improved school conditions and climate.

- **“Use”** refers to strategies for supporting implementation of data collection and use, including guides and resources for collection of the data, interpretation of the data, and appropriate use of the data.

- **“System of Support”** refers to a network of state, LEA, and stakeholder support for continuous feedback and improvement.

**Summary of Main Ideas**

A summary of the ongoing work of the CCWG subgroups to date/their key ideas is provided below:
Scale Subgroup

- Select a limited number of specific survey items that we recommended for use by all LEAs, covering a common set of constructs (themes) across identified conditions and climate areas. In determining the survey items, seek to build on best practices already in place in many LEAs across the state and provide useful continuity for districts already implementing tools to monitor school climate.

- Make available other vetted items and tools for LEAs that wish to deepen and capture detail that cannot be captured in a survey (e.g. reflective tools, site visit protocols, structured input sessions/focus groups).

- Collect local data at the state level to aid in developing productive connections, partnerships, and communities of practice among LEA’s, county offices of education, and community-based organizations.

- Research/evidence-based guides to provide supports to LEAs, CDE, and the California Collaborative for Educational Excellence to interpret results and guide additional discussion into underlying causes, challenges, and opportunities.

- Use a phased approach to implementation, ongoing analysis of performance of the tools being used by LEA’s and the ability to support continuous improvement at the local level over time.

Modality Subgroup

- Focus on data collection, including a variety of methods/tools for gathering data (surveys, polling, walkthrough, evaluation rubrics, etc.).

- Data questions can be uniform and sequential: unique to the local community or unique to the modality (e.g. state polling for statewide vs. local survey for specific topic/school site).

- Involvement of all stakeholders (e.g. students, parents, families, teachers, administrators, community) whenever possible.

- Focus on data should not just be about collection, but also use and meaning of the data. LEAs should utilize a variety of modalities in deriving meaning from data (e.g. focus groups, walkthrough, interviews), involve stakeholders in the data analysis, and provide opportunities for input.

- Use of data should be effective and appropriate, stimulate inquiry and meaning as part of the continuous improvement process, support updates.
made to the Local Control Accountability Plan and development of new programs or policies. A cross reference should be used to verify and/or challenge initial findings, so that not one single modality defines the entire process of meeting the performance standards for Priority 6.

- For any modality used, there should be exemplars/model practices and guiding questions linked back to the school conditions and climate definition.

- An equity lens should be applied to all modalities.

- Modalities should be vetted through a research-based review process.

- State should provide some level of funding for data collection.

Validity Subgroup

- Appropriate use, meaning, and credibility of the data: provide a framework for reliability of evidence (internal consistency, test-retest, alternate forms, and rater) particularly for stakeholders who intend to use items for decision-making with potential consequences for vulnerable groups.

- Defining terms and agreeing to constructs (themes): such as widely agreed upon themes and common language e.g., “SEL” and technical terms e.g., “factors” vs “scales.”

- Research, evidence, and principles to support constructs (themes): uphold the principles of educational assessment by examining the role of student cognition, observation, and interpretation in supporting the scalability of school climate and conditions results.

Summary of the California Practitioners Advisory Group Feedback

On Thursday, February 16, 2017, representatives from the CCWG support team presented to the California Practitioners Advisory Group (CPAG) a summary of the CCWG work to date. The presentation included updates on the working definition, features, and the elements of “data”, “use”, and “meaning”. CPAG members were asked three questions to guide their reflection on the work of the CCWG to date:

- What are your thoughts about how districts could be collecting the data?

- What are your thoughts about how districts might analyze and make decisions to improve school climate based on their data?

- What supports/resources do you think districts might need to select/collect data and derive meaning?
CPAG members’ feedback was gathered and is summarized below. This feedback will be used to inform future CCWG work.

The CPAG provided valuable feedback, including current practices, tools, and systems that are being utilized. In addition, the CPAG highlighted the following:

- The importance of using common definitions and terms to guide the work, even the wording/naming of a tool is critical in administration

- The significance of multiple sources and methods of data, including various levels (parent, student, families, etc.) in tool selection and analysis

- Administration of tools- when conducted and how analyzed is critical to the process

- The need for:
  - Transparency of data and planning with stakeholders
  - Connections to state academic indicators
  - List of reviewed/selected resources, model examples, training
  - Student voice such as statewide student focus groups.

- The applicability of CCWG elements [“data”, “use”, and “meaning”] to other LCFF priorities

Stakeholder Engagement Opportunities

In addition to regularly scheduled CCWG in-person meetings, CDE staff, with assistance from WestEd, have engaged in ongoing stakeholder input opportunities through webinars, online surveys, and in-person sessions to support the work of the CCWG.

Additional information on the CCWG stakeholder engagements sessions and work to date is located on WestEd’s Local Control Funding Formula (LCFF) Channel at https://lcff.wested.org/category/school-conditions-and-climate/.

The next opportunity for stakeholder input will be:

- Spring CCWG Stakeholder Input Session, March 7, 2017, 2:00 p.m.–3:30 p.m., Scripps Mesa Center Conference Center, 10380 Spring Canyon Road, San Diego, California

Link to register for the event: https://goo.gl/forms/WOlyiZCMFQ2sEUY62
School Conditions and Climate Workgroup Timeline

The following timeline summarizes the CCWG’s projected activities through September 2017 and builds on the CCWG’s work to date.

<table>
<thead>
<tr>
<th>Month</th>
<th>Event/Product/Milestone</th>
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| March 2017  | • Spring CCWG Stakeholder Input Session, March 7, 2017, Scripps Mesa Conference Center, 10380 Spring Canyon Road San Diego, CA, 2:00 p.m.–3:30 p.m.  
             • California Association of African-American Superintendents and Administrators (CAAAASA) Professional Development Summit Session, March 8-10, 2017, San Diego  
             • CCWG in-person meeting March 21, 2017, at CDE  
             • The CCWG will continue working to develop and refine recommendations |
| April 2017  | • The CCWG will continue working to develop and refine recommendations  
             • CCWG in-person meeting, April 27, 2017, WestEd Oakland |
| May 2017    | • The CCWG will continue working to develop and refine recommendations  
             • CCWG in-person meeting, date TBD, at WestEd Sacramento  
             • Webinar—LCFF Evaluation Rubrics Local Performance Indicators: Update on School Conditions and Climate Work Group (Priority 6), Date TBD |
| June 2017   | • The School Conditions and Climate Work Group will continue working to develop and refine recommendations  
             • CCWG in-person meeting, June 6, 2017, at CDE |
| July 2017   | • The School Conditions and Climate Work Group will continue working to develop and refine recommendations  
             • CDE convenes CCWG (WebEx, July 27, 2017) |
| August 2017 | • CCWG in-person meeting, August 14, 2017, at WestEd Sacramento  
             • Summer CCWG Stakeholder Input Session, date and location TBD, Sacramento  
             Note: The CDE anticipates presenting its final recommendations for a transition plan to support the use of school conditions and climate measures in the accountability and continuous improvement system at the September 2017 SBE meeting (SBE Meeting Dates September 13-14, 2017) |

Note: Dates and proposed development activities and updates to the SBE are subject to change with updates to be communicated via future memos and at SBE meetings.
## LOCAL CONTROL FUNDING FORMULA PRIORITY 6-SCHOOL CLIMATE

School climate: pupil suspension rates, pupil expulsion rates, other local measures including surveys of pupils, parents and teachers on the sense of safety and school connectedness. (Priority 6)

### DEFINITION

“School Conditions and Climate” refers to the character and quality of school life. This includes the values, expectations, interpersonal relationships, critical resources, supports, and practices that foster a welcoming, inclusive, and academically challenging environment. Positive school climate and conditions ensure people in the school community feel socially, emotionally, and physically safe, supported, connected to the school, and engaged in learning and teaching.

### FEATURES

Features that promote a positive school climate and affect the attitudes, behaviors, and performance of both students and staff include, but are not limited to:

- An intentional student-centric commitment to meeting the basic-cognitive, social, emotional, and physical health needs of youth and fostering the competencies and mindsets that contribute to success in school, career, and life;

- Caring, trusting, respectful relationships among and between students, staff, parents, and families;

- High expectations for academic achievement and behavior and the social-emotional and pedagogical supports students need to meet those expectations;

- The presence of meaningful stakeholder participation that fosters a sense of contribution, empowerment, and ownership; and

- A sense of order and safety grounded in clearly communicated rules and expectations, fair and equitable discipline, and well-maintained resources and facilities.

### Equity Lens

The landscape of California schools includes a rich diversity of students with diverse needs that should be embraced to support community collaboration in a welcoming and responsive way. The CCWG’s intentional equity frame is intended to drive action aimed at increasing equity utilizing multiple layers of data disaggregation, including state, LEA, school, and student group levels.

### Validity Lens

When considering what we measure, how we measure it, and how to interpret scores, we must work to ensure stakeholder understanding of the evidence to support particular uses of data. This includes helping data users to better understand tradeoffs when making choices about instruments related to issues with validity, reliability, fairness, and bias.

### Family Engagement Lens

Research shows that parent engagement improves academic achievement and school connectedness. It is essential to capture and reflect a diverse set of parent voices in the recommendation. To that end, the CDE will link existing and ongoing work supporting Family Engagement to the CCWG with an additional work group and/or focus groups as necessary.
Draft Timeline for the Integrated, Local, State, and Federal Accountability and Continuous Improvement System, Including Outreach with Stakeholders

Since the State Board of Education (SBE) adopted the initial phase of the Local Control Funding Formula (LCFF) evaluation rubrics at its September 2016 meeting, staff have incorporated the feedback from the stakeholder input sessions and work groups to inform recommendations on the academic indicator, the remaining local performance indicators, and data displays for the California School Dashboard (Dashboard). The prototype for the initial phase of the Dashboard is flexible and intended to evolve based on user experiences and stakeholder feedback. Staff will continue to analyze feedback to make recommendations for system improvements. Below is a summary of the stakeholder input opportunities provided since the January 2017 meeting and an updated timeline of future accountability and continuous improvement tasks to be completed.

- **California Practitioners Advisory Group (CPAG):** The CPAG ([http://www.cde.ca.gov/be/cc/cp/](http://www.cde.ca.gov/be/cc/cp/)) met on February 16, 2017, and provided feedback on several policy options that will serve as a framework for the Every Student Succeeds Act (ESSA) State Plan. The CPAG also received an update on the California School Dashboard and participated in several small group discussions around the Statements of Model Practice and the development of school conditions and climate measures in California’s accountability and continuous improvement system. The next CPAG meeting is scheduled for April 13, 2017.

- **California School Dashboard:** In March 2017, the field test for the California School Dashboard will be released to the public. In anticipation of this public release, the CDE and SBE hosted a series of Webinars throughout February 2017 to assist LEAs with becoming familiar with the Dashboard, the state and local indicators, and the methodology for measuring performance. In addition to the Webinars, staff held several structured input sessions to solicit feedback from stakeholders on various design features of the site. An LEA preview of the Dashboard was held beginning February 10, 2017, which gave LEAs an opportunity to review their performance data prior to the public launch. A communications toolkit has also been made available on CDE’s accountability webpage, to support communication with local stakeholders and the media about the Dashboard.

- **School Conditions and Climate Work Group:** The CDE convened a School Conditions and Climate Work Group (CCWG) to make recommendations to support the SBE’s policy development in the area of school conditions and climate as outlined in the LCFF. The CCWG convened its first meeting via WebEx in September 2016 and has continued to meet monthly. The February CCWG meeting continued to focus on the work of subgroups within the CCWG, including discussions around data selection and collection, meaning, and use of data. The definition and features, recommendation framework, and the CCWG timeline is summarized in the January 2017 SBE Information Memorandum.
The memorandum also includes a list of CCWG members, roles and responsibilities of membership, and a description of the crosscutting themes. Guest presenters will provide a verbal update to the SBE at the March 2017 meeting.

In addition to regularly scheduled CCWG in-person meetings, CDE staff, with assistance from WestEd, have engaged in ongoing stakeholder input opportunities through webinars, online surveys, and in-person sessions to support the work of the CCWG. Additional information on the CCWG stakeholder engagements sessions and work to date is located on WestEd’s LCFF Channel at https://lcff.wested.org/category/school-conditions-and-climate/.

- **English Learner Progress Indicator Work Group**: The English Learner Progress Work Group met on January 25, 2017, and discussed the options for including students at-risk of becoming long-term English learners (AR-LTELs) and LTELs in the English Learner Progress Indicator. The Work Group was provided with the results of multiple simulations related to LTELs. Work group members had in-depth conversations regarding the simulation results. They also provided feedback on new LTEL reports being considered for DataQuest. In addition, the Work Group requested information for review at the March meeting.

- **Statements of Model Practices**: Building upon the SBE direction for California Department of Education (CDE) staff to further develop the content of the Statements of Model Practices (Model Practices) and their linkages to external resources, the CDE posted an information memorandum (http://www.cde.ca.gov/be/pn/im/documents/memo-exe-jan17item02.doc) on February 1, 2017, that provides an update regarding the development of the Model Practices. This memorandum describes the progress that is underway to engage stakeholders in the development and use of the Model Practices and the creation of a support system that will further their use and integration with local LCAP activities statewide. The CDE hosted a public information and input session on January 31, 2017, with over 130 participants from school districts, county offices of education, charter schools, and support and advocacy groups. A similar session will be scheduled for April 2017. Also, a Draft Statements of Model Practices Review and Feedback Survey was posted on February 1, 2017, and closed on February 24, 2017.
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<thead>
<tr>
<th>Timeframe</th>
<th>SBE Review and Decision Points</th>
<th>Ongoing Development and Tasks</th>
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<tbody>
<tr>
<td>August 2016</td>
<td>SBE received a series of Information Memorandum on the following topics:</td>
<td>Early August-Continue receiving feedback on accountability and continuous improvement:</td>
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<tr>
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<td>- draft timeline and proposed annual review of the LCFF indicators,</td>
<td>• Conference Calls</td>
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<td>- a framework for technical assistance,</td>
<td>• Standing Meetings</td>
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<td>- an update on the college/career indicator and proposed cut-point and performance categories</td>
<td>• Policy Input Sessions</td>
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<td>for the state indicators, and</td>
<td>Work Groups:</td>
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<td></td>
<td>- an updated timeline to revise the LCAP template.</td>
<td>• CDE convenes the school conditions and climate work group</td>
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<tr>
<td>September 2016</td>
<td><strong>LCFF Evaluation Rubrics:</strong></td>
<td>California Practitioners Advisory Group (CPAG) Meeting:</td>
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<td><strong>Initial Phase of the Local Control Funding Formula (LCFF) Evaluation Rubrics for SBE Adoption.</strong></td>
<td>• CPAG provides feedback on draft ESSA State Plan</td>
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<td>• Performance categories for CAASPP, English Learner Proficiency, Graduation Rate, Suspension Rate, and College/Career Readiness.</td>
<td>• CPAG reviews plan for future work on state and local indicators (e.g., college/career readiness)</td>
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<td>• Criteria to determine eligibility for technical assistance based on performance on all LCFF priorities.</td>
<td>• CPAG reviews the plan to revise the LCAP template</td>
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<td>• Design dimensions for the evaluation rubrics web application that includes, but is not limited to, the top-level data display, equity report, and standard reports.</td>
<td>Work Groups:</td>
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<td>• CDE provides an update on the working groups to explore school conditions and climate and English learner proficiency indicator.</td>
<td>• CDE convenes the school conditions and climate work group</td>
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<td><strong>ESSA State Plan:</strong></td>
<td>Proposed Information Memorandum on updated draft for revised LCAP template and instructions</td>
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<td>• Overview of the law and plan requirements, review of stakeholder feedback</td>
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<td>Ongoing Development and Tasks</td>
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<td><strong>October 2016</strong></td>
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<td><strong>California Practitioners Advisory Group (CPAG) Meeting:</strong></td>
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<td>• CPAG provides feedback on draft ESSA State Plan</td>
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<td>• CPAG reviews draft standards for the LCFF local performance measures</td>
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<td><strong>Early October-Continue receiving feedback on accountability and continuous improvement:</strong></td>
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<td><strong>Work Groups:</strong></td>
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<td>• School conditions and climate work group will provide opportunities for stakeholder input</td>
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<td>• CDE convenes the English Learner Indicator work group</td>
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<td><strong>Proposed Information Memorandum on local indicators</strong></td>
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<td><strong>November 2016</strong></td>
<td><strong>LCFF Evaluation Rubrics:</strong></td>
<td><strong>LCFF Evaluation Rubrics:</strong></td>
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<td>Update on local indicators to measure state priorities not addressed by the state indicators (e.g., priorities 1,2,3,6,7,8,9,10) and implications for state performance standards based on stakeholder input gathered in October 2016</td>
<td>• California Collaborative for Educational Excellence (CCEE) workshop trainings</td>
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<td>Timeframe</td>
<td>SBE Review and Decision Points</td>
<td>Ongoing Development and Tasks</td>
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| November 2016 | CDE provides an update on the School Conditions and Climate work group and the English Learner Indicator work group. CDE also provides an update on the Statements of Model Practices.  
*LCAP Template:* Final changes to the LCAP template for SBE adoption.  
*ESSA State Plan:* CDE presents first draft of ESSA State Plan based on stakeholder input, including CPAG comments, for SBE review.                                                                                      | *ESSA State Plan:*  
- ESSA State Plan extended public comment period begins November 18  
- ESSA State Plan Stakeholder Outreach Phase 2 begins  
- Webinars  
- Regional meetings  
- Survey  
- Stakeholder engagement toolkit                                                                                       |
| December 2016 |                                                                                                                                                                                                                                                                                             | *California Practitioners Advisory Group (CPAG) Meeting:*  
- Provides feedback on ESSA State Plan Update  
- Provides feedback on the Academic Indictor  
- Update on the proposal to review the LCFF evaluation rubrics state and local indicators and statements of model practices  
*Work Groups:*  
- CDE convenes the school conditions and climate work group  
- School conditions and climate work group will provide opportunities for stakeholder input  
- CDE convenes the English Learner Indicator work group  
- CDE Convenes the Technical Design Group (TDG)                                                                 |
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<tr>
<th>Timeframe</th>
<th>SBE Review and Decision Points</th>
<th>Ongoing Development and Tasks</th>
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<tr>
<td>January 2017</td>
<td><em>LCFF Evaluation Rubrics:</em>&lt;br&gt;• CDE presents recommendation for a new methodology that uses scale scores for the Academic Indicator and the definition of the English Learner (EL) student group in the Academic Indicator.&lt;br&gt;&lt;br&gt;<em>ESSA State Plan:</em>&lt;br&gt;• CDE brings proposed guiding principles and a recommended approach to developing a State Plan based upon California’s current trajectory and needs for discussion and approval.</td>
<td><em>Work Groups:</em>&lt;br&gt;• CDE convenes the English Learner Indicator work group&lt;br&gt;• CDE convenes the School Conditions and Climate work group</td>
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<td>February 2017</td>
<td>Early February-Continue receiving feedback on accountability and continuous improvement and California School Dashboard design:&lt;br&gt;• Conference Calls&lt;br&gt;• Standing Meetings&lt;br&gt;• Policy Input Sessions&lt;br&gt;• Webinars&lt;br&gt;• Structured Input Sessions</td>
<td><em>ESSA State Plan:</em>&lt;br&gt;CDE conducts extensive stakeholder outreach regarding options for remaining ESSA-related policy decisions to inform SBE decision-making.&lt;br&gt;&lt;br&gt;<em>California Practitioners Advisory Group (CPAG) Meeting</em>&lt;br&gt;• Provides feedback on various options related to remaining</td>
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<td>Timeframe</td>
<td>SBE Review and Decision Points</td>
<td>Ongoing Development and Tasks</td>
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<td>ESSA-related policy decisions to inform SBE-policy-making.</td>
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<td>• Advise SBE on annual review of evaluation rubrics state and local indicators</td>
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<td>Work Groups:</td>
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<td>March 2017</td>
<td>LCFF Evaluation Rubrics:</td>
<td>• CDE convenes the English Learner Indicator work group</td>
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<td>Annual review of evaluation rubrics, which may include, but is not necessarily limited to the following:</td>
<td>• CDE convenes the School Conditions and Climate Stakeholder Session</td>
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<td>• CAASPP performance categories</td>
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<td>• English Learner Indicator</td>
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<td>• Suspension Rate and School Climate</td>
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<td>• Academic Engagement</td>
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<td>• College/Career Indicator</td>
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<td>• CDE presents preliminary recommendations to the SBE for transition plan to support the use of school conditions and climate measures in the accountability and continuous improvement system.</td>
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<td>ESSA State Plan:</td>
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<td>CDE brings options for remaining ESSA-related policy decisions, including extensive input from stakeholders regarding advantages and disadvantages of each option, for SBE discussion and action, as appropriate.</td>
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<td>April 2017</td>
<td>Early April-Continue receiving feedback on accountability and continuous improvement:</td>
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<td></td>
<td>• Conference Calls</td>
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<td>• Standing Meetings</td>
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<td>• Policy Input Sessions</td>
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<td></td>
<td>California Practitioners Advisory Group (CPAG) Meeting</td>
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<td>• Reviews progress on pilot of state and local indicators, feedback from SBE on annual review</td>
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<td>• Provides feedback on LCAP Addendum and any remaining ESSA-related policy decisions before the SBE.</td>
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<td>Proposed Information Memorandum on the English Learner Indicator</td>
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<tr>
<td>May 2017</td>
<td><em>LCFF Evaluation Rubrics:</em></td>
<td>ESSA State Plan:</td>
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<td>CDE presents recommendations to the SBE for transition plan to support the use of the English Learner Progress Indicator in the accountability and continuous improvement system during implementation of the English Language Proficiency Assessments for California.</td>
<td>30 day public comment period begins</td>
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<td><em>ESSA State Plan:</em></td>
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<td>CDE brings working draft of complete ESSA State Plan for SBE feedback and approval of official 30 day public comment period</td>
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<td>June 2017</td>
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<td>Early June-Continue receiving feedback on accountability and continuous improvement:</td>
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<td>• Conference Calls</td>
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<td><strong>ESSA State Plan:</strong> 30-day public comment period ends</td>
<td><strong>ESSA State Plan:</strong> 30-day public comment period ends</td>
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<td><strong>California Practitioners Advisory Group (CPAG) Meeting</strong></td>
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<td>• Update on state and local indicator pilots and implications for standards and technical assistance</td>
<td>• Update on state and local indicator pilots and implications for standards and technical assistance</td>
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<td>• Feedback on working draft of complete ESSA state plan</td>
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<td><strong>Work Groups:</strong></td>
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<td>• CDE convenes the School Conditions and Climate Stakeholder Session</td>
<td>• CDE convenes the School Conditions and Climate Stakeholder Session</td>
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<td>July 2017</td>
<td><strong>ESSA State Plan:</strong> CDE brings update on public comment period activities, including CPAG feedback and preliminary analysis of statewide public comment.</td>
<td><strong>Work Groups:</strong></td>
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<td><strong>New Accountability System for LEAs fully operational for 2017-18 academic year.</strong></td>
<td>• CDE convenes the School Conditions and Climate Stakeholder Session</td>
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<td>August 2017</td>
<td><strong>Early August-Continue receiving feedback on accountability and continuous improvement:</strong></td>
<td><strong>California Practitioners Advisory Group (CPAG) Meeting</strong></td>
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<td>• Conference Calls</td>
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<td>• Review ESSA State Plan public comment and provide input to SBE.</td>
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<td>• Review proposal to revise evaluation rubrics based on the state and local indicator pilots</td>
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<td>and SBE annual review at the March SBE meeting</td>
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<td><strong>Work Groups:</strong></td>
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<td>• CDE convenes the School Conditions and Climate Stakeholder Session</td>
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<td>September 2017</td>
<td><strong>LCFF Evaluation Rubrics:</strong> Possible action to revise the evaluation rubrics based on the annual</td>
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<td>review completed in March 2017, any updated data elements and indicators based on stakeholder</td>
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<td>input.</td>
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<td>CDE presents recommendations to the SBE on the use of school climate measures in the accountability and continuous improvement system.</td>
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<td>SBE approves ESSA State Plan</td>
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<td>California submits ESSA Consolidated State Plan to ED on September 18, 2017</td>
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<tr>
<td>2018-19</td>
<td><strong>School accountability provisions under ESSA are implemented.</strong></td>
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Note: Dates and proposed development activities are subject to change. The table will be updated and presented at future SBE meetings.
California Education Code Sections 52064.5, 47607, 47607.3, 52071, 52071.5, 52072, 52072.5, 52060, 52066, 52064, and 52052

Please note: the California Education Code sections referenced below do not reflect the changes included in the 2016-2017 budget adoption and the enacted revisions to legislation through the recently passed budget bills.

Education Code Section 52064.5.
(a) On or before October 1, 2016, the state board shall adopt evaluation rubrics for all of the following purposes:
(1) To assist a school district, county office of education, or charter school in evaluating its strengths, weaknesses, and areas that require improvement.
(2) To assist a county superintendent of schools in identifying school districts and charter schools in need of technical assistance pursuant to Section 52071 or 47607.3, as applicable, and the specific priorities upon which the technical assistance should be focused.
(3) To assist the Superintendent in identifying school districts for which intervention pursuant to Section 52072 is warranted.
(b) The evaluation rubrics shall reflect a holistic, multidimensional assessment of school district and individual schoolsite performance and shall include all of the state priorities described in subdivision (d) of Section 52060.
(c) As part of the evaluation rubrics, the state board shall adopt standards for school district and individual schoolsite performance and expectations for improvement in regard to each of the state priorities described in subdivision (d) of Section 52060.

Education Code Section 47607.
(a) (1) A charter may be granted pursuant to Sections 47605, 47605.5, and 47606 for a period not to exceed five years. A charter granted by a school district governing board, a county board of education, or the state board may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years. A material revision of the provisions of a charter petition may be made only with the approval of the authority that granted the charter. The authority that granted the charter may inspect or observe any part of the charter school at any time.
(2) Renewals and material revisions of charters are governed by the standards and criteria in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.
(3) (A) The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal.
(B) For purposes of this section, “all groups of pupils served by the charter school” means a numerically significant pupil subgroup, as defined by paragraph (3) of subdivision (a) of Section 52052, served by the charter school.
(b) Commencing on January 1, 2005, or after a charter school has been in operation for four years, whichever date occurs later, a charter school shall meet at least one of the
following criteria before receiving a charter renewal pursuant to paragraph (1) of subdivision (a):

(1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years both schoolwide and for all groups of pupils served by the charter school.

(2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.

(3) Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.

(4) (A) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

(B) The determination made pursuant to this paragraph shall be based upon all of the following:

(i) Documented and clear and convincing data.

(ii) Pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 for demographically similar pupil populations in the comparison schools.

(iii) Information submitted by the charter school.

(C) A chartering authority shall submit to the Superintendent copies of supporting documentation and a written summary of the basis for any determination made pursuant to this paragraph. The Superintendent shall review the materials and make recommendations to the chartering authority based on that review. The review may be the basis for a recommendation made pursuant to Section 47604.5.

(D) A charter renewal may not be granted to a charter school prior to 30 days after that charter school submits materials pursuant to this paragraph.

(5) Qualified for an alternative accountability system pursuant to subdivision (h) of Section 52052.

(c) (1) A charter may be revoked by the authority that granted the charter under this chapter if the authority finds, through a showing of substantial evidence, that the charter school did any of the following:

(A) Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.

(B) Failed to meet or pursue any of the pupil outcomes identified in the charter.

(C) Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.

(D) Violated any provision of law.

(2) The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to revoke a charter.

(d) Before revocation, the authority that granted the charter shall notify the charter school of any violation of this section and give the school a reasonable opportunity to
remedy the violation, unless the authority determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils.

(e) Before revoking a charter for failure to remedy a violation pursuant to subdivision (d), and after expiration of the school’s reasonable opportunity to remedy without successfully remedying the violation, the chartering authority shall provide a written notice of intent to revoke and notice of facts in support of revocation to the charter school. No later than 30 days after providing the notice of intent to revoke a charter, the chartering authority shall hold a public hearing, in the normal course of business, on the issue of whether evidence exists to revoke the charter. No later than 30 days after the public hearing, the chartering authority shall issue a final decision to revoke or decline to revoke the charter, unless the chartering authority and the charter school agree to extend the issuance of the decision by an additional 30 days. The chartering authority shall not revoke a charter, unless it makes written factual findings supported by substantial evidence, specific to the charter school, that support its findings.

(f) (1) If a school district is the chartering authority and it revokes a charter pursuant to this section, the charter school may appeal the revocation to the county board of education within 30 days following the final decision of the chartering authority.

(2) The county board of education may reverse the revocation decision if the county board of education determines that the findings made by the chartering authority under subdivision (e) are not supported by substantial evidence. The school district may appeal the reversal to the state board.

(3) If the county board of education does not issue a decision on the appeal within 90 days of receipt, or the county board of education upholds the revocation, the charter school may appeal the revocation to the state board.

(4) The state board may reverse the revocation decision if the state board determines that the findings made by the chartering authority under subdivision (e) are not supported by substantial evidence. The state board may uphold the revocation decision of the school district if the state board determines that the findings made by the chartering authority under subdivision (e) are supported by substantial evidence.

(g) (1) If a county office of education is the chartering authority and the county board of education revokes a charter pursuant to this section, the charter school may appeal the revocation to the state board within 30 days following the decision of the chartering authority.

(2) The state board may reverse the revocation decision if the state board determines that the findings made by the chartering authority under subdivision (e) are not supported by substantial evidence.

(h) If the revocation decision of the chartering authority is reversed on appeal, the agency that granted the charter shall continue to be regarded as the chartering authority.

(i) During the pendency of an appeal filed under this section, a charter school, whose revocation proceedings are based on subparagraph (A) or (B) of paragraph (1) of subdivision (c), shall continue to qualify as a charter school for funding and for all other purposes of this part, and may continue to hold all existing grants, resources, and facilities, in order to ensure that the education of pupils enrolled in the school is not disrupted.

(j) Immediately following the decision of a county board of education to reverse a decision of a school district to revoke a charter, the following shall apply:
(1) The charter school shall qualify as a charter school for funding and for all other purposes of this part.
(2) The charter school may continue to hold all existing grants, resources, and facilities.
(3) Any funding, grants, resources, and facilities that had been withheld from the charter school, or that the charter school had otherwise been deprived of use, as a result of the revocation of the charter shall be immediately reinstated or returned.
(k) A final decision of a revocation or appeal of a revocation pursuant to subdivision (c) shall be reported to the chartering authority, the county board of education, and the department.

Education Code Section 47607.3.
(a) If a charter school fails to improve outcomes for three or more pupil subgroups identified pursuant to Section 52052, or, if the charter school has less than three pupil subgroups, all of the charter school’s pupil subgroups, in regard to one or more state or school priority identified in the charter pursuant to subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605 or subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, in three out of four consecutive school years, all of the following shall apply:
(1) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the chartering authority shall provide technical assistance to the charter school.
(2) The Superintendent may assign, at the request of the chartering authority and with the approval of the state board, the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Section 52074.
(b) A chartering authority shall consider for revocation any charter school to which the California Collaborative for Educational Excellence has provided advice and assistance pursuant to subdivision (a) and about which it has made either of the following findings, which shall be submitted to the chartering authority:
(1) That the charter school has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.
(2) That the inadequate performance of the charter school, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or so acute as to require revocation of the charter.
(c) The chartering authority shall consider increases in pupil academic achievement for all pupil subgroups served by the charter school as the most important factor in determining whether to revoke the charter.
(d) A chartering authority shall comply with the hearing process described in subdivision (e) of Section 47607 in revoking a charter. A charter school may not appeal a revocation of a charter made pursuant to this section.

Education Code Section 52071.
(a) If a county superintendent of schools does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a governing board of a school district, or if the governing board of a school
district requests technical assistance, the county superintendent of schools shall provide technical assistance, including, among other things, any of the following:

(1) Identification of the school district’s strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52060, communicated in writing to the school district. This identification shall include a review of effective, evidence-based programs that apply to the school district’s goals.

(2) Assignment of an academic expert or team of academic experts to assist the school district in identifying and implementing effective programs that are designed to improve the outcomes for all pupil subgroups identified pursuant to Section 52052. The county superintendent of schools may also solicit another school district within the county to act as a partner to the school district in need of technical assistance.

(3) Request that the Superintendent assign the California Collaborative for Educational Excellence to provide advice and assistance to the school district.

(b) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the county superintendent of schools shall provide the technical assistance described in subdivision (a) to any school district that fails to improve pupil achievement across more than one state priority described in subdivision (d) of Section 52060 for one or more pupil subgroup identified pursuant to Section 52052.

(c) Technical assistance provided pursuant to this section at the request of a school district shall be paid for by the school district requesting the assistance.

**Education Code Section 52071.5.**

(a) If the Superintendent does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a county board of education, or if the county board of education requests technical assistance, the Superintendent shall provide technical assistance, including, among other things, any of the following:

(1) Identification of the county board of education’s strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52066, communicated in writing to the county board of education. This identification shall include a review of effective, evidence-based programs that apply to the board’s goals.

(2) Assignment of an academic expert or team of academic experts, or the California Collaborative for Educational Excellence established pursuant to Section 52074, to assist the county board of education in identifying and implementing effective programs that are designed to improve the outcomes for all pupil subgroups identified pursuant to Section 52052. The Superintendent may also solicit another county office of education to act as a partner to the county office of education in need of technical assistance.

(b) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the Superintendent shall provide the technical assistance described in subdivision (a) to any county office of education that fails to improve pupil achievement in regard to more than one state priority described in subdivision (d) of Section 52060 for one or more pupil subgroups identified pursuant to Section 52052.
(c) Technical assistance provided pursuant to this section at the request of a county board of education shall be paid for by the county board of education receiving assistance.

_Education Code Section 52072._

(a) The Superintendent may, with the approval of the state board, identify school districts in need of intervention.

(b) The Superintendent shall only intervene in a school district that meets both of the following criteria:

1. The school district did not improve the outcomes for three or more pupil subgroups identified pursuant to Section 52052 or, if the school district has less than three pupil subgroups, all of the school district’s pupil subgroups, in regard to more than one state or local priority in three out of four consecutive school years.

2. The California Collaborative for Educational Excellence has provided advice and assistance to the school district pursuant to Section 52071 and submits either of the following findings to the Superintendent:
   
   (A) That the school district has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.
   
   (B) That the inadequate performance of the school district, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or acute as to require intervention by the Superintendent.

(c) For school districts identified pursuant to subdivision (a), the Superintendent may, with the approval of the state board, do one or more of the following:

1. Make changes to a local control and accountability plan adopted by the governing board of the school district.

2. Develop and impose a budget revision, in conjunction with revisions to the local control and accountability plan, that the Superintendent determines would allow the school district to improve the outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state and local priorities.

3. Stay or rescind an action, if that action is not required by a local collective bargaining agreement, that would prevent the school district from improving outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state or local priorities.

4. Appoint an academic trustee to exercise the powers and authority specified in this section on his or her behalf.

(d) The Superintendent shall notify the county superintendent of schools, the county board of education, the superintendent of the school district, and the governing board of the school district of any action by the state board to direct him or her to exercise any of the powers and authorities specified in this section.

_Education Code Section 52072.5._

(a) The Superintendent may, with the approval of the state board, identify county offices of education in need of intervention.
(b) The Superintendent shall only intervene in a county office of education that meets both of the following criteria:

(1) The county office of education did not improve the outcomes for three or more pupil subgroups identified pursuant to Section 52052 or, if the county office of education has less than three pupil subgroups, all of the county office of education’s pupil subgroups, in regard to more than one state or local priority in three out of four consecutive school years.

(2) The California Collaborative for Educational Excellence has provided advice and assistance to the county office of education pursuant to Section 52071.5 and submits either of the following findings to the Superintendent:

(A) That the county office of education has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.

(B) That the inadequate performance of the county office of education, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or acute as to require intervention by the Superintendent.

(c) For county offices of education identified pursuant to subdivision (a), the Superintendent may, with the approval of the state board, do one or more of the following:

(1) Make changes to a local control and accountability plan adopted by the county board of education.

(2) Develop and impose a budget revision, in conjunction with revisions to the local control and accountability plan, that the Superintendent determines would allow the county office of education to improve the outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state and local priorities.

(3) Stay or rescind an action, if that action is not required by a local collective bargaining agreement, that would prevent the county office of education from improving outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state or local priorities.

(4) Appoint an academic trustee to exercise the powers and authority specified in this section on his or her behalf.

(d) The Superintendent shall notify the county board of education and the county superintendent of schools, in writing, of any action by the state board to direct him or her to exercise any of the powers and authorities specified in this section.

**Education Code Section 52060.**

(a) On or before July 1, 2014, the governing board of each school district shall adopt a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by the governing board of a school district shall be effective for a period of three years, and shall be updated on or before July 1 of each year.
(c) A local control and accountability plan adopted by the governing board of a school district shall include, for the school district and each school within the school district, both of the following:

(1) A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subdivision (d) and for any additional local priorities identified by the governing board of the school district. For purposes of this article, a subgroup of pupils identified pursuant to Section 52052 shall be a numerically significant pupil subgroup as specified in paragraphs (2) and (3) of subdivision (a) of Section 52052.

(2) A description of the specific actions the school district will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1), including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state priorities listed in paragraph (1) of subdivision (d). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the school district.

(d) All of the following are state priorities:

(1) The degree to which the teachers of the school district are appropriately assigned in accordance with Section 44258.9, and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the school district has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair, as defined in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to former Section 60811.3, as that section read on June 30, 2013, or Section 60811.4, for purposes of gaining academic content knowledge and English language proficiency.

(3) Parental involvement, including efforts the school district makes to seek parent input in making decisions for the school district and each individual schoolsite, and including how the school district will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The Academic Performance Index, as described in Section 52052.

(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, including,
but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(D) The percentage of English learner pupils who make progress toward English proficiency as measured by the California English Language Development Test or any subsequent assessment of English proficiency, as certified by the state board.

(E) The English learner reclassification rate.

(F) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(G) The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates, as described in paragraph (3) of subdivision (a) of Section 52052.1.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

(C) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the programs and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.

(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(e) For purposes of the descriptions required by subdivision (c), the governing board of a school district may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subparagraph (J) of paragraph (4) of subdivision (a) of Section 52052 or any other reviews.
(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on a school accountability report card.

(g) The governing board of a school district shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing a local control and accountability plan.

(h) A school district may identify local priorities, goals in regard to the local priorities, and the method for measuring the school district’s progress toward achieving those goals.

**Education Code Section 52066.**

(a) On or before July 1, 2014, each county superintendent of schools shall develop, and present to the county board of education for adoption, a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by a county board of education shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by a county board of education shall include, for each school or program operated by the county superintendent of schools, both of the following:

(1) A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subdivision (d), as applicable to the pupils served, and for any additional local priorities identified by the county board of education.

(2) A description of the specific actions the county superintendent of schools will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1), including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state priorities listed in paragraph (1) of subdivision (d). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the county superintendent of schools.

(d) All of the following are state priorities:

(1) The degree to which the teachers in the schools or programs operated by the county superintendent of schools are appropriately assigned in accordance with Section 44258.9 and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the schools or programs operated by the county superintendent of schools has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair as specified in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to Section...
60811.3 for purposes of gaining academic content knowledge and English language proficiency.

(3) Parental involvement, including efforts the county superintendent of schools makes to seek parent input in making decisions for each individual schoolsite and program operated by a county superintendent of schools, and including how the county superintendent of schools will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The Academic Performance Index, as described in Section 52052.

(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(D) The percentage of English learner pupils who make progress toward English proficiency as measured by the California English Language Development Test or any subsequent assessment of English proficiency, as certified by the state board.

(E) The English learner reclassification rate.

(F) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(G) The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates, as described in paragraph (3) of subdivision (a) of Section 52052.1.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.
(C) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the program and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.

(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(9) How the county superintendent of schools will coordinate instruction of expelled pupils pursuant to Section 48926.

(10) How the county superintendent of schools will coordinate services for foster children, including, but not limited to, all of the following:

(A) Working with the county child welfare agency to minimize changes in school placement.

(B) Providing education-related information to the county child welfare agency to assist the county child welfare agency in the delivery of services to foster children, including, but not limited to, educational status and progress information that is required to be included in court reports.

(C) Responding to requests from the juvenile court for information and working with the juvenile court to ensure the delivery and coordination of necessary educational services.

(D) Establishing a mechanism for the efficient expeditious transfer of health and education records and the health and education passport.

(e) For purposes of the descriptions required by subdivision (c), a county board of education may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subparagraph (J) of paragraph (4) of subdivision (a) of Section 52052 or any other reviews.

(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on a school accountability report card.

(g) The county superintendent of schools shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the county office of education, parents, and pupils in developing a local control and accountability plan.

(h) A county board of education may identify local priorities, goals in regard to the local priorities, and the method for measuring the county office of education’s progress toward achieving those goals.

**Education Code Section 52064.**

(a) On or before March 31, 2014, the state board shall adopt templates for the following purposes:
(1) For use by school districts to meet the requirements of Sections 52060 to 52063, inclusive.

(2) For use by county superintendents of schools to meet the requirements of Sections 52066 to 52069, inclusive.

(3) For use by charter schools to meet the requirements of Section 47606.5.

(b) The templates developed by the state board shall allow a school district, county superintendent of schools, or charter school to complete a single local control and accountability plan to meet the requirements of this article and the requirements of the federal No Child Left Behind Act of 2001 related to local educational agency plans pursuant to Section 1112 of Subpart 1 of Part A of Title I of Public Law 107-110. The state board shall also take steps to minimize duplication of effort at the local level to the greatest extent possible. The template shall include guidance for school districts, county superintendents of schools, and charter schools to report both of the following:

(1) A listing and description of expenditures for the 2014–15 fiscal year, and each fiscal year thereafter, implementing the specific actions included in the local control and accountability plan.

(2) A listing and description of expenditures for the 2014–15 fiscal year, and each fiscal year thereafter, that will serve the pupils to whom one or more of the definitions in Section 42238.01 apply and pupils redesignated as fluent English proficient.

(c) If possible, the templates identified in paragraph (2) of subdivision (a) for use by county superintendents of schools shall allow a county superintendent of schools to develop a single local control and accountability plan that would also satisfy the requirements of Section 48926.

(d) The state board shall adopt the template pursuant to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The state board may adopt emergency regulations for purposes of implementing this section. The adoption of emergency regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare.

(e) Notwithstanding subdivision (d), the state board may adopt the template in accordance with the requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code). When adopting the template pursuant to the requirements of the Bagley-Keene Open Meeting Act, the state board shall present the template at a regular meeting and may only take action to adopt the template at a subsequent regular meeting. This subdivision shall become inoperative on January 31, 2018.

(f) Revisions to a template or evaluation rubric shall be approved by the state board by January 31 before the fiscal year during which the template or evaluation rubric is to be used by a school district, county superintendent of schools, or charter school.

(g) The adoption of a template or evaluation rubric by the state board shall not create a requirement for a governing board of a school district, a county board of education, or a governing body of a charter school to submit a local control and accountability plan to
the state board, unless otherwise required by federal law. The Superintendent shall not require a local control and accountability plan to be submitted by a governing board of a school district or the governing body of a charter school to the state board. The state board may adopt a template or evaluation rubric that would authorize a school district or a charter school to submit to the state board only the sections of the local control and accountability plan required by federal law.

**Education Code Section 52052.**

(a) (1) The Superintendent, with the approval of the state board, shall develop an Academic Performance Index (API), to measure the performance of schools and school districts, especially the academic performance of pupils.

(2) A school or school district shall demonstrate comparable improvement in academic achievement as measured by the API by all numerically significant pupil subgroups at the school or school district, including:

(A) Ethnic subgroups.

(B) Socioeconomically disadvantaged pupils.

(C) English learners.

(D) Pupils with disabilities.

(E) Foster youth.

(F) Homeless youth.

(3) (A) For purposes of this section, a numerically significant pupil subgroup is one that consists of at least 30 pupils, each of whom has a valid test score.

(B) Notwithstanding subparagraph (A), for a subgroup of pupils who are foster youth or homeless youth, a numerically significant pupil subgroup is one that consists of at least 15 pupils.

(C) For a school or school district with an API score that is based on no fewer than 11 and no more than 99 pupils with valid test scores, numerically significant pupil subgroups shall be defined by the Superintendent, with approval by the state board.

(4) (A) The API shall consist of a variety of indicators currently reported to the department, including, but not limited to, the results of the achievement test administered pursuant to Section 60640, attendance rates for pupils in elementary schools, middle schools, and secondary schools, and the graduation rates for pupils in secondary schools.

(B) The Superintendent, with the approval of the state board, may also incorporate into the API the rates at which pupils successfully promote from one grade to the next in middle school and high school, and successfully matriculate from middle school to high school.

(C) Graduation rates for pupils in secondary schools shall be calculated for the API as follows:

(i) Four-year graduation rates shall be calculated by taking the number of pupils who graduated on time for the current school year, which is considered to be three school
years after the pupils entered grade 9 for the first time, and dividing that number by the total calculated in clause (ii).

(ii) The number of pupils entering grade 9 for the first time in the school year three school years before the current school year, plus the number of pupils who transferred into the class graduating at the end of the current school year between the school year that was three school years before the current school year and the date of graduation, less the number of pupils who transferred out of the school between the school year that was three school years before the current school year and the date of graduation who were members of the class that is graduating at the end of the current school year.

(iii) Five-year graduation rates shall be calculated by taking the number of pupils who graduated on time for the current school year, which is considered to be four school years after the pupils entered grade 9 for the first time, and dividing that number by the total calculated in clause (iv).

(iv) The number of pupils entering grade 9 for the first time in the school year four years before the current school year, plus the number of pupils who transferred into the class graduating at the end of the current school year between the school year that was four school years before the current school year and the date of graduation, less the number of pupils who transferred out of the school between the school year that was four years before the current school year and the date of graduation who were members of the class that is graduating at the end of the current school year.

(v) Six-year graduation rates shall be calculated by taking the number of pupils who graduated on time for the current school year, which is considered to be five school years after the pupils entered grade 9 for the first time, and dividing that number by the total calculated in clause (vi).

(vi) The number of pupils entering grade 9 for the first time in the school year five years before the current school year, plus the number of pupils who transferred into the class graduating at the end of the current school year between the school year that was five school years before the current school year and the date of graduation, less the number of pupils who transferred out of the school between the school year that was five years before the current school year and the date of graduation who were members of the class that is graduating at the end of the current school year.

(D) The inclusion of five- and six-year graduation rates for pupils in secondary schools shall meet the following requirements:

(i) Schools and school districts shall be granted one-half the credit in their API scores for graduating pupils in five years that they are granted for graduating pupils in four years.

(ii) Schools and school districts shall be granted one-quarter the credit in their API scores for graduating pupils in six years that they are granted for graduating pupils in four years.

(iii) Notwithstanding clauses (i) and (ii), schools and school districts shall be granted full credit in their API scores for graduating in five or six years a pupil with disabilities who graduates in accordance with his or her individualized education program.
(E) The pupil data collected for the API that comes from the achievement test administered pursuant to Section 60640 and the high school exit examination administered pursuant to Section 60851, when fully implemented, shall be disaggregated by special education status, English learners, socioeconomic status, gender, and ethnic group. Only the test scores of pupils who were counted as part of the enrollment in the annual data collection of the California Basic Educational Data System for the current fiscal year and who were continuously enrolled during that year may be included in the test result reports in the API score of the school.

(F) (i) Commencing with the baseline API calculation in 2016, and for each year thereafter, results of the achievement test and other tests specified in subdivision (b) shall constitute no more than 60 percent of the value of the index for secondary schools.

(ii) In addition to the elements required by this paragraph, the Superintendent, with the approval of the state board, may incorporate into the index for secondary schools valid, reliable, and stable measures of pupil preparedness for postsecondary education and career.

(G) Results of the achievement test and other tests specified in subdivision (b) shall constitute at least 60 percent of the value of the index for primary schools and middle schools.

(H) It is the intent of the Legislature that the state’s system of public school accountability be more closely aligned with both the public’s expectations for public education and the workforce needs of the state’s economy. It is therefore necessary that the accountability system evolve beyond its narrow focus on pupil test scores to encompass other valuable information about school performance, including, but not limited to, pupil preparedness for college and career, as well as the high school graduation rates already required by law.

(I) The Superintendent shall annually determine the accuracy of the graduation rate data. Notwithstanding any other law, graduation rates for pupils in dropout recovery high schools shall not be included in the API. For purposes of this subparagraph, “dropout recovery high school” means a high school in which 50 percent or more of its pupils have been designated as dropouts pursuant to the exit/withdrawal codes developed by the department or left a school and were not otherwise enrolled in a school for a period of at least 180 days.

(J) To complement the API, the Superintendent, with the approval of the state board, may develop and implement a program of school quality review that features locally convened panels to visit schools, observe teachers, interview pupils, and examine pupil work, if an appropriation for this purpose is made in the annual Budget Act.

(K) The Superintendent shall annually provide to local educational agencies and the public a transparent and understandable explanation of the individual components of the API and their relative values within the API.

(L) An additional element chosen by the Superintendent and the state board for inclusion in the API pursuant to this paragraph shall not be incorporated into the API until at least one full school year after the state board’s decision to include the element into the API.
(b) Pupil scores from the following tests, when available and when found to be valid and reliable for this purpose, shall be incorporated into the API:

1. The standards-based achievement tests provided for in Section 60642.5.
2. The high school exit examination.

(c) Based on the API, the Superintendent shall develop, and the state board shall adopt, expected annual percentage growth targets for all schools based on their API baseline score from the previous year. Schools are expected to meet these growth targets through effective allocation of available resources. For schools below the statewide API performance target adopted by the state board pursuant to subdivision (d), the minimum annual percentage growth target shall be 5 percent of the difference between the actual API score of a school and the statewide API performance target, or one API point, whichever is greater. Schools at or above the statewide API performance target shall have, as their growth target, maintenance of their API score above the statewide API performance target. However, the state board may set differential growth targets based on grade level of instruction and may set higher growth targets for the lowest performing schools because they have the greatest room for improvement. To meet its growth target, a school shall demonstrate that the annual growth in its API is equal to or more than its schoolwide annual percentage growth target and that all numerically significant pupil subgroups, as defined in subdivision (a), are making comparable improvement.

(d) Upon adoption of state performance standards by the state board, the Superintendent shall recommend, and the state board shall adopt, a statewide API performance target that includes consideration of performance standards and represents the proficiency level required to meet the state performance target.

(e) (1) A school or school district with 11 to 99 pupils with valid test scores shall receive an API score with an asterisk that indicates less statistical certainty than API scores based on 100 or more test scores.

2. A school or school district annually shall receive an API score, unless the Superintendent determines that an API score would be an invalid measure of the performance of the school or school district for one or more of the following reasons:

(A) Irregularities in testing procedures occurred.
(B) The data used to calculate the API score of the school or school district are not representative of the pupil population at the school or school district.
(C) Significant demographic changes in the pupil population render year-to-year comparisons of pupil performance invalid.
(D) The department discovers or receives information indicating that the integrity of the API score has been compromised.
(E) Insufficient pupil participation in the assessments included in the API.
(F) A transition to new standards-based assessments compromises comparability of results across schools or school districts. The Superintendent may use the authority in this subparagraph in the 2013–14, 2014–15, and 2015-16 school years only, with the approval of the state board.
(3) If a school or school district has fewer than 100 pupils with valid test scores, the calculation of the API or adequate yearly progress pursuant to the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) and federal regulations may be calculated over more than one annual administration of the tests administered pursuant to Section 60640 and the high school exit examination administered pursuant to Section 60851, consistent with regulations adopted by the state board.

(4) Any school or school district that does not receive an API calculated pursuant to subparagraph (F) of paragraph (2) shall not receive an API growth target pursuant to subdivision (c). Schools and school districts that do not have an API calculated pursuant to subparagraph (F) of paragraph (2) shall use one of the following:

(A) The most recent API calculation.

(B) An average of the three most recent annual API calculations.

(C) Alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among significant subgroups.

(f) Only schools with 100 or more test scores contributing to the API may be included in the API rankings.

(g) The Superintendent, with the approval of the state board, shall develop an alternative accountability system for schools under the jurisdiction of a county board of education or a county superintendent of schools, community day schools, nonpublic, nonsectarian schools pursuant to Section 56366, and alternative schools serving high-risk pupils, including continuation high schools and opportunity schools. Schools in the alternative accountability system may receive an API score, but shall not be included in the API rankings.

(h) For purposes of this section, county offices of education shall be considered school districts.

(i) For purposes of this section, “homeless youth” has the same meaning as in Section 11434a(2) of Title 42 of the United States Code.
SUBJECT
Update on Issues Related to California’s Implementation of the Elementary and Secondary Education Act and Other Federal Programs.

SUMMARY OF THE ISSUE(S)
This standing item allows the California Department of Education (CDE) to brief the State Board of Education (SBE) on timely topics related to the Elementary and Secondary Education Act (ESEA) and other federal programs.

RECOMMENDATION
The CDE recommends that the SBE take action as deemed necessary and appropriate. No specific action is recommended at this time.

BRIEF HISTORY OF KEY ISSUES
On December 10, 2015, President Obama signed the Every Student Succeeds Act (ESSA), reauthorizing the federal ESEA and replacing the No Child Left Behind Act (NCLB), the 2001 reauthorization of ESEA. Most of the provisions of the ESSA will not take effect until the 2018–19 school year.

The Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) is a principal source of federal funding to states and discretionary grantees for the improvement of secondary and postsecondary career and technical education programs across the nation. The purpose of the Act is to develop more fully the academic, career, and technical skills of secondary and postsecondary students who elect to enroll in career and technical education programs.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION
The CDE retains the firm Brustein & Manasevit, PLLC located in Washington, D.C. as federal policy liaison. Julia Martin, Esquire, Legislative Director, Brustein & Manasevit, provided a federal education update to the California SBE during the January 2016 meeting.
FISCAL ANALYSIS (AS APPROPRIATE)

Any state or local educational agency that does not abide by the mandates or provisions of ESEA is at risk of losing federal funding.

ATTACHMENT(S)

Attachment 1: Washington Update – March 2017 (3 Pages)
To: California State Board of Education
From: Julia Martin, Brustein & Manasevit, PLLC
Re: Washington Update
Date: February 24, 2017

The following memorandum provides a briefing of current actions in Washington, DC. This memorandum will be discussed and expanded upon during the March State Board of Education meeting.

I. Congressional Updates

The focus on Capitol Hill—especially in the Senate—is on nominations for cabinet positions and others. Once the votes on cabinet positions are completed, the focus will turn to the Supreme Court nomination as well as Senate-confirmation administration positions. Jobs like Undersecretary, Assistant Secretary, and Deputy Assistant Secretary, and more than a hundred others at the Department of Education (ED) all require Senate confirmation, though these individuals are generally confirmed as a group.

Congress recently confirmed Betsy DeVos as Secretary of Education with only two Republicans—Susan Collins of Maine and Lisa Murkowski of Alaska—crossing party lines to vote against her. Collins and Murkowski said they were concerned about how rural schools fit into DeVos’ vision for education; Murkowski also cited a large number of negative calls to her office on DeVos as a reason for her vote. With those two defecting, the Senate was tied 50–50, forcing Vice President Mike Pence to cast the deciding vote for her confirmation. DeVos started work the next day, and has since participated in public school visits and a round table on education with the President. She has also said she will examine the various offices and organizations at the ED and see which are redundant and can be eliminated or streamlined.

Congress has also introduced resolutions under the Congressional Review Act (CRA) to repeal some Obama-era education regulations. The CRA allows Congress to reach back 60 legislative days and repeal regulations if a resolution is approved by the House and Senate and signed by the President. These resolutions (as of this writing) pertain to accountability and State plan regulations under Title I of the Every Student Succeeds Act (ESSA) (H. J. Res. 57) and teacher preparation regulations under Title II of the Higher Education Act HEA) (H. J. Res. 58). If the resolutions pass, the agency will be
prohibited from enforcing the regulations and from ever issuing “substantially similar” regulations on the same legislative language. Congress may still introduce additional CRA resolutions on education topics.

From a fiscal perspective, the federal government is still running on a temporary budget measure known as a “continuing resolution” or “CR” through April 28, 2017. Lawmakers are expected to extend this measure without much fanfare or significant changes through the end of the year, but may not do so until later this spring. The real potential for change comes in federal fiscal year (FY) 2018. Lawmakers are discussing making more significant changes in order to cut federal spending, including potentially an across-the-board cut of up to 10 percent to discretionary spending, a category that includes education funding. Such across-the-board cuts tend to be more or less equally painful to all sectors, and thus are more attractive to appropriators than targeted cuts. Still, we expect to see a limited number of programs, like Title I of the Elementary and Secondary Education Act and Part B of the Individuals with Disabilities Education Act, more or less protected because lawmakers consider that spending an obligation.

Action on other policy legislation will take a backseat until Congress completes its work on nominations and appropriations. Though Perkins Act reauthorization, the Higher Education Act, and a revamp of the child nutrition programs are all on Congress’ to-do list, no substantive policy proposals have been put forth in any of these areas as of this writing. Congress also has a limited appetite for some of the President’s stated education priorities, including “banning” Common Core State Standards and promoting a large-scale new source of funding for school vouchers. This is in large part because they know it would be disruptive to States, but also because the House Education and Workforce Committee and the Senate Health, Education, Labor, and Pensions Committee just spent nearly a decade overhauling K-12 education policy and are not eager to revisit that discussion.

II. Administration Updates

New Secretary of Education Betsy DeVos has made clear she has new priorities for her ED. While President Obama’s education secretaries focused on access and equity in education, we expect DeVos to focus on State autonomy and parental choice. This could mean the review or repeal of regulations or guidance that limit such autonomy (this can happen at any time and is not limited to the 60-day threshold given to Congress under the CRA), closing or shrinking offices at the ED like the Office of Civil Rights and the Office of the Undersecretary, or reevaluating policies on charter school flexibilities. DeVos may also open up previously unutilized pieces of the law and federal dollars, including the option under ESSA for districts to apply directly to ED for the ability to combine federal, State, and local dollars into a more flexible funding formula.

The President has issued two executive orders that will impact education regulations. One pauses the effective date of regulations which were final but had not yet gone into
effect; these regulations are now scheduled to take effect no earlier than March 21, 2017 (this includes ESSA accountability regulations and others). Agencies are instructed to review these regulations for questions of law and policy and make further delays if necessary.

Another executive order instructs agencies to cut two old regulations for each new rule published. Costs also must be offset—that is, a new rule can cost no more than the two rules being repealed. This raises a number of questions about what constitutes a rule (a Federal Register-published document only, or nonregulatory guidance as well), strength of enforcement (can an agency bypass this), and whether regulations required by Congress are an exception.

Regardless of how it happens, it is clear that regulations under ESSA and other federal laws could be drastically changed or repealed wholesale in the coming months. Guidance may also be revoked, replaced, amended, or simply archived and not enforced by the agency. In the absence of guidance or regulation, States like California and its districts should rely on the language of the statute and other non-affected guidance or regulations. However, uncertainty will be a constant in the coming months.

I look forward to discussing these topics and hearing your questions in person during the Board meeting.
Federal Update

Julia Martin
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March 2017
Congress
Primary Task is Nominations

- Cabinet Nominations
  - Senate-confirmable administration posts
- Supreme Court nominee
Action on Regulations

- **Congressional Review Act (CRA)**
  - Allows Congress to reach back 60 legislative days
  - Resolution passed by House and Senate and signed by President overturns regulation
  - Responsible agency prohibited from ever issuing “substantially similar” on the same legislative language
Action on Regulations

• CRA Resolutions on:
  • ESSA Title I Accountability Regulations (H.J. Res. 57)
  • HEA Title II Teacher Preparation Regulations (H.J. Res. 58)
Appropriations

- Government currently running on Continuing Resolution (CR) through April 28th
  - Little appetite for big shifts in remaining months of 2017
Appropriations

- Budget and Appropriations process for FY 2018 starts early 2017
  - President preparing budget “outline” for Congress
  - Potential for across-the-board cuts of up to 10%
  - But little likelihood of targeted cuts
    - Title I, IDEA likely to be somewhat protected
  - Changes to sequestration?
  - Balancing of defense, entitlement, and non-defense discretionary spending
Tax Reform

- Expected that President will suggest tax credits for parents who send their children to private schools
  - Up to $20 billion total
  - Will not come out of Title I/K-12 budget, but will have to be offset by other cuts to spending
  - Would require action by Congress
Policy Legislation

• All on the back burner:
  • Perkins
  • Higher Education Act
  • Child Nutrition Reauthorization

• Unlikely to see action:
  • Any changes to ESSA
The Administration
Overall Education Priorities

Equity → State autonomy/ parental choice
Potential Administrative Priorities

- Review/repeal of regulations, guidance
- Closing/shrinkage of Office of Civil Rights, others
- Reevaluation of charter school flexibilities
- Open up previously unutilized pieces of law, money
Potential Administrative Priorities

• Pushing for “States’ rights” and additional State responsibilities
  • Guidance on accommodating transgender students rescinded by ED/DOJ for two major reasons:
    • Administration disagreed with legal interpretation extending Title IX protections
    • Said that States and districts should be making this decision, not federal government
Who’s Running the Place?

• Secretary of Education Betsy DeVos
  • Leadership roles still not filled
  • Current political staff (non-defined roles):
    • Ebony Lee (Bush admin/Gates Foundation)
    • Michael Brickman (WI Gov. Scott Walker, Fordham Inst.)
    • Jim Manning (Bush admin)
    • Josh Venable (FL Gov. Jeb Bush, Foundation for Educational Excellence)
    • Andrew Kossack (IN Supt. Tony Bennett, Foundation for Educational Excellence)
  • Handful of campaign, transition staff
Executive Orders

• Regulatory Pause (1/21)
  • Regulations which are final but not yet passed their effective date will be delayed for 60 days
    • i.e. to March 21st
  • Agencies are instructed to review for questions/ issues of law and policy, potentially delaying effective date further if necessary
• ED: ESSA accountability and State plans, FERPA
Executive Orders

• Cutting Regulations (1/30)
  • For every new regulation issued, two must be revoked
    • Costs must be offset
  • Regulatory budget for agencies zeroed out

• Questions:
  • Applies to regulations required by Congress?
  • Easy to circumvent?
  • Definition of Regulation?
Immigration Policy

- Area of significant potential action
- Closing off “visa waiver” program for select countries
- Increasing Customs and Border Control (CBP) staff
- Making detention and deportation a priority
- For now, no action expected on Deferred Action for Childhood Arrivals (DACA) individuals, but could change
- New immigration raids and proposals surrounding deportation of immigrants that have become a “public burden” expected to have a chilling effect on school attendance and program participation
ESSA Implementation

- Accountability regulations subject of Congressional CRA resolution
  - ED says it will issue new State plan template mid-March
    - Will contain only elements required under law
- Supplement, not supplant regulations withdrawn by ED
- Assessment regulations still applicable
- Most guidance documents (e.g. equitable services) still applicable
- Lots of uncertainty!
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CALIFORNIA STATE BOARD OF EDUCATION
MARCH 2017 AGENDA

SUBJECT
Update on the Development of the California State Plan for the Every Student Succeeds Act

SUMMARY OF THE ISSUE(S)

The Every Student Succeeds Act (ESSA) was signed into law by President Barack Obama on December 10, 2015, and goes 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).

As part of California’s transition to the ESSA, California must submit an ESSA Consolidated State Plan (State Plan) to the U.S. Department of Education (ED) in 2017. The State Plan will describe the State’s implementation of standards, assessments, accountability, and assistance programs. This agenda item provides an update to inform the State Board of Education (SBE) and the public regarding the development of the ESSA State Plan as well as a set of assurances that California must submit to receive ESSA funds in 2017–18.

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE review and approve any required ESSA assurances and authorize the SBE President to sign and submit the assurances to the ED by the due date established by ED. The CDE also recommends that the SBE take action as deemed necessary on the ESSA-related policy decisions provided in Attachment 2 of the item.

BRIEF HISTORY OF KEY ISSUES

The ESSA maintains the original purpose of ESEA: equal opportunity for all students. Departing from the NCLB reauthorization, ESSA grants much 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 directions in accountability and continuous improvement.
ESSA State Plan Guiding Principles

California intends to align state and federal education policies to the greatest extent possible to develop an integrated local, state, and federal accountability and continuous improvement system grounded in the Local Control Funding Formula (LCFF). This will promote coherence across programs to better serve the needs of local educational agencies (LEAs), schools, educators, and students; recognize the diverse and multidimensional characteristics of LEAs, schools, educators, and students, and support LEAs, schools, educators, and students in diverse and multidimensional ways; and systematically and collaboratively identify and resource opportunities to build the capacity of local, regional, and state educators and leaders to better serve students and families.

At its January 2017 meeting, the SBE unanimously approved the following guiding principles as part of a framework to develop a working draft of the State Plan.

- Ensure that state priorities and direction lead the plan with opportunities in the ESSA leveraged to assist in accomplishing goals and objectives.

- Create a single, coherent system that avoids the complexities of having separate state and federal accountability structures.

- Refresh applications, plans, and commitments to ensure that LEAs are evidencing alignment of federal funds to state and local priorities.

- Use the ESSA State Plan to draw further focus to California’s commitment to the implementation of rigorous state standards, equity, local control, performance, and continuous improvement.

- Leverage state administrative funds to realign CDE operations to state priorities.

- Strategically approach state-allowed reservations from Title programs to further state priorities.

Consistent with these principles, California’s ESSA State Plan will be drafted to meet statutory requirements in a way that furthers California’s actions to implement an effective education system that reflects a commitment to performance, equity, and continuous improvement. When completed, the State Plan will describe how California will use, manage, and monitor federal funds to support implementation of rigorous state academic standards within a continuous improvement-based accountability and support system consistent with California’s existing LCFF approach.

Feedback on Remaining ESSA-related Policy Decisions

In January 2017, CDE staff presented to the SBE a set of questions that California must address in the ESSA State Plan:
• What is the purpose and focus of the plan as it pertains to maximizing the impact of federal funds?

• What are the State’s academic standards and assessments that provide a point of reference for other elements in the plan?

• How will the State provide funds to LEAs to further the goals identified in the plan?

• How is educator equity supported?

• How are the needs of English learners met?

• How is progress towards state goals measured and addressed?

• How will funds to meet stated goals be monitored?

• How will schools in need of assistance be identified?

• What assistance will be provided to support continuous improvement?

California’s emerging accountability and continuous improvement system is well positioned to address most of these questions and meet federal requirements. Many of the questions have already been answered through previous SBE action. However, several key policy questions remain. California’s current status relative to each of the questions that will be addressed in the State Plan is provided in Attachment 1.

In February 2017, the CDE solicited extensive feedback from diverse stakeholders regarding the remaining policy questions to help inform SBE decision-making. Staff conducted four regional meetings, hosted two webinars, and engaged the LCFF statewide organization policy input group and the California Practitioners Advisory Group (CPAG) in facilitated conversation regarding options the SBE might consider to address questions around accountability, school improvement, English learner reclassification, educator equity, and school leadership. Summaries of stakeholder feedback, including an analysis of advantages and disadvantages of available options based on stakeholder experience, along with CDE recommendations regarding next steps for each of the remaining policy decisions, are provided in Attachment 2.

ESSA State Plan Assurances

Section 8304 of the ESSA provides that each state educational agency (SEA), in consultation with the Governor of the State, that submits a consolidated State Plan or individual program plan under the ESSA, must have on file with the U.S. Secretary of Education (Secretary) a single set of assurances. On November 29, 2016, ED made available the required assurances, provided in Attachment 3. Each SEA must submit to the Secretary agreement to these assurances no later than April 3, 2017, in order to receive federal allocations for the following programs for fiscal year 2017:
• Title I, Part A: Improving Basic Programs Operated by State and Local Educational Agencies

• Title I, Part C: Education of Migratory Children

• Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk

• Title II, Part A: Supporting Effective Instruction

• Title III, Part A: Language Instruction for English Learners and Immigrant Students

• Title IV, Part A: Student Support and Academic Enrichment Grants

• Title IV, Part B: 21st Century Community Learning Centers

• Title V, Part B, Subpart 2: Rural and Low-Income School Program

• Title VII, Subpart B of the McKinney Vento-Homeless Assistance Act: Education for Homeless Children and Youths

On February 10, 2017, ED sent a letter to states indicating that it was reviewing the regulatory requirements of the consolidated state plan template made available on November 29, 2016 and planning to develop a revised consolidated state plan template that would address only the “absolutely necessary” elements of state plans consistent with Section 8302(b)(3) of the ESSA. The letter states that the new state plan template will be available by March 13, 2017. It is likely that the assurances document, which references ESSA regulations, will be similarly updated to reflect only statutory requirements. Consequently, CDE is requesting that the SBE authorize the SBE President to review, sign, and submit to ED any iteration of the assurances.

Ongoing Communication and Engagement

States are required to consult with diverse stakeholders at multiple points during the design, development, and implementation of their ESSA state plans. The SBE and CDE are committed to ensuring a transparent transition to the new law and developing an ESSA State Plan that is informed by the voices of diverse Californians. A summary of outreach and consultation activities conducted by CDE staff in January and February 2017 is provided in Attachment 4.

The most current information regarding California’s transition to the ESSA is available on the CDE ESSA Web page at http://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. Questions regarding ESSA in California may be sent to ESSA@cde.ca.gov.
SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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

November 2016: CDE 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. The first draft sections of the ESSA Consolidated State Plan included the sections addressing Consultation and Coordination, Challenging State Academic Standards and Academic Assessments, and program specific requirements. 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: 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. The update included information regarding use of federal funds and a description of stakeholder outreach and communications activities. Further, CDE staff reviewed Phase I of stakeholder engagement around ESSA, which was provided to the SBE as an August Information Memorandum. In addition, CDE and SBE staff presented to the SBE an update regarding the development of a new accountability and continuous improvement system, which led to the SBE approval of key elements of the system that will be used to evaluate schools and districts in ten areas critical to student performance, including graduation rates, readiness for college and careers, test scores, and progress of English learners.

July 2016: 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. Additionally, CDE and SBE staff presented to the SBE an update regarding the development of a new accountability and continuous improvement system, which led to the SBE approval of a measure of college and career readiness, a methodology for establishing standards for state priorities, inclusion of a standard for use of local climate surveys, an Equity Report within the top-level summary data display, and the development of a timeline through the 2017 calendar year addressing upcoming developmental work.
May 2016: CDE 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. CDE and SBE staff presented to the SBE an update regarding the development of a new accountability and continuous improvement system, which led to the SBE approval of specific design elements of the LCFF evaluation rubrics and direction to staff to prepare recommendations and updates concerning standards for the LCFF priority areas and feasibility of incorporating additional indicators. 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. The SBE also heard a presentation of the Final Report from the State Superintendent of Public Instruction’s Advisory Accountability and Continuous Improvement Task Force.

March 2016: CDE and SBE staff presented to the SBE an update regarding development of a new accountability system including information regarding the Local Control and Accountability Plan and annual update template, evaluation rubrics, the ESSA State Plan, and the revised timeline for transitioning to a new accountability and continuous improvement system. The SBE approved appointments to the California Practitioners Advisory Group.

January 2016: 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 K–12 funding as of the 2016–17 California Budget Act is $88.3 billion:

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<tbody>
<tr>
<td>State</td>
<td>$52.9 billion</td>
<td>Local</td>
<td>27.4 billion</td>
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<tr>
<td>Federal</td>
<td>8.0 billion</td>
<td>Total</td>
<td>$88.3 billion</td>
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This includes K–12 revenues from all sources. ESSA funds are only a portion of the total federal funding amount. The ESSA will be implemented in 2017–18. No fiscal changes are projected for the 2016–17 school year. The new law will become effective for non-competitive formula grants in the 2017–18 school year.

The following fiscal information relates specifically to the programs included in the ESSA Consolidated State Plan. State allocations for fiscal years 2016 and 2017 are preliminary estimates based on currently available data. Allocations based on new data may result in significant changes from these preliminary estimates. The 2016–17 amounts provided below are based on actual grant awards, but are also subject to change.

The 2017–18 amounts provided below are based on ED’s State Tables which are based on the President’s Proposed Budget.
For Title I, minor changes to the amount of Title I funds that flow through each of the four parts will be made, but the state grant formula overall is unchanged.

Title I, Part A: Improving Basic Programs Operated by State and Local Educational Agencies: California currently receives approximately $1.767 billion. The CDE anticipates that California will receive $1.803 billion in Title I, Part A funds in 2017–18.

Title I, Part B: State Assessment Grants: California currently receives approximately $28 million from ESEA Title VI, State Assessments program. The CDE anticipates that California will receive $26.4 million in ESSA, Title I, Part B funds in 2017–18.

Title I, Part C: Education of Migratory Children: California currently receives approximately $128.7 million. The CDE anticipates that California will receive $116.2 million in Title I, Part C funds in 2017–18.

Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk: California currently receives approximately $1.7 million. The CDE anticipates that California will receive $1.2 million in Title I, Part D funds in 2017–18.

Title II, Part A: Preparing, Training, and Recruiting High Quality Teachers, Principals, and Other School Leaders: The state grant formula will be adjusted, gradually eliminating the hold harmless provision by 2023 and increasing the poverty factor and decreasing the population factor from the current 65/35 ratio to 80/20 in 2020. According to a report by the Congressional Research Service, California's Title II, Part A funding is projected to increase by more than $25 million by 2023 as a result of these changes. California currently receives approximately $249.3 million. The CDE anticipates that California will receive $252 million in Title II, Part A funds in 2017–18.

Title III: Language Instruction for English Learners and Immigrant Students: The state grant formula for Title III remains unchanged. California currently receives approximately $150 million. The CDE anticipates that California will receive $167.6 million in Title III funds in 2017–18.

Title IV, Part A: Student Support and Academic Enrichment Grants: California does not currently receive Title IV, Part A funding. The CDE anticipates that California will receive $58 million in Title IV, Part A funds based on the President's Proposed Budget.

Title IV, Part B: 21st Century Community Learning Centers: California currently receives approximately $132.7 million. The CDE anticipates that California will receive $113.7 million in Title IV, Part B funds in 2017–18.

Title V, Rural Education Initiative: California currently receives approximately $1.5 million from Title VI, Part B, Subpart 1 of ESEA. The CDE anticipates that California will receive $3.5 million in 2017–18.
Title IX, Part A: Education for Homeless Children and Youths: California currently receives approximately $8.2 million. The CDE anticipates that California will receive $10 million in 2017–18.

Additionally, CDE staff has also provided funding analyses and recommendations in the following documents:

- September 2016 SBE Meeting Agenda Item 02
  (http://www.cde.ca.gov/be/ag/ag/yr16/documents/sep16item02.doc)
  - Attachment 1: Overview of Every Student Succeeds Act Program
    This document provides an overview of programs included in the ESSA, including estimated funding amounts and reservations for state administration and state level activities.
  - Attachment 3: ESSA State Plan: Information to Support Decision-Making Regarding Use of Federal Funds
    This document provides the SBE with context to inform decision-making regarding uses of ESSA funds at the state and local levels, including an overview of how ESEA funds are currently used and considerations for using ESSA funds to supplement state investments.

- October 2016 CPAG Meeting Memorandum for Item 01: Potential Approaches to Using Federal Funds to Support State Priorities
  (http://www.cde.ca.gov/be/cc/cp/documents/memo-cpag-oct16item1.doc)
  This memorandum provides an overview of the opportunities within the ESSA to use federal funds to support state priorities along with several scenarios and opportunities to “braid” resources.

ATTACHMENT(S)

Attachment 1: California ESSA State Plan Framework Status Update (9 Pages)

Attachment 2: Stakeholder Feedback Regarding ESSA State Plan Policy Decisions (22 Pages)

Attachment 3: State Assurances Template Under the Every Student Succeeds Act (6 Pages)

Attachment 4: ESSA State Plan: Communications, Outreach, and Consultation with Stakeholders: November–December 2016 (6 Pages)
## California ESSA State Plan Framework Status Update

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<thead>
<tr>
<th>Plan Element/ Issue to Address</th>
<th>Policy Decisions (SBE)</th>
<th>Administrative/ Management Decisions and Actions (CDE)</th>
<th>Status</th>
<th>March 2017 Update</th>
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| What is the **purpose** and **focus** of the plan as it pertains to maximizing the impact of federal funds? | Determine system-wide goals:  
  - Implementation of state standards for all students  
  - Furthering Local Control Funding Formula (LCFF) state priorities  
  - Supporting accountability and continuous improvement across the system | Develop a description of proposed system-wide goals to inform policy discussions and State Board of Education (SBE) decision-making | California Department of Education (CDE) has presented items to the SBE and California Practitioners Advisory Group (CPAG) that capture the plan’s purpose and focus. The SBE has provided CDE direction to ground the plan in the California Way.  
Additional information may be drawn from several sources (e.g., Accountability and Continuous Improvement Task Force report, CPAG items). | **Complete**: The plan’s purpose and focus will be aligned to the California Way.  
**Further Action**: None required |
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<td>What are the State’s academic standards and assessments that provide a point of reference for other elements in the plan?</td>
<td>Adopt academic content standards, and corresponding curriculum frameworks, including English language development standards. Adopt statewide assessment system that includes formative tools and interim assessments for all students, including those in specific populations (e.g., English learners, students with disabilities).</td>
<td>Develop and disseminate academic content standards. Develop and disseminate curriculum frameworks. Administer assessments; collect, analyze, and report data; use data to inform policymakers and stakeholders and to make administrative/management decisions.</td>
<td>The SBE has adopted academic content standards, curriculum frameworks, and assessments, and the CDE has put in place curriculum frameworks and an assessment system to support student attainment of these standards. The November 2016 draft ESSA State Plan section on standards and assessment describes what is in place and what is in development.</td>
<td><strong>Complete</strong>: The plan will address California’s adopted standards, frameworks, and assessments and CDE has put in place curriculum frameworks and an assessment system. <strong>Further Action</strong>: None required</td>
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<td>How will the State <strong>provide funds to local educational agencies</strong> to further the goals identified in the plan?</td>
<td>Based on system-wide goals, develop criteria or parameters to guide allocations and/or funding use (e.g., implementation of state standards, consideration of evaluation rubrics, equity). Direct CDE staff to design applications and templates OR adopt applications and templates consistent with goals and criteria.</td>
<td>Revise local educational agency (LEA) Consolidated Application and planning templates to reflect SBE policy priorities. Develop and oversee application review process to support continuous improvement and adherence with SBE priorities.</td>
<td>The SBE adopted a new Local Control and Accountability Plan (LCAP) template at its November 2016 meeting. CDE staff are working on options to address federal funds in coordination with the LCAP. CDE staff have reviewed and updated the Consolidated Application to reflect Every Student Succeeds Act (ESSA) requirements. In addition, the CDE has convened LEA representatives to assist in designing a new approach to meeting federal planning requirements within the context of the LCAP process. A new LCAP Addendum was developed through this collaborative process. More information regarding local planning requirements is available in a February 2017 information memorandum available at <a href="http://www.cde.ca.gov/be/pn/im/documents/memo-essa-feb17item01.doc">http://www.cde.ca.gov/be/pn/im/documents/memo-essa-feb17item01.doc</a>.</td>
<td><strong>Complete:</strong> The CDE will continue to work with stakeholders to refine the LCAP Addendum and plans to make it available online for interested LEAs to pilot in 2017–18. All LEAs applying for ESSA funding in 2018–19 will be required to complete the appropriate sections of the LCAP Addendum in concert with their 2018–19 LCAP review and update. This will be described in the plan. <strong>Further Action:</strong> None required</td>
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<td>How is educator equity supported?</td>
<td>Adopt definition or guidelines for &quot;ineffective/effective teacher&quot; and related system of support. Determine the level and type of technical assistance to support LEAs identified as having educator equity needs.</td>
<td>Communicate definition or guidelines to LEAs. Monitor and provide technical assistance to schools where improvements in educator equity are needed.</td>
<td>The SBE adopted and CDE is actively implementing California’s Educator Equity Plan, which draws from <em>Greatness by Design</em>.¹ CDE engaged stakeholders in conversations regarding educator equity throughout the development of the 2015 Educator Equity Plan and the 2016 update of the equity plan.² In February 2017, CDE staff conducted statewide ESSA stakeholder meetings to engage a variety of stakeholders in discussions regarding State support for LEAs whose low-income and minority students experience disproportionate rates of access to ineffective, out-of-field, and inexperienced teachers. Staff collected feedback from stakeholders, including the CPAG, to inform SBE decision-making.</td>
<td>CDE staff has prepared a brief, provided in Attachment 2, containing stakeholder input and options for the SBE to determine how LEAs should be supported to ensure that low-income and minority students are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers. The CDE does not recommend any action on this topic for March. Staff will engage stakeholders in focused conversations around the definition of “ineffective/effective teacher” to inform SBE decision-making.</td>
</tr>
</tbody>
</table>

¹ Available at [http://www.cde.ca.gov/eo/in/documents/greatnessfinal.pdf](http://www.cde.ca.gov/eo/in/documents/greatnessfinal.pdf)

² Available at [http://www.cde.ca.gov/be/pn/im/documents/memo-ilssb-plsd-dec16item01.doc](http://www.cde.ca.gov/be/pn/im/documents/memo-ilssb-plsd-dec16item01.doc)
<table>
<thead>
<tr>
<th>Plan Element/Issue to Address</th>
<th>Policy Decisions (SBE)</th>
<th>Administrative/Management Decisions and Actions (CDE)</th>
<th>Status</th>
<th>March 2017 Update</th>
</tr>
</thead>
<tbody>
<tr>
<td>How are the needs of <strong>English learners</strong> met?</td>
<td>Adopt composite accountability indicator for English learner (EL) progress</td>
<td>Develop options for an EL accountability indicator in consultation with educators and experts.</td>
<td>The SBE has indicated key parameters to be considered regarding an EL accountability indicator. The CDE has established a working group to address an EL accountability indicator, which will provide information for policy options and decision-making.</td>
<td>CDE staff has prepared a brief, provided in Attachment 2, containing an overview of ESSA statewide EL definition requirements and stakeholder input, options, and recommendations for the SBE to determine the type of guidance and support that would be helpful to support standard exit criteria for English learners.</td>
</tr>
<tr>
<td></td>
<td>Describe statewide, standardized definition of English learner (entrance and exit procedures and criteria). The reclassification criteria are currently defined in California Education Code (EC).</td>
<td>Examine empirical data from current and new English language development (ELD) assessments to model options for ELD progress expectations.</td>
<td>In February 2017, CDE staff conducted statewide ESSA stakeholder meetings to engage a variety of stakeholders in discussion regarding updating EL reclassification guidance. Staff collected feedback from stakeholders, including the CPAG, to inform SBE decision-making.</td>
<td>As part of the complete draft ESSA State Plan that will be presented to the SBE in May, the CDE intends to recommend that California defer addressing the standardized definition of English learner and related ESSA requirements until the English Learner Proficiency Assessments for California are fully operational.</td>
</tr>
<tr>
<td></td>
<td>Establish a process for stakeholder input around developing a statewide standardized EL definition with LEA consultation.</td>
<td>Examine relationship of ELD progress to academic progress and time in system to model options for refining expectations over time.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

As part of the complete draft ESSA State Plan that will be presented to the SBE in May, the CDE intends to recommend that California defer addressing the standardized definition of English learner and related ESSA requirements until the English Learner Proficiency Assessments for California are fully operational.
<table>
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<tr>
<th>Plan Element/Issue to Address</th>
<th>Policy Decisions (SBE)</th>
<th>Administrative/Management Decisions and Actions (CDE)</th>
<th>Status</th>
<th>March 2017 Update</th>
</tr>
</thead>
<tbody>
<tr>
<td>How is progress towards state goals measured and addressed?</td>
<td>Adopt accountability indicators and performance standards: • California School Dashboard</td>
<td>Develop and distribute results for these selected indicators and standards. Provide technical assistance and support to LEAs to understand and use results.</td>
<td>The SBE adopted the LCFF Evaluation Rubrics in September 2016, now known as the California School Dashboard, which has provided a framework for accountability measures and their use. CDE staff continues working on analysis and options for standards for identified indicators. The online California School Dashboard will be released in early 2017. Past SBE items provide useful documentation that explains rationale and approach.</td>
<td>The CDE has identified several options for establishing long-term goals, described in Attachment 2. The CDE recommends that that the SBE discuss these options and provide any necessary feedback to the CDE before these options are discussed further with stakeholders. The CDE will collect additional input from the Technical Design Group (TDG) and CPAG before presenting a recommendation to the SBE regarding methodology for establishing long-term goals.</td>
</tr>
<tr>
<td>Plan Element/ Issue to Address</td>
<td>Policy Decisions (SBE)</td>
<td>Administrative/ Management Decisions and Actions (CDE)</td>
<td>Status</td>
<td>March 2017 Update</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>------------------------</td>
<td>-------------------------------------------------------</td>
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<td>-------------------</td>
</tr>
</tbody>
</table>
| How will funds to meet stated goals be monitored? | N/A                    | Design and manage Federal Program Monitoring (FPM) process.  
Update and maintain FPM instruments and Consolidated Application Reporting System (CARS) to reflect changes in state policies and federal requirements. | CDE currently monitors federal funding use through a cycle of FPM and the Consolidated Application. As part of the transition to ESSA, both the FPM instrument and CARS tools are being updated. | Status: The CDE will continue to align the FPM process and Consolidated Application to the requirements of ESSA and to the final draft of California's ESSA State Plan.  
Further Action: None required |
<table>
<thead>
<tr>
<th>Plan Element/ Issue to Address</th>
<th>Policy Decisions (SBE)</th>
<th>Administrative/ Management Decisions and Actions (CDE)</th>
<th>Status</th>
<th>March 2017 Update</th>
</tr>
</thead>
<tbody>
<tr>
<td>How will schools in need of assistance be identified?</td>
<td>Adopt accountability indicators and standards • California School Dashboard</td>
<td>Develop scenarios to assist the SBE to establish policies that will determine how schools in need of assistance are identified. Manage data to identify schools consistent with SBE policy. Monitor results and oversee research to inform refinement of measures and approach.</td>
<td>The SBE adopted a structure to classify outcomes using a color classification system. Performance in the red and orange categories are intended to indicate a need for assistance. The SBE further identified a multi-tiered system of support including the California Collaborative for Educational Excellence (CCEE), county offices of education (COEs), and CDE. The exact pathways to assistance and specific criteria are yet to be determined. Furthermore, there is also a need to define the assistance structure to the school-level, which may include consideration of district performance status, areas of need, and concentration of need.</td>
<td>The CDE has identified several options for identifying schools in need of assistance described in Attachment 2. The CDE recommends that that the SBE discuss these options and provide any necessary feedback to the CDE before these options are discussed further with stakeholders. The CDE will collect additional input from the TDG and CPAG before presenting a recommendation to the SBE regarding methodology for identification of schools eligible for additional supports.</td>
</tr>
</tbody>
</table>

In February 2017, CDE staff conducted statewide ESSA stakeholder meetings to engage a variety of stakeholders in discussions regarding this issue, collecting feedback from the CPAG and other stakeholders.
### Plan Element/Issue to Address | Policy Decisions (SBE) | Administrative/Management Decisions and Actions (CDE) | Status | March 2017 Update
---|---|---|---|---
**What assistance will be provided to support continuous improvement?**<br>How do we support identified schools to improve? | Adopt technical assistance structure, including criteria for identification. Once structure is in place, approve grants to low performing schools. Adopt criteria or guidance for statewide initiative that supports educator excellence. | Develop options with analysis and recommendations regarding technical assistance structure to inform SBE decision-making. Develop options with analysis for how funds can be “braided” and/or coordinated to support low-performing schools and educator quality needs (i.e., set-asides). | As noted above, the SBE has considered a multi-tiered system of support for LEAs. It has not explicitly discussed or considered school-level assistance. CDE staff provided examples of braiding funding to provide technical assistance and support to low-performing schools in a memo to the CPAG ([http://www.cde.ca.gov/BE/cc/cp/documents/memo-cpag-oct16item1.doc](http://www.cde.ca.gov/BE/cc/cp/documents/memo-cpag-oct16item1.doc)). In February 2017, CDE staff conducted statewide ESSA stakeholder meetings to engage a variety of stakeholders in discussions regarding these issues. Staff collected feedback from stakeholders, including the CPAG, to inform SBE decision-making. | CDE staff has prepared a brief containing stakeholder input regarding how best to allocate funds to LEAs, or consortia of LEAs, to support schools identified for additional assistance. In addition, staff has prepared a brief containing stakeholder input regarding establishing a statewide infrastructure to support school leadership. The information in these briefs, provided in Attachment 2, may be used to inform future SBE decision-making regarding the design of the emerging LCFF-based statewide system of support. The CDE welcomes any feedback or direction SBE members may have at this time regarding support for identified schools and school leaders. |
**How do we support educators to improve?** | | | | |

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3 The September 2016 SBE Meeting Agenda Item 01 Attachment 3 provides context to inform decision-making regarding uses of ESSA funds at the state and local levels, including an overview of how ESEA funds are currently used and considerations for using ESSA funds to supplement state investments ([http://www.cde.ca.gov/be/ag/agyr16/documents/sep16item02.doc](http://www.cde.ca.gov/be/ag/agyr16/documents/sep16item02.doc)).
Stakeholder Feedback Regarding ESSA State Plan Policy Decisions

Each state is required to submit a plan to the U.S. Department of Education (ED) that describes how Every Student Succeeds Act (ESSA) funds will be used, managed, and monitored to address state needs and federal statute. Within its State Plan, California will be required to address the following questions:

- What is the purpose and focus of the plan as it pertains to maximizing the impact of federal funds?
- What are the State’s academic standards and assessments that provide a point of reference for other elements in the plan?
- How will the State provide funds to local educational agencies to further the goals identified in the plan?
- How is educator equity supported?
- How are the needs of English learners met?
- How is progress towards state goals measured and addressed?
- How will funds to meet stated goals be monitored?
- How will schools in need of assistance be identified?
- What assistance will be provided to support continuous improvement?

For the most part, California’s emerging accountability and continuous improvement system is well positioned to address these questions and meet federal requirements. Many of the questions have already been answered through previous State Board of Education (SBE) action. However, several key policy questions remain.

In February 2017, the California Department of Education (CDE) solicited feedback from diverse stakeholders regarding the remaining policy questions to help inform SBE decision-making. Staff conducted four regional meetings in partnership with county offices of education, hosted two webinars, and engaged the Local Control Funding Formula (LCFF) statewide organization policy input group and the California Practitioners Advisory Group (CPAG) in facilitated conversations regarding options the SBE might consider to address these questions. In addition, a survey was made available to encourage those unable to participate in a meeting or webinar to engage in the process. More information regarding these activities and a link to the materials used at the meetings is available on the CDE ESSA State Plan Development Opportunities Web page at [http://www.cde.ca.gov/re/es/essaopptopart.asp](http://www.cde.ca.gov/re/es/essaopptopart.asp).
More than 500 stakeholders participated in the regional meetings and webinars, and dozens more reviewed the recording of the webinar and provided feedback through the online survey. Each of the stakeholder groups the ESSA requires states to consult during the development of the State Plan were represented by these event participants, with large representation from LEAs, teachers, professional organizations, and community-based organizations, and smaller yet active participation from parents and families, principals, charter school leaders, and classified staff.

For each of the topics presented below, stakeholders engaged in a short presentation of relevant background information, after which they were presented with policy options and asked to consider the advantages and disadvantages of each option. This document includes the background information presented on each topic and summarizes stakeholder feedback. CDE recommendations regarding next steps for each of the remaining policy decisions are also provided.

Accountability and Continuous Improvement

The ESSA requires states to establish long-term goals for students and identify the lowest performing five percent of schools in the state for additional supports. Stakeholders were asked to provide feedback on various approaches to establishing long-term goals and how the California School Dashboard (Dashboard) might be used to identify the lowest-performing schools.

Background Information Presented to Stakeholders

California is at the forefront, nationally, in using multiple measures of student success for district and school accountability. Based on the LCFF, established in 2013, California’s new accountability system provides a more complete picture of how schools are meeting the needs of the students they serve.

LCFF also requires that the SBE adopt a new accountability tool, originally referred to as evaluation rubrics, which considers all LCFF State priorities. The new accountability system will be fully operational in 2017–18. In contrast to the targets that were in place under No Child Left Behind, the SBE approved realistic performance standards that take into account the present range of performance statewide and incorporate improvement as part of a district’s or school’s overall performance.

Educators, parents, and stakeholders will be able to track school and district progress on the concise set of indicators included in the new accountability tool now referred to as the California School Dashboard. The Dashboard will include a set of easy-to-use reports that will help parents, educators, and the public evaluate schools and districts, identify strengths and weaknesses, and allow targeted assistance to be given to districts and schools that need extra help. It will greatly assist efforts to improve equity by identifying student groups that may be struggling on one or more state measures.
Some of the indicators included in the new accountability tool apply uniformly across the state and show performance of all students and student groups at the local educational agency (LEA) and school levels. These are called “State indicators” and include:

- Student test scores for English language arts and mathematics (known as the “Academic Indicator”),
- College and career readiness (known as the “College/Career Indicator”),
- Proficiency for English learners (known as the “English Learner Progress Indicator”),
- Graduation rates,
- Chronic absenteeism, and
- Suspension rates.

For each of the state indicators, LEAs and schools will receive one of five color-coded performance levels, which are based on how current performance (Status) compares to past performance (Change). There are five possible ranges for Status and five possible ranges for Change. This results in a five-by-five grid (resulting in 25 results) for each indicator. LEAs, schools, and student groups receive one of the five color-coded performance levels based on the combination of their Status and Change.

Figure 1 provides an example of how the five-by-five reference chart is used to determine performance. The chart displays how a school with “High” for Status and “Increased” for Change will receive an overall performance level of Green.

**Figure 1. Example Reference Chart**

<table>
<thead>
<tr>
<th>Status</th>
<th>Declined Significantly</th>
<th>Declined</th>
<th>Maintained</th>
<th>Increased</th>
<th>Increased Significantly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very High</td>
<td>Yellow</td>
<td>Blue</td>
<td>Blue</td>
<td>Blue</td>
<td>Blue</td>
</tr>
<tr>
<td>High</td>
<td>Orange</td>
<td>Yellow</td>
<td>Green</td>
<td>Green</td>
<td>Blue</td>
</tr>
<tr>
<td>Median</td>
<td>Orange</td>
<td>Orange</td>
<td>Yellow</td>
<td>Green</td>
<td>Green</td>
</tr>
<tr>
<td>Low</td>
<td>Red</td>
<td>Orange</td>
<td>Orange</td>
<td>Yellow</td>
<td>Yellow</td>
</tr>
<tr>
<td>Very Low</td>
<td>Red</td>
<td>Red</td>
<td>Red</td>
<td>Orange</td>
<td>Yellow</td>
</tr>
</tbody>
</table>
Relevant Statute

ESSA Section 1111(c)(4)(A):

(A) ESTABLISHMENT OF LONG-TERM GOALS.—Establish ambitious State-designed long-term goals, which shall include measurements of interim progress toward meeting such goals—
   (i) for all students and separately for each subgroup of students in the State—
      (I) for, at a minimum, improved—
         (aa) academic achievement, as measured by proficiency on the annual assessments [for English and mathematics]; and
         (bb) high school graduation rates, including—
            (AA) the four-year adjusted cohort graduation rate; and
            (BB) at the State’s discretion, the extended-year adjusted cohort graduation rate, except that the State shall set a more rigorous long-term goal for such graduation rate, as compared to the long-term goal set for the four-year adjusted cohort graduation rate;
      (II) for which the term set by the State for such goals is the same multi-year length of time for all students and for each subgroup of students in the State; and
      (III) that, for subgroups of students who are behind on the measures described in items (aa) and (bb) of subclause (I), take into account the improvement necessary on such measures to make significant progress in closing statewide proficiency and graduation rate gaps; and
   (ii) for English learners, for increases in the percentage of such students making progress in achieving English language proficiency, as defined by the State and measured by the [English language development assessment], within a State-determined timeline.

ESSA Section 1111(c)(4):

(C) ANNUAL MEANINGFUL DIFFERENTIATION.—Establish a system of meaningfully differentiating, on an annual basis, all public schools in the State, which shall—
   (i) be based on all indicators in the State’s accountability system under subparagraph (B), for all students and for each subgroup of students, consistent with the requirements of such subparagraph;
   (ii) with respect to the indicators described in clauses (i) through (iv) of subparagraph (B) afford—
(I) substantial weight to each such indicator; and
(II) in the aggregate, much greater weight than is afforded to the indicator or indicators utilized by the State and described in subparagraph (B)(v), in the aggregate; and
(iii) include differentiation of any such school in which any subgroup of students is consistently underperforming, as determined by the State, based on all indicators under subparagraph (B) and the system established under this subparagraph.

(D) IDENTIFICATION OF SCHOOLS.—Based on the system of meaningful differentiation described in subparagraph (C), establish a State-determined methodology to identify—

(i) beginning with school year 2017–2018, and at least once every three school years thereafter, one statewide category of schools for comprehensive support and improvement, as described in subsection (d)(1), which shall include—

(I) not less than the lowest-performing 5 percent of all schools receiving funds under this part in the State;
(II) all public high schools in the State failing to graduate one third or more of their students; and
(III) public schools in the State described under subsection (d)(3)(A)(i)(II); and

(ii) at the discretion of the State, additional statewide categories of schools.

**Options Presented and Summary of Stakeholder Feedback**

First, stakeholders were asked to consider the advantages and disadvantages of measuring progress towards a color or a range within a color (e.g., green) when setting long-term goals. Many cited the clarity and simplicity provided by a color-based system as advantages while highlighting the focus this approach places on growth and progress towards goals, including the ability to examine status and change simultaneously. Multiple respondents commented that this system acts as a model for continuous improvement and should support conversations within LEAs and with local stakeholder groups about strategies for improving outcomes.

For disadvantages, a common theme is the possibility that the information has been oversimplified in this representation and will therefore act as a barrier to identifying the most useful strategies at the school level. Other comments included concerns for color-blind stakeholders and the need for high-quality communication to ensure understanding of the indicators across stakeholder groups, especially in cases where the growth is minor and therefore not clearly apparent in the display.

CPAG members felt that measuring progress towards a color could help reinforce a focus on growth and improvement. They also agreed that it is a simple strategy, but were concerned that the details of the indicators and underlying data could get lost in
the simplicity. Some CPAG members also provided specific ideas for accompanying information that could go along with a focus on goal setting towards a color. Consistent with other stakeholders, CPAG members discussed the need for communication and professional learning to accompany the approach.

**Stakeholders were also asked to provide their perspectives on the advantages and disadvantages of giving equal weight to each indicator as well as the advantages and disadvantages of some indicators having more weight in identifying the lowest performing schools.** Many commented that giving all of the indicators equal weight would help emphasize the message that all indicators are important and would provide a systems-level focus. This would hold LEAs accountable for all indicators, putting greater emphasis on the interrelatedness of the indicators and ensuring that some indicators do not get lost or ignored. Stakeholders also noted that communicating results to the community could be clearer if all indicators are weighted equally.

Alternatively, stakeholders remarked that giving some indicators more weight could provide more focus, thus prompting more focused resources. Stakeholders also noted that LEAs have more influence over some indicators and weighting them could underscore this. Additionally, this might allow a greater focus on academic indicators. A number of stakeholders indicated an interest in weighting student group performance within and across indicators.

The majority of CPAG members felt that giving indicators equal weight helps reinforce that all indicators are important. They were worried, as were many other stakeholders, that a focus on a specific priority would signal to the public that the weighted indicator was more important than the others. However, some CPAG members also commented that there might be some merit to helping LEAs focus by weighting an indicator.

Finally, **stakeholders were asked to identify the indicator that should be weighted most heavily, if some indicators were to be given more weight for purposes of identifying the lowest-performing schools.** More people suggested providing greater weight to the academic indicators than the other indicators, followed by College and Career with significantly less interest. Chronic Absenteeism was indicated slightly more often by stakeholders than the English Learner Progress indicator. Thereafter, stakeholders chose Graduation Rates and then Suspension Rates. Stakeholder responses to this question are quantified in the table below:

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Number of stakeholders who elected indicator be weighted the most</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic</td>
<td>134</td>
</tr>
<tr>
<td>College and Career</td>
<td>45</td>
</tr>
<tr>
<td>Chronic Absenteeism</td>
<td>26</td>
</tr>
<tr>
<td>English Learner Progress</td>
<td>21</td>
</tr>
<tr>
<td>Graduation Rates</td>
<td>13</td>
</tr>
<tr>
<td>Suspension Rates</td>
<td>9</td>
</tr>
</tbody>
</table>
Proposed Next Steps

The CDE will bring recommendations regarding long-term goals and identification of schools to the SBE as part of the complete ESSA State Plan after staff gathers additional feedback from the Technical Design Group (TDG) and the CPAG. However, the CDE welcomes any feedback or direction SBE members may have at this time regarding long-term goals and the process to identify the lowest performing schools.

School Improvement

The ESSA requires states to identify and provide additional supports to their lowest performing schools. California must describe how it will support school improvement activities in its ESSA State Plan. Stakeholders were asked to provide feedback on both the most effective approach for supporting school improvement and the advantages and disadvantages of funding school improvement activities through a competitive or formulary process.

Background Information Presented to Stakeholders

Over the past two decades, California has provided support to low-performing schools through a variety of state and federally funded initiatives. Such initiatives have generally taken the form of multi-year, intensive, needs-based approaches that include, but are not limited to, Comprehensive School Reform Demonstration Program, Quality Education Investment Act, High Priority Schools Grants, School Improvement Grants, and Program Improvement interventions. The interventions have generally focused on schools with varied levels of attention to school district systems or districtwide intervention.

California’s new system of state academic standards, assessments, LCFF, and accountability create a statewide focus on performance, equity, and improvement. While all components of California’s new system will impact school improvement, the accountability system will provide schools with information about their strengths and weaknesses, point districts to where interventions need to occur, and help the State identify those schools most in need of support to improve outcomes for all students.

Under the ESSA, California must create a system of support for schools in need of intervention under two designations: comprehensive support and improvement (CSI) or targeted support and improvement (TSI). Schools identified for CSI are the lowest performing five percent of schools participating in Title I, high schools with less than 67 percent graduation rates, and Title I schools with one or more consistently underperforming student groups over a number of years. TSI schools are defined as schools with one or more low-performing student groups. Using this information, states are required to determine the types and levels of support they will provide to districts and schools identified for CSI or TSI. States are required to implement comprehensive
support and improvement activities beginning in the 2018–19 school year and targeted support and improvement activities beginning in the 2019–20 school year.

Furthermore, states are required to reserve seven percent of their Title I allocation for school improvement activities. Ninety-five percent of the seven percent must be allocated to local educational agencies (LEA) with at least one school identified for CSI or TSI. The remaining five percent of the seven percent is used by the State to:

- Administer the grant funds, including establishing the method to allocate the funds to LEAs;
- Provide technical assistance and monitor and evaluate the use of funds; and
- Reduce barriers and provide operational flexibility for schools implementing improvement plans and activities.

Examples of past practice include competitive and formulary subgrants through federal and state opportunities specifically designed to turnaround and improve the lowest-performing schools (e.g., School Improvement Grants, High Priority Schools Grants, Program Improvement Grants). In addition, CDE has also funded regional networks and consortia to provide support (e.g., Statewide System of School Support and County Office of Education [COE] Regional Leads).

**Relevant Statute**

ESSA Section 1003(b):

> Of the amount reserved under subsection (a) for any fiscal year, the State educational agency—
> (1)(A) shall allocate not less than 95 percent of that amount to make grants to local educational agencies on a formula or competitive basis, to serve schools implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d); or
> (B) may, with the approval of the local educational agency, directly provide for these activities or arrange for their provision through other entities such as school support teams, educational service agencies, or nonprofit or for-profit external providers with expertise in using evidence-based strategies to improve student achievement, instruction, and schools…

ESSA Section 1111(d)(1)(A–B):

> Each State educational agency receiving funds under this part shall notify each LEA in the state of any school served by the LEA that is identified for
comprehensive support and improvement under subsection (c)(4)(D)(i), [and] upon receiving such information from the State, the LEA shall, for each school identified by the State and in partnership with stakeholders (including principals and other school leaders, teachers, and parents), locally develop and implement a comprehensive support and improvement plan for the school to improve student outcomes, that—

(i) is informed by all indicators described in subsection (c)(4)(B), including student performance against State-determined long-term goals;
(ii) includes evidence-based interventions;
(iii) is based on a school-level needs assessment;
(iv) identifies resource inequities, which may include a review of local educational agency and school level budgeting, to be addressed through implementation of such comprehensive support and improvement plan; (v) is approved by the school, local educational agency, and State educational agency; and (v) upon approval and implementation, is monitored and periodically reviewed by the State educational agency.

ESSA Section 1111(d)(2)(A–B):

Each state educational agency receiving funds under this part shall, using the meaningful differentiation of schools described in subsection (c)(4)(C)—

(i) notify each local educational agency in the State of any school served by the local educational agency in which any subgroup of students is consistently underperforming, as described in subsection (c)(4)(C)(iii); and
(ii) ensure such local educational agency provides notification to such school with respect to which subgroup or subgroups of students in such school are consistently underperforming as described in subsection (c)(4)(C)(iii)…

Each school receiving a notification described in this paragraph, in partnership with stakeholders (including principals and other school leaders, teachers and parents), shall develop and implement a school-level targeted support and improvement plan to improve student outcomes based on the indicators in the statewide accountability system established under subsection (c)(4), for each subgroup of students that was the subject of notification that—

(i) is informed by all indicators described in subsection (c)(4)(B), including student performance against long-term goals;
(ii) includes evidence-based interventions;
(iii) is approved by the local educational agency prior to implementation of such plan;
(iv) is monitored, upon submission and implementation, by the local educational agency; and
(v) results in additional action following unsuccessful implementation of such plan after a number of years as determined by the local educational agency.
Options Presented to Stakeholders and Summary of Feedback

Stakeholders were asked to provide input regarding the advantages and disadvantages of providing subgrants directly to school districts with low-performing schools as well as the advantages and disadvantages of providing subgrants to another entity (e.g., COEs or consortia of LEAs) to support low-performing schools. Some commented that giving funds directly to the school districts with low-performing schools supports California’s emphasis on local control, which would help ensure that plans would be developed with the best understanding of local needs and context. Another benefit identified by stakeholders in giving the grants directly to the school districts is that the funding goes directly to where it is needed and can be more effectively maximized. At the same time, there is concern among stakeholders that many districts lack the capacity to effectively support schools in determining and addressing needs. Additionally, stakeholders voiced concerns about accountability with this model.

Generally, CPAG members indicated that giving funds directly to the school districts with low-performing schools supports California’s direction toward local control and flexibility. Members commented that this model would ensure that funds were directed closest to student and school needs. However, there was broad concern among CPAG members that school districts may not have sufficient expertise or capacity to implement meaningful school reform. Another disadvantage shared among CPAG members related to accountability with this model. CPAG members conveyed that giving the funds to another entity, such as a consortium of LEAs or a COE, could help to ensure sufficient expertise and capacity as well as to provide an opportunity for collaboration. Many CPAG members felt strongly that capacity, expertise, and talent were essential to school improvement success. Many CPAG members, however, expressed concerns that the school district could have less local control and flexibility under this model.

Stakeholders were also asked to provide feedback regarding the advantages and disadvantages of distributing school improvement funds through a formulary process or a competitive process. Many observed that a competitive process could encourage more thorough planning and that only grants with a strong plan based on evidence-based practices would be awarded funds. Stakeholders, however, questioned the equity of a competitive process since districts with the most resources and capacity, especially those with the ability to hire a grant writer, would likely be rewarded. Stakeholders remarked that a formulary process could ensure that all students could get access to school improvement funding, even those in rural districts with less grant writing capacity. Alternatively, stakeholders wondered if a formulary process would address accountability effectively and whether the funding would be sufficient to meaningfully support the number of schools identified as needing improvement.

CPAG members commented that a competitive process could result in larger awards that would be of sufficient size to support meaningful school improvement efforts and could encourage a more thorough and thoughtful planning process. Members shared
that the planning process was an important consideration to meaningful change. However, several members commented that a competitive process may not be equitable and that districts with less resources and capacity to write a competitive application could be left out. CPAG members indicated that a formulary grant process could ensure more equity among the lowest performing schools and simplify the grant writing process, allowing for more time spent on developing and planning school improvement reform efforts and less time spent on writing a grant application. While some members wondered if a formulary funding model would lead to less accountability, others commented that a formulary grant process could negatively impact the amount of funds needed to make meaningful and sustainable change. In other words, members were concerned that there would not be sufficient funding to adequately support all schools identified for school improvement. Several members asked if a hybrid model was allowable.

**Proposed Next Steps**

Decisions regarding supports to LEAs and schools required by the ESSA will be made within the context of California’s emerging LCFF-based statewide system of support. The CDE will bring recommendations to the SBE regarding the process to award school improvement funds as part of the complete ESSA State Plan.

**Reclassification of English Learners**

The ESSA requires all states to develop standardized statewide entrance and exit procedures for English learner (EL) programs. California currently has statewide entrance and exit procedures defined in California *Education Code (EC)*, but there exists variability among LEAs regarding implementation of these procedures. Stakeholders were asked to provide feedback regarding whether the State should update reclassification guidance now or wait until the English Language Proficiency Assessments for California (ELPAC) are fully operational in 2018–19.

**Background Information Presented to Stakeholders**

California currently has standardized statewide entrance procedures for initial EL classification as stipulated in EC Section 313(d)(3). For all students in transitional kindergarten through grade twelve, upon first enrollment in a California public school, the LEA uses a standardized procedure to identify potential ELs. A home language survey (HLS) is used to determine if a student is a potential EL.

The California English Language Development Test (CELDT) is given as an initial assessment to newly enrolled students whose primary language is not English and as an annual assessment to ELs enrolled in transitional kindergarten through grade twelve in California public schools. Once the CELDT is administered, criteria from the CELDT Information Guide determine the student’s eligibility for EL services.
The ELPAC will be the successor to the CELDT. California will transition from the CELDT to the ELPAC as the state English language proficiency (ELP) assessment by 2018. The ELPAC will be aligned with the 2012 California English Language Development Standards. It will be comprised of two separate ELP assessments: one for the initial identification of students as ELs, and a second for the annual summative assessment to measure a student’s progress in learning English and to identify the student’s level of ELP. The ELPAC will be fully operational in 2018–19.

California has standardized exit criteria defined in EC, the California Code of Regulations (CCR), and CELDT guidance. EC Section 313(f) and CCR, Title 5, Section 11303, state the following criteria for reclassification purposes: 1) a score of proficient on the State’s assessment of ELP; 2) teacher evaluation; 3) parental opinion and consultation; and 4) a comparison of the performance of the pupil in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient pupils of the same age.

ESSA accountability regulations go beyond statutory requirements and provide a greater level of specificity regarding requirements for exit criteria. The regulations state that, at a minimum, the standardized exit criteria for reclassification must: (A) include a score of proficient on the State’s annual ELP assessment; (B) be the same criteria used for exiting students from the EL subgroup for Title I reporting and accountability purposes; and (C) not include performance on an academic content assessment (ESSA Accountability and State Plan Regulations Section 299.19[b][4]). If the ESSA accountability regulations are implemented, California will need to change existing state law to remove the use of content assessments for reclassification purposes.

Currently, there are no ELPAC data to inform new reclassification criteria. To ensure the exit from EL status is valid and reliable, a cut-score validation study is planned based on data from the preliminary ELPAC field test results in 2017–18. Once the ELPAC is fully operational in 2018–19, the cut scores will be confirmed.

The Standardized Testing and Reporting (STAR) program ended on July 1, 2013. Included in that program was the California Standards Tests (CST), which was used as the criterion for the comparison of basic skills noted in EC Section 313(f)(4). Since that time, LEAs have varied in the application of the defined reclassification criteria across the state.

ESSA requires states to report “the number and percentage of English learners who have not attained English language proficiency within five years of initial classification as an English learner and first enrollment in the LEA” (Title III, Section 3121 [a][6]). This requirement prompts the CDE to recommend looking at five years as the target to have students attain proficiency from the date of initial classification for those students that are classified at beginning levels. Students that are initially classified at higher levels would take less time to reclassify. California currently collects data for students who
have not attained proficiency within five years through the California Longitudinal Pupil Achievement Data System (CALPADS). The report is available in DataQuest on the CDE Data & Statistics Web page located at http://www.cde.ca.gov/ds/. At this time, the information is only available at the district level.

EC Section 313(b) provides that “the department, with the approval of the state board, shall establish procedures for conducting the assessment required pursuant to subdivision (a) and for the reclassification of a pupil from English learner to English proficient.”

Relevant Statute, Regulations, and Guidance

ESSA Section 3111(b)(2)(A):

(A) Establishing and implementing, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, standardized statewide entrance and exit procedures, including a requirement that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State.

ESSA Accountability and State Plan Regulations Section 299.19(b)(4):

(4) Title III, part A. (i) Each SEA must describe its standardized entrance and exit procedures for English learners, consistent with section 3113(b)(2) of the Act. These procedures must include valid and reliable, objective criteria that are applied consistently across the State.

(ii) At a minimum, the standardized exit criteria must—

(A) Include a score of proficient on the State’s annual English language proficiency assessment;

(B) Be the same criteria used for exiting students from the English learner subgroup for title I reporting and accountability purposes; and

(C) Not include performance on an academic content assessment.

California Education Code Section 313(f) outlines the four criteria for reclassification of EL students:

1. a score of proficient on the State’s assessment of English language proficiency;

2. teacher evaluation;

3. parental opinion and consultation; and
4. a comparison of the performance of the pupil in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient pupils of the same age.

These criteria are further clarified in the California Code of Regulations, Title 5, Section 11303. The CELDT Information Guide provides guidance for the implementation of entrance and exit procedures (identification and reclassification criteria) for EL programs.

Options Presented to Stakeholders and Summary of Feedback

Although any needed changes in law regarding EL reclassification will need to be made through the legislative process, the SBE could direct the CDE to modify current reclassification guidance. Stakeholders were asked to provide feedback regarding the advantages and disadvantages of keeping reclassification criteria as they are and updating guidance in 2018–19 once the ELPAC is fully operational. They were also asked to consider the advantages and disadvantages of revisiting current SBE approved guidelines and proposing revisions to be implemented in 2017–18.

When asked to provide disadvantages for continuing with the current implementation plan for reclassification, many stakeholders noted that the current plan is outdated. They expressed concern that waiting to offer additional guidance would result in continued inconsistency and confusion across districts. Stakeholders acknowledged that it would be problematic to make changes multiple times but were also concerned that waiting to act would be problematic in providing equity and access for ELs. Some thought that there may be more students who would be eligible to reclassify if districts were provided further guidance while issues regarding EC and the ELPAC are being addressed.

Stakeholders also offered many advantages to continuing with the current implementation plan for reclassification. Stakeholders suggested that waiting for changes to EC and full implementation of the ELPAC would allow for a systematic approach to implementing change one time, ultimately providing consistency across districts and resulting in less confusion. Furthermore, stakeholders noted that waiting would also give the State time to collect additional data, allowing the SBE to make better informed decisions regarding revisions to reclassification guidance.

Stakeholders expressed that continuing with the current implementation plan allows time to ensure that any revisions in guidance are appropriate and complete the first time. While some stakeholders believed that providing partial guidance to districts during the interim is a good idea, they also talked about the importance of implementing a thoughtful and deliberate approach that only makes changes once.

Consistent with feedback from other stakeholders, CPAG members expressed some concern regarding ambiguity and inconsistency in the absence of updated guidance, but
noted that waiting to update the guidance would provide ample time for implementing thoughtful changes to the guidance and would ultimately result in less confusion and more consistency across the state.

**Proposed Next Steps**

As part of the complete draft ESSA State Plan that will be presented to the SBE in May, the CDE intends to recommend that California defer addressing the standardized definition of English learner and related ESSA requirements until the ELPAC is fully operational.

**Educator Equity**

The ESSA requires states to describe the measures used to identify and make public disproportionate rates of access to ineffective, out-of-field, or inexperienced teachers by low-income and minority students, with “ineffective” replacing the term “unqualified” used under No Child Left Behind (NCLB). In order to identify the disproportionality rates, data will be collected and analyzed at the state level. “Ineffective” is not defined at the federal level and California does not have a statewide definition for this term. In addition, under NCLB, states were required to provide supports and interventions for LEAs with disproportionate rates of access. ESSA does not require these supports.

**Stakeholders were asked to provide feedback regarding whether the State should provide technical assistance to LEAs around disproportionalities.**

**Background Information Provided to Stakeholders**

Educational equity has been a priority in California for many years. The state has implemented a number of ambitious and proactive research-based strategies and initiatives designed to recruit, prepare, and maintain a highly skilled educator workforce for the benefit of all students and to promote equitable access to an excellent education for all students, particularly those from historically underserved communities. These strategies are outlined in California’s State Plan to Ensure Equitable Access to Excellent Educators.

California EC sections 44660–44665 provide California’s primary guidance regarding educator evaluation. These code sections place the responsibility for the evaluation of educators within the LEA’s purview. Application of the law varies across LEAs and is dependent on locally bargained agreements for design and implementation of each evaluation system.

In 2007, the Legislature authorized the Compliance Monitoring, Intervention and Sanctions (CMIS) Program for the CDE to monitor LEAs for compliance with federal laws regarding highly qualified teachers (HQTs) and to provide technical assistance to
LEAs to ensure success in the development and implementation of a comprehensive teacher equity plan consistent with NCLB.

LEAs were required to report annually, via the CALPADS, the number of NCLB core courses per site, including the number of those courses that are taught by HQTs. This reporting process provided the basis for validating the professional qualifications and certifications of teachers and their assignments, as well as the distribution of teachers. Based on this data, LEAs that were identified as being non-compliant were monitored and provided tiered levels of technical assistance via the CMIS program.

The CMIS program proved effective in assisting LEAs to address disproportionality concerns. In CMIS, Level C represented the most out-of-compliance LEAs who received the most in-depth technical assistance from the CDE. In 2012–13, 152 districts were in Level C. By 2014–15, only 100 districts remained in Level C. The CDE received commendations for the early warning and proactive technical assistance elements of the CMIS program from U.S. Department of Education staff during a September 2014 Title II Part A monitoring visit.

ESSA will be implemented in California within the context of the LCFF, the State’s approach to school funding, planning, and improvement. The LCFF significantly changed how California provides resources to public schools and holds LEAs accountable for improving performance in ten priority areas. These priorities define what a quality education entails. California’s COEs are responsible for reviewing LEA Local Control and Accountability Plans (LCAPs). Additionally, the Legislature established the California Collaborative for Educational Excellence (CCEE) to provide “advice and assistance” to COEs, school districts, and charter schools in achieving their LCAP goals.

Relevant Statute

ESSA Section 1111(g)(1)(B): Each State Plan shall describe:
(B) how low-income and minority children enrolled in schools assisted under this part are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers, and the measures the State educational agency will use to evaluate and publicly report the progress of the State educational agency with respect to such description (except that nothing in this subparagraph shall be construed as requiring a State to develop or implement a teacher, principal, or other school leader evaluation system)...

States must also provide an assurance that they will “make public any methods or criteria the State is using to measure teacher, principal, or other school leader effectiveness” for equity purposes (Section 1111[g][2][A]). Moreover, the federal government is prohibited from prescribing “indicators or specific measures of teacher, principal, or other school leader effectiveness or quality” (Section 1111[e][1][B][iii][X]).
California *Education Code* Section 44662 establishes the minimum criteria by which district boards of education must evaluate and assess certificated employee performance.

Section 44662:
(a) The governing board of each school district shall establish standards of expected pupil achievement at each grade level in each area of study.
(b) The governing board of each school district shall evaluate and assess certificated employee performance as it reasonably relates to:
   (1) The progress of pupils toward the standards established pursuant to subdivision (a) and, if applicable, the state adopted academic content standards as measured by state adopted criterion referenced assessments.
   (2) The instructional techniques and strategies used by the employee.
   (3) The employee’s adherence to curricular objectives.
   (4) The establishment and maintenance of a suitable learning environment, within the scope of the employee’s responsibilities.
(c) The governing board of each school district shall establish and define job responsibilities for certificated noninstructional personnel, including, but not limited to, supervisory and administrative personnel, whose responsibilities cannot be evaluated appropriately under the provisions of subdivision (b) and shall evaluate and assess the performance of those noninstructional certificated employees as it reasonably relates to the fulfillment of those responsibilities.
(d) Results of an employee’s participation in the Peer Assistance and Review Program for Teachers established by Article 4.5 (commencing with Section 44500) shall be made available as part of the evaluation conducted pursuant to this section.
(e) The evaluation and assessment of certificated employee performance pursuant to this section shall not include the use of publishers’ norms established by standardized tests.
(f) Nothing in this section shall be construed as in any way limiting the authority of school district governing boards to develop and adopt additional evaluation and assessment guidelines or criteria.

**Options Presented to Stakeholders and Summary of Feedback**

Stakeholders were asked to consider the advantages and disadvantages of the State providing technical assistance to LEAs to ensure that low-income and minority students are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers. They were also asked to consider the advantages and disadvantages of the State not providing technical assistance around disproportionalities.

Stakeholders provided a wide range of responses that can be grouped into three large and overlapping themes for advantages to State-provided technical assistance:
increased consistency, accountability, and equity. Within the consistency theme, stakeholders cited coherence of approach (with resources, data, strategies, and practices if provided with guidance at the state level), comparable support for districts of varying sizes, and improved channels of communication between districts. Related to a coherent, consistent approach at the state level, stakeholders cited improved accountability at the district and at the state level. Some stakeholders noted that there would be an advantage to having an outside perspective provided by the State to the local level and the state partners could also share best practices from other districts by acting as a clearing house for successful strategies and practices. The third theme for advantages to a state approach hinges on the other two: increased equity across the state as a result of this approach.

However, stakeholders shared a concern that State-provided technical assistance could result in services being perceived as punitive, top-down, and not customized to local needs. Many respondents felt technical assistance from the state level to be counter to the spirit of the LCFF process, which emphasizes local control. LEAs accepting the technical assistance from the state could view the support as an intrusion and the offered support as a punishment for disproportionality. Due to the scale of the state system and the wide variety of districts, many stakeholders doubted the State’s ability to truly customize the supports to meet local needs.

CPAG members thought that the provision of technical assistance at the state level would symbolically place educator equity in the realm of a state priority; would serve as a sort of pressure on districts to address inequitable distributions, or shine a light on the matter; would provide consistency and a minimum bar for LEAs to attain; and could be one way for LEAs to be provided research and best practices in the areas of new teacher support, hiring practices, and collective bargaining processes. As for disadvantages to the State providing technical assistance, CPAG members mentioned four primary concerns: it could be seen as “top-down” and lead to a loss of local control; it may be perceived as punitive; attaching labels with a negative connotation (“ineffective” and “inexperienced”) to beginning teachers may lead to a stigmatization that would discourage new teachers from remaining in the profession; and, a one-size fits all approach may not take into account the nuances from one school district or charter school to another. A special mention was made regarding the attention that needs to be afforded to charter schools that open in low-income communities expressly to serve those communities as these schools would likely have a large number of new teachers.

Proposed Next Steps

The CDE did not collect feedback from stakeholders regarding how best to address ESSA’s requirement to collect and report data regarding “ineffective” teachers. Staff will engage stakeholders in focused conversations regarding this topic to inform SBE decision-making, and include a recommendation for addressing this requirement in the complete ESSA State Plan. This recommendation will influence the recommendation
regarding how to approach technical assistance to address disproportionate rates of access to ineffective, out-of-field, and inexperienced teachers by low-income and minority students.

Supporting Principals and Other School Leaders

The ESSA provides an option for states to reserve three percent of the Title II, Part A LEA subgrant allocation to establish state programs designed to improve the skills of principals or other school leaders. Stakeholders were asked to weigh the advantages and disadvantages of establishing a statewide system of support for school leaders.

Background Information Provided to Stakeholders

California is committed to building the capacity of educators to implement state standards; school leadership is key to the success of this endeavor. Greatness by Design, A Blueprint for Great Schools 2.0, and research all confirm what practitioners and others in education have long known: strong, focused school-site leadership is a critical component in student and school success, including school improvement. While California does not currently devote funds to a statewide leadership support system, in the past, the State has supported efforts for ongoing professional learning, along with certification and induction of school administrators.

An example of a past statewide effort to support aspiring, novice, and experienced administrators throughout the state is the California School Leadership Academy (CSLA). Launched in 1983 under Senate Bill 813, the CSLA was structured with a state center and 12 regional centers hosted through grants to COEs. These CSLA School Leadership Centers provided 1- to 3-year leadership programs. CSLA was identified as one of California’s professional learning assets in Greatness by Design. The CDE administered CSLA grants and required annual plans. The CSLA was eliminated due to budget cuts in 2003.

The Principal Training Program, later renamed the Administrator Training Program (ATP), was established under Assembly Bill 75 of 2000 and later renewed as AB 430. Initially, the program was supported by both federal and state funds and a Gates Foundation grant; later it was supported by federal funds, exclusively. The program officially closed June 30, 2012. The program specified the content areas to be covered via State-approved textbooks in reading, mathematics, and technology. Training requirements included 80 hours of coursework and 80 hours of individualized practicum provided by State-certified trainers. The ATP offered LEAs partial funding to support the State-approved training. Participation was voluntary, although principals in low-performing schools were encouraged to attend. Participation could lead to a preliminary administrator credential.
Relevant ESSA Statute

ESSA Section 8101(44):

SCHOOL LEADER — The term “school leader” means a principal, assistant principal, or other individual who is—
(A) an employee or officer of an elementary school or secondary school, local educational agency, or other entity operating an elementary school or secondary school; and
(B) responsible for the daily instructional leadership and managerial operations in the elementary school or secondary school building.

ESSA Section 2101(c)(3):

PRINCIPALS OR OTHER SCHOOL LEADERS … a State educational agency may reserve not more than 3 percent of the amount reserved for subgrants to local educational agencies under paragraph (1) for one or more of the activities for principals or other school leaders that are described in paragraph (4).

ESSA Section 2101(c)(4) states that the funds may be used for a variety state activities, such as:

- Leadership in a standards-based and curriculum rich school environment where student learning is the focus;
- Improving principal certification (regular and alternative), evaluation, and support systems;
- Preservice (principal preparation programs and academies);
- Training or professional development on such topics such as differentiating performance; evaluating teachers; cultural competency; instruction and student learning; postsecondary education for students; Science, Technology, Engineering, and Mathematics and Career and Technical Education instruction; and technology;
- Recruiting, retaining, and professional learning for principals and other school leaders;
- Induction, mentoring, and coaching for early career principals;
- Differential pay for hard-to-staff positions; and
- More-focused opportunities, such as transition to elementary school and school readiness, Pre-K–3 alignment, bullying prevention, restorative justice practices, and sexual-abuse prevention.
Options Presented to Stakeholders and Summary of Feedback

Stakeholders were asked to provide feedback regarding the advantages and disadvantages of establishing a statewide system of support for school leadership. Of the advantages provided, respondents commented most frequently that implementing a statewide system of support would allow the State to better leverage resources (monetary, structural, and human) and could promote equity. Many stakeholders noted that pooling the 3 percent of the Title II, Part A funds might “have a greater impact.” Some participants noted that the State could utilize the structures that are already in place, such as the California Subject Matter Project (CSMP), and that a statewide system of support for school leadership would have “more credibility.” Of those that touched on the idea of equity, some noted that a statewide system of support would be advantageous for smaller districts that could not do anything significant if these funds are not set aside and distributed through their Title II allocation. A few also noted that this would help with equity amongst all students.

The second most frequently noted advantage was “consistency.” Most stakeholders simply stated “consistency,” while others provided slightly more detail about consistency related to expectations, quality of support, and providing “best practice.” Many stakeholders expressed the belief that a statewide system of support for school leadership would result in collaboration and/or networking of school leaders throughout the state. There were many comments on the general benefits of implementing an effective school leadership program that were not necessarily directly connected to a statewide school leadership program.

The majority of disadvantages provided stated concern about the ability of a statewide system to provide support that takes local needs into consideration and then differentiates that support. Some commenters felt that a statewide initiative might take away some local control. The second most frequent disadvantage noted was related to a lack of capacity of the CDE. Many respondents raised concerns that a statewide system of support would not reach all the districts that need it. Others expressed doubt that the CDE could successfully implement a statewide system of support for school leadership on this scale. Others felt that this would become an exercise in compliance and that it would just add to the bureaucracy. A few respondents noted a lack of capacity at the local level due to the time constraints that are already placed on administrators. Furthermore, some participants did not believe that the Title II, Part A, funds, even pooled at the state level, would be adequate to make a significant impact. Other respondents felt that the State should leverage the structures already in place, such as the CSMP or other local experts, which could provide, or are already providing, support for school leaders.

CPAG members agreed that all school leaders need support and that there is ample research that “effective support” is valuable in increasing student achievement. They stated that using the three percent set-aside for school leadership support would provide opportunities to school leaders for collaboration and local, regional, and
statewide networking with other school leaders. It was important to CPAG members that the support be differentiated, aligned to local needs and context, and designed to teach school leaders how to use a design-based process for continuous improvement. Potential disadvantages include support that takes a “one size fits all” approach, little or no accountability for how the funds are spent, and potential misalignment to local continuous improvement goals.

Proposed Next Steps

The CDE plans to include a recommendation regarding whether the State should reserve three percent of the Title II, Part A LEA subgrant to implement a statewide system of support for school leadership as part of the complete draft ESSA State Plan that will be presented to the SBE in May. The discussion of this recommendation is more appropriately situated in a broader discussion regarding the LCFF-based state-wide system of support and uses of other federal funds that will be included in the complete ESSA State Plan.
State Assurances Template
Under the Every Student Succeeds Act

U.S. Department of Education
OMB Number: 1810-0576
Expiration Date: November 30, 2019
COVER SHEET FOR STATE PLAN ASSURANCES

Overview
Section 8304 of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA)\(^4\), provides that each State Educational Agency (SEA), in consultation with the Governor of the State, that submits a consolidated State plan or individual program plan under the ESEA, as amended by the ESSA, must have on file with the Secretary a single set of assurances. Each SEA must submit to the Secretary agreement to the enclosed sets of assurances no later than April 3, 2017 in order to receive Federal allocations for the following programs for fiscal year 2017:

- Title I, Part A: Improving Basic Programs Operated by State and Local Educational Agencies
- Title I, Part C: Education of Migratory Children
- Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
- Title II, Part A: Supporting Effective Instruction
- Title III, Part A: Language Instruction for English Learners and Immigrant Students
- Title IV, Part A: Student Support and Academic Enrichment Grants
- Title IV, Part B: 21st Century Community Learning Centers
- Title V, Part B, Subpart 2: Rural and Low-Income School Program
- Title VII, Subpart B of the McKinney Vento-Homeless Assistance Act: Education for Homeless Children and Youths

Instructions
Each SEA must review the enclosed assurances and demonstrate agreement by selecting the boxes provided. In order to demonstrate agreement, the authorized SEA representative must complete the fields below and provide a signature in the space provided.

\(^4\) Unless otherwise indicated, citations to the ESEA refer to the ESEA, as amended by the ESSA.
### Contact Information and Signatures

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<td><strong>SEA Contact</strong> (Name and Position)</td>
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<td>Authorized SEA Representative (Printed Name)</td>
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<td>Signature of Authorized SEA Representative</td>
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<td>Signature of Governor (If Applicable)</td>
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The SEA, through its authorized representative, agrees to the enclosed assurances.
General Assurances
Each SEA must assure that—
☐ Each such program will be administered in accordance with all applicable statutes, regulations, program plans, and applications;
☐ The control of funds provided under each such program and title to property acquired with program funds will be in a public agency, a eligible private agency, institution, or organization, or an Indian tribe, if the law authorizing the program provides for assistance to those entities; and
☐ The public agency, eligible private agency, institution, or organization, or Indian tribe will administer those funds and property to the extent required by the authorizing law;
☐ The State will adopt and use proper methods of administering each such program, including—
   ☐ The enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program;
   ☐ The correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation; and
   ☐ The adoption of written procedures for the receipt and resolution of complaints alleging violations of law in the administration of the programs;
☐ The State will cooperate in carrying out any evaluation of each such program conducted by or for the Secretary or other Federal officials;
☐ The State will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, Federal funds paid to the State under each such program;
☐ The State will—
   ☐ Make reports to the Secretary as may be necessary to enable the Secretary to perform the Secretary’s duties under each such program; and
   ☐ Maintain such records, provide such information to the Secretary, and afford such access to the records as the Secretary may find necessary to carry out the Secretary’s duties; and
☐ Before the plan or application was submitted to the Secretary, the State afforded a reasonable opportunity for public comment on the plan or application and considered such comment.
Program-specific Assurances

**Title I, Part A**

☐ The SEA will assure that, in applying the same approach in all LEAs to determine whether students who are enrolled in the same school for less than half of the academic year as described in 34 C.F.R. § 200.20(b) who exit high school without a regular high school diploma and do not transfer into another high school that grants a regular high school diploma, those students are counted in the denominator for reporting the adjusted cohort graduation rate using one of the following (select one) —

- At the school in which such student was enrolled for the greatest proportion of school days while enrolled in grades 9 through 12; or
- At the school in which the student was most recently enrolled.

☐ To ensure that children in foster care promptly receive transportation, as necessary, to and from their schools of origin when in their best interest under section 1112(c)(5)(B) of the ESEA, the SEA will ensure that an LEA receiving funds under Title I, Part A of the ESEA will collaborate with State and local child welfare agencies to develop and implement clear written procedures that describe:

(A) How the requirements of section 1112(c)(5)(B) of the ESEA will be met in the event of a dispute over which agency or agencies will pay any additional costs incurred in providing transportation; and

(B) Which agency or agencies will initially pay the additional costs so that transportation is provided promptly during the pendency of the dispute.

☐ The SEA will assure, under section 1111(g)(1)(B) of the ESEA, that it will must publish and annually update—

- The statewide differences in rates and disproportionalities required under 34 C.F.R. § 299.18 (c)(3) of this section;
- The percentage of teachers categorized in each LEA at each effectiveness level established as part of the State-determined definition of “ineffective teacher” under 34 C.F.R. § 299.18 (c)(2)(i)) of this section, consistent with applicable State privacy policies;
- The percentage of teachers categorized as out-of-field teachers consistent with 34 C.F.R. § 200.37; and
- The percentage of teachers categorized as inexperienced teachers consistent with 34 C.F.R. § 200.37.
- The information required under 34 C.F.R. § 299.18(c)(4)(i) through (iv) of this section in a manner that is easily accessible and comprehensible to the general public, available at least on a public Web site, and, to the extent practicable, provided in a language that parents of students enrolled in all schools in the State can understand, in compliance with the requirements under 34 C.F.R. § 200.21(b)(1) through (3). If the information required under paragraphs (c)(4)(i) through (iv) is made available in
ways other than on a public Web site, it must be provided in compliance with the requirements under 34 C.F.R. § 200.21(b)(1) through (3).

**Title III, Part A**

☐ In establishing statewide entrance procedures required under section 3113(b)(2) of the ESEA, the SEA will ensure that—
  ☐ All students who may be English learners are assessed for such status using a valid and reliable instrument within 30 days after enrollment in a school in the State;
  ☐ It has established procedures for the timely identification of English learners after the initial identification period for students who were enrolled at that time but were not previously identified; and
  ☐ It has established procedures for removing the English learner designation from any student who was erroneously identified as an English learner, which must be consistent with Federal civil rights obligations.

☐ In establishing the statewide entrance and exit procedures required under section 3113(b)(2) of the ESEA and 34 C.F.R. § 299.19(b)(4), the SEA will ensure that the criteria are consistent with Federal civil rights obligations.

**Title V, Part B, Subpart 2**

☐ The SEA will assure that, no later than March of each year, it will submit data to the Secretary on the number of students in average daily attendance for the preceding school year in kindergarten through grade 12 for LEAs eligible for funding under the Rural and Low-Income School program, as described under section 5231 of the ESEA.
States are required to consult with diverse stakeholders at multiple points during the design, development, and implementation of their Every Student Succeeds Act (ESSA) state plans. The California Department of Education (CDE) is committed to ensuring a transparent transition to the new law and developing an ESSA Consolidated State Plan (State Plan) that is informed by the voices of diverse Californians. A summary of communications, outreach, and consultation activities conducted by CDE staff in January and February 2017 is provided below.

**Date:** January 5, 2017  
**Meeting:** Plan Alignment Meeting  
**Participants:** Representatives from the SBE, CDE, select LEAs, and WestEd staff  
**Details:**

CDE staff convened a meeting of key stakeholders, CDE and SBE staff, and WestEd staff to discuss the integration of local control and accountability plans with the local educational agency plan elements required by the ESSA.

**Date:** January 20, 2017  
**Meeting:** California County Superintendents Educational Services Association Curriculum and Instruction Steering Committee  
**Participants:** Curriculum and Instruction Steering Committee Members, California County Superintendents Educational Services Association staff, and CDE staff  
**Details:**

CDE staff provided an update on ESSA State Plan development and highlighted the guiding principles and framework for the plan as well as the nine key questions that the plan will address. Staff also presented information regarding the February stakeholder input sessions to promote participation.

**Date:** January 20, 2017  
**Meeting:** State and Federal Program Directors Meeting  
**Participants:** State and Federal Program Directors and CDE staff  
**Details:**

CDE staff provided an update on ESSA State Plan development and highlighted the guiding principles and framework for the plan as well as the nine key questions that the plan will address. Staff also presented information regarding the February stakeholder input sessions to promote participation.
Date: January 24, 2017  
Meeting: California Subject Matter Project Directors Meeting  
Participants: California Subject Matter Project Directors and CDE staff  
Details:  
CDE staff provided an update on ESSA State Plan development and highlighted the guiding principles and framework for the plan. Staff also presented information regarding the February stakeholder input sessions to promote participation.

Date: January 25, 2017  
Meeting: Association for California School Administrators  
Participants: Association for California School Administrators Members and staff and CDE staff  
Details:  
CDE staff provided an update on ESSA State Plan development and highlighted the guiding principles and framework for the plan as well as the nine key questions that the plan will address. Staff also solicited feedback regarding opportunities to support school leadership in the ESSA and presented information regarding the February stakeholder input sessions to promote participation.

Date: February 2, 2017  
Meeting: California Federation of Teachers Leadership Conference  
Participants: California Federation of Teachers Members and staff  
Details:  
CDE staff provided an update on the ESSA State Plan development and highlighted the guiding principles and framework for the plan as well as the nine key questions that the plan will address. Staff also presented information regarding the February stakeholder input sessions to promote participation.

Date: February 3, 2017  
Meeting: ESSA Legislative Briefing  
Participants: Legislators, legislative staff, and CDE staff  
Details:  
CDE staff presented an overview of the ESSA and the ESSA State Plan development process, highlighting the integrated accountability system, changes to the Elementary and Secondary Education Act that resulted from the December 2015 reauthorization, and the guiding principles and framework for plan development.
Date: February 6, 2017  
Meeting: ESSA State Plan Stakeholder Input Meeting (Orange County Department of Education)  
Participants: Any interested member of the public and CDE staff  
Details:  
CDE staff, with the support of Orange County Department of Education staff, presented options to address each remaining key policy decisions required for the plan. Stakeholders had the opportunity to discuss and provide feedback on the advantages and disadvantages of each of the options to help inform SBE decision-making.

Date: February 7, 2017  
Meeting: ESSA State Plan Stakeholder Input Meeting (Riverside County Office of Education)  
Participants: Any interested member of the public and CDE staff  
Details:  
CDE staff, with the support of Riverside County Office of Education staff, presented options to address remaining key policy decisions required for the plan. Stakeholders had the opportunity to discuss and provide feedback on the advantages and disadvantages of each of the options to help inform SBE decision-making.

Date: February 8, 2017  
Meeting: ESSA State Plan Stakeholder Input Meeting (Webinar)  
Participants: Any interested member of the public and CDE staff  
Details:  
CDE staff hosted a webinar that presented options to address remaining key policy decisions required for the plan. Stakeholders had the opportunity to discuss and provide feedback on the advantages and disadvantages of each of the options to help inform SBE decision-making.

Date: February 9, 2017  
Meeting: ESSA State Plan Stakeholder Input Meeting (Sacramento County Office of Education)  
Participants: Any interested member of the public and CDE staff  
Details:  
CDE staff, with the support of Sacramento County Office of Education staff, presented options to address remaining key policy decisions required for the plan. Stakeholders
had the opportunity to discuss and provide feedback on the advantages and disadvantages of each of the options to help inform SBE decision-making.

Date: February 10, 2017  
Meeting: ESSA State Plan Stakeholder Input Meeting (Fresno County Office of Education)  
Participants: Any interested member of the public and CDE staff  
Details:  
CDE staff, with the support of Fresno County Office of Education staff, presented options to address remaining key policy decisions required for the plan. Stakeholders had the opportunity to discuss and provide feedback on the advantages and disadvantages of each of the options to help inform SBE decision-making.

Date: February 11, 2017  
Meeting: ESSA State Plan Stakeholder Input Meeting (Webinar)  
Participants: Any interested member of the public and CDE staff  
Details:  
CDE staff hosted a webinar that presented options to address remaining key policy decisions required for the plan. Stakeholders had the opportunity to discuss and provide feedback on the advantages and disadvantages of each of the options to help inform SBE decision-making.

Date: February 14, 2017  
Meeting: ESSA State Agencies Meeting  
Participants: State agency staff and CDE and SBE staff  
Details:  
CDE staff presented options to address remaining key policy decisions required for the plan. Stakeholders had the opportunity to discuss and provide feedback on the advantages and disadvantages of each of the options to help inform SBE decision-making.

Date: February 15, 2017  
Meeting: ESSA Policy Input Session  
Participants: Representatives from diverse equity groups, California County Superintendents Educational Services Association, Commission on Teacher Credentialing, Association for California School Administrators, California School Boards Association, California Collaborative on Educational Excellence, legislative staff, and CDE and SBE staff
Details:

CDE staff presented options to address remaining key policy decisions required for the plan. Stakeholders had the opportunity to discuss and provide feedback on the advantages and disadvantages of each of the options to help inform SBE decision-making.

Date: February 16, 2017  
Meeting: California Practitioners Advisory Group Meeting  
Participants: California Practitioners Advisory Group Members and CDE and SBE staff  
Details:

CDE staff presented options to address remaining key policy decisions required for the plan. California Practitioners Advisory Group Members had the opportunity to discuss and provide feedback on the advantages and disadvantages of each of the options to help inform SBE decision-making.

Date: February 17, 2017  
Meeting: State and Federal Program Directors Meeting  
Participants: State and Federal Program Directors and CDE staff  
Details:

CDE staff provided an update on ESSA State Plan development, including an update regarding federal regulations and local planning requirements for 2017-18.

Date: February 24, 2017  
Meeting: California Reading and Literature Project Regional Directors Meeting  
Participants: California Reading and Literature Project Regional Directors and CDE staff  
Details:

CDE staff provided an update on ESSA State Plan development, including an update regarding federal regulations.

Other Communication Channels  
Below is a table and graph displaying the total number of Web page views for the CDE ESSA Web pages since their inception in March 2016.
Below is a table and graph displaying the number of CDE ESSA listserv messages and the number of subscribers to the CDE ESSA listserv since its inception in April 2016.

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CDE ESSA Web Page Views

CDE ESSA Listserv Subscribers
California Assessment of Student Performance and Progress: Update on Program Activities Related to the California Assessment of Student Performance and Progress System.

SUMMARY OF THE ISSUE(S)

This item provides a summary of the main events and developments related to the California Assessment of Student Performance and Progress (CAASPP) System, including, but not limited to, the Smarter Balanced Summative and Interim Assessments, the Smarter Balanced Digital Library, the California Science Test (CAST), the California Alternate Assessments (CAAs), and the California Spanish Assessment (CSA).

Current Highlights

- The state testing window for the Smarter Balanced Summative Assessments began on January 9, 2017.
- In January and February 2017, the second annual CAASPP Institute was held in six locations across California.
- One-day Pretest Workshops were conducted in sixteen locations throughout the state in January and February. The full schedule of the Pre-Test Workshops, along with the number of attendees at each workshop, appears in Attachment 1.
- In January 2017, the California Department of Education (CDE) conducted an in-person CAASPP Stakeholder meeting, and provided information on the development of the CAST, CAA for Science, and CSA; and further input on the selection criteria for accountability growth model.

2016–17 CAASPP Institute

In January and February, the CDE-sponsored CAASPP Institute was conducted at six sites throughout the state. The purpose of the CAASPP Institute was to provide professional development to teams of local educational agency (LEA) staff on how to best use all components of the CAASPP System to improve teaching and learning. The
focus of this year’s Institute, which was jointly developed by the CDE and the Sacramento County Office of Education (SCOE), was on “digging deeper.” Several breakout sessions were offered, including:

- Fostering a balanced assessment system
- Creating a standard process for identifying students for designated supports
- Using the Smarter Balanced Teacher Guides effectively
- Using interim assessments to support teaching and learning
- Using universal tools, designated supports, and accommodations in daily classroom practice
- Providing designated supports for English learners (ELs)
- Implementing formative assessment practices using the Digital Library

Nearly 1,500 LEA staff members representing approximately 500 LEAs participated in this training. In March, the CDE will post institute materials online.

**Self-Registration for the Digital Library**

In December 2016, Smarter Balanced launched a Digital Library self-registration Web interface which is available through the existing Digital Library login page at [https://www.smarterbalancedlibrary.org/](https://www.smarterbalancedlibrary.org/). This new interface allows LEA staff to create a Digital Library account, without the assistance of their LEA CAASPP coordinator, as long as their e-mail address is affiliated with an LEA. LEA staff with a non-LEA-specific e-mail domain (e.g., gmail.com, yahoo.com) will not be able to self-register but may still be given access via their LEA CAASPP coordinator. A tip sheet to assist LEA staff with the self-registration interface was made available in January on the CAASPP Portal at [http://www.caaspp.org/rsc/pdfs/CAASPP.dl-self-registration.2016-17.pdf](http://www.caaspp.org/rsc/pdfs/CAASPP.dl-self-registration.2016-17.pdf).

**New Additions to Digital Library Resource Collections**

New grade- and content-specific Digital Library resource lists continue to be added to the CDE Instructional Learning Series and the Smarter Balanced Digital Library Connections playlists. These two playlist collections are designed to connect educators with Digital Library content that relates directly to content in specific Smarter Balanced Interim Assessment Blocks (IABs). The Instructional Learning Series playlists focus on helping teachers prepare students to take an IAB, and the Digital Library Connections playlists focus on helping teachers provide instruction to students based on their performance on an IAB.

Recent additions to the Instructional Learning Series include playlists for two Grade 3 IABs—Read Literary Texts and Operations and Algebraic Thinking, and recent additions to the Digital Library Connections include playlists for three high school IABs—Brief

Digital Library Workshop

In February 2017, Smarter Balanced hosted a State Network of Educators (SNE) member workshop in Houston, Texas to support further development of the Smarter Balanced Digital Library. During the workshop, SNE members focused on developing, submitting, and reviewing proposed resources for inclusion in the Digital Library; members of the State Leadership Team, which is comprised primarily of staff from state education agencies, provided support to SNE members and continued planning for the development of future Digital Library playlists. California educators represented 17 of the approximately 100 workshop participants.

Smarter Balanced Strategic Planning

The Smarter Balanced Consortium, which includes California as a governing member, are collaborating on a strategic plan that describes a vision for the future of the Consortium. The plan includes strategies that will serve both to enhance the current high-quality assessment system and guide investments in innovation that will ensure Smarter Balanced continues to be a leader in assessment.

The plan is being developed based on interviews with industry thought leaders, researchers, Consortium Members, and other stakeholders. The draft plan will be presented to members at the Consortium’s annual collaborative conference. After the conference, any final concerns will be resolved and the consortium members will vote to adopt the plan.

Accessibility Supports Data

The Assessment Development and Administration Division (ADAD) has recently updated the CDE California Assignment of Designated Supports and Accommodations Web page at http://caaspp.cde.ca.gov/supportsandaccommodations.asp with new data on the assignment of accessibility supports available to students for the Smarter Balanced Summative Assessments for grades three through eight and grade eleven for English language arts/literacy (ELA) and mathematics. Designated Supports are available to all students when determined for use by an educator or team of educators (with parent/guardian and student input, as appropriate) or specified in the student’s individualized education program (IEP) or Section 504 plan. Accommodations must be permitted on CAASPP tests to all eligible students if specified in the student’s IEP or Section 504 plan.

The updated data files cover the 2014–15 and 2015–16 administrations of the Smarter Balanced Summative Assessments and provide data on the assignment of designated supports and accommodations to EL students and non-EL students. The data include:
Statewide totals by grade of unduplicated students who were assigned at least one designated support or accommodation.

Statewide totals by accessibility support of designated supports and accommodations assigned to students.

District totals by accessibility support of accommodations and designated supports assigned to students.

School totals by accessibility support of accommodations and designated supports assigned to students.

CAASPP Federal Peer Review

On June 10, 2016, the CDE submitted evidence to the U.S. Department of Education (ED) for peer review of the Smarter Balanced assessments as delivered through the CAASPP System. The CDE received notification of the outcome of the peer review process on January 18, 2017. Based on the evidence provided, the following determinations were made:

- Reading/language arts (R/LA) and mathematics general assessments in grades three through eight (Smarter Balanced): **Substantially meets requirements**

- Reading/language arts and mathematics general assessments in high school (Smarter Balanced): **Substantially meets requirements**

The designation of “Substantially meets requirements” means that the evidence provided for peer review met most of the requirements of the statue and regulations but some additional information is required. The CDE is expected to provide this additional information within one year. ADAD staff will analyze the peer review notes and will begin collecting additional information to submit to the ED. The CDE is working with the Smarter Balanced Assessment Consortium to address elements concerning the development of the Smarter Balanced assessments. Peer review notes were provided both for the California submission and the separate submission by Smarter Balanced. The letter from the ED can be found on the Decision Letters on Each State’s Final Assessment System Under No Child Left Behind (NCLB) Web page at [https://www2.ed.gov/admins/lead/account/nclbfinalassess/index.html](https://www2.ed.gov/admins/lead/account/nclbfinalassess/index.html).

Technology Update

The CDE continues to assist the K–12 High Speed Network (K12HSN) with the implementation of the Broadband Infrastructure Improvement Grant (BIIG) programs, which are designed to assist schools in improving their connection to the Internet to administer computer-based assessments. As of December 2016, 139 sites from the first round of funding have been completed, with data passing through the circuits. There are an additional 5 sites with circuits installed waiting for equipment, and 26 sites with work in progress. So far, twenty-one sites are proceeding with technical solutions procured through the second round of funding. In total, 182 unique sites are moving forward in the second round of BIIG funding.
California Alternate Assessments for English Language Arts and Mathematics

The final summary report for the CAASPP spring 2016 administrations, which included the results for the CAAs for ELA and mathematics for grades three through eight and grade eleven, were released to the public on December 15, 2016. The public can access the 2015–16 CAASPP summary reports on the CDE CAASPP Reporting Web site at http://caaspp.cde.ca.gov/. The Web site displays the state-, county-, district-, and school-level CAASPP reports for the spring 2016 administrations.

In December 2016, the 2015–16 CAA Student Score Reports for ELA and mathematics were distributed to LEAs. Samples of the Student Score Reports (SSRs) in English and Spanish are available on the CDE CAASPP Student Score Report Information Web page at http://www.cde.ca.gov/ta/tg/ca/caasppssrinfo.asp. Also available are the following CAA resources:

- Guides to understanding the CAA Student Score Reports are available in English, Spanish, Armenian, Chinese (simplified), Chinese (traditional), Hmong, Korean, Pilipino (Tagalog), and Vietnamese. The guides can be found on the CDE Understanding the CAASPP Student Score Reports Web page at http://www.cde.ca.gov/ta/tg/ca/caasppssreports.asp.

- The Understanding the California Alternate Assessment Student Score Report video is available in English and Spanish. The English and Spanish versions can be found on the CDE YouTube Channel at https://www.youtube.com/watch?v=agicE6OkeIs and https://www.youtube.com/watch?v=nH5akLIA69w, respectively.

On January 9, 2017, the CDE released CAA training and practice tests for ELA and mathematics on the CAASPP.org portal on the Practice and Training Test Web page at http://www.caaspp.org/practice-and-training/index.html. New this year is the CAA practice tests, which are grade and content specific. Scoring rubrics for the CAA practice tests will be provided in March. Also posted are updated CAAs non-grade specific training tests for each content area of the CAAs for ELA and mathematics.

In January 2017, the CDE released the CAA Test Examiner Tutorial video on the Administration of the CAASPP System Summative Assessments—Training Videos and Webcasts Web page at http://www.caaspp.org/training/caaspp/index.html. The CAA Test Examiner Tutorial is a stand-alone training module designed for test examiners who will administer the CAAs for ELA, mathematics, and science. Test examiners will have access to detailed training for the CAAs for ELA, mathematics, and science. Upon completion, test examiners who complete this self-directed training will receive a certificate.

Development of the Pilot Test for the California Science Test

All LEAs will administer the pilot CAST as part of the 2016–17 CAASPP administration. The CAST is the default science test for eligible students in grades five and eight and
once in high school students. For the 2017 pilot test, high schools have been assigned a grade in which to administer the CAST. The CDE, in collaboration with ETS, made the high school grade assignment and are available on the CAASPP Portal at http://www.caaspp.org/administration/about/science/science-assignments.html. LEAs will be able to access the CAST on March 20, 2017, via the Test Delivery System (TDS). This year’s pilot testing for CAST will have the following accessibility features available: American Sign Language, Braille, text-to-speech, and print-on-demand. The CDE understands these supports are limited but is committed to expanding the accessibility features for the operational testing phase. In a separate March 2017 item, the CDE will recommend changes to the permanent regulations for State Board of Education (SBE) approval to begin the rulemaking process. The changes to the permanent regulations include the recommended specific universal tools, designated supports, and accommodations for CAST that will be available when the CAST is fully operational.

LEAs, parents, students, and stakeholders have an opportunity to experience the CAST through a training test, which was available in early February 2017. The training test includes items and performance tasks for grades five, eight, and high school, and is available on the CAASPP.org Web portal on the Practice and Training Test Web page at http://www.caaspp.org/practice-and-training/index.html. The training test includes a sample of the different item types that will be on the CAST pilot test. These training test item types include: multiple-choice, drag and drop, and constructed response, including calculations and graphing.

The CDE has been collaborating with our contractor, Educational Testing Service (ETS), and California educators to continue the ongoing efforts in test item development for pilot, field, and operational testing. Due to the complexities of the standards and the innovative approaches used for the development of CAST, testing experts from the CDE, ETS, and California science educators have extensively reviewed the CAST pilot test items. There have been 8 workshops and meetings where 129 California educators, along with CDE and ETS experts, have convened to review the test items presented in the CAST. Given this is a pilot test year, the CDE and ETS understand the importance of this assessment and have reached out to our stakeholders, seeking their review and feedback on the test items. These extra review efforts are important and necessary for CAST—to confirm alignment of items with the highly complex CA NGSS. The CDE and ETS are committed to developing processes to ensure the items are aligned to the Performance Expectations, Science and Engineering Practices, Disciplinary Core Ideas, and Crosscutting Concepts to ensure these items are of the highest quality. Additionally, per recommendations from stakeholders and California educators, ETS is making concerted efforts to develop environmental, health-related, and integrated items that align with the Performance Expectations. The CDE will recommend the CAST field test blueprints for SBE approval in July 2017.

In addition, the CDE is collaborating with ETS to develop short informational videos for the CAST and the CAA for Science. These videos will be geared toward educators with educator testimonials about the CA NGSS and include the purpose of the CAST and CAA for Science. Both CAST and CAA for Science videos will be available in late March 2017. The ADAD is also collaborating with the Professional Learning Support Division of
CDE, SBE, and the California County Superintendents Educational Services Association (CCSSEA) on the CA NGSS Statewide Rollout: Using the Science Framework to Implement the NGSS. These two-day roll-out sessions begin in May 2017 and are designed to inform educators, curriculum leads, and administrators about the various topics including: Science Framework, Phenomena-Based Learning Sequences, State Assessment, and Classroom Assessments.

Development of the Pilot Test for the California Alternate Assessment for Science

The CDE and ETS collaborated with California educators on how best to assess this student population, the result is an assessment unlike any other statewide assessment. California educators were pleased with this new format that provides limited flexibility in what materials can be used so that a student can demonstrate what he/she knows on the science construct.

All LEAs will administer the pilot version of the CAA for Science to eligible students as part of the 2016–17 CAASPP administration. The CAA for Science pilot test consists of one embedded performance task (PT), which will be administered to any student with an IEP that identifies them for an alternate assessment in grades five, eight, or the assigned high school grade. The operational CAA for Science can be administered directly after a concept is introduced and taught to the students, rather than waiting for the end of year assessment. Assessing students on a concept closer to the instruction of that construct allows these students to show their knowledge, skills, and abilities and how well they understand the construct. Embedded PTs conform to the principles of universal design, offers the least restrictive environment for educators and students to produce evidence of learning, and minimizes the stressful and burdensome process for students.

In February 2017, CDE staff presented an update on the development of the CAST and CAA for Science to the Advisory Committee on Special Education, topics included CAST accessibility and sample items for both the CAST and CAA for Science. In addition, the CDE is releasing various tools and resources prior to the scheduled assessment date of March 20, 2017, such that educators and teachers can prepare for the pilot test.

- The pilot test is in secure PDF format and can only be securely accessed through the Test Operations Management System (TOMS). The student survey presented at the end of the pilot test will provide the CDE feedback on the student’s experiences on the assessment and will be used for reporting participation rates for the pilot test.

- The grade five training test of the CAA for Science embedded PT is available on the CAASPP.org Practice and Training Test Web page at http://www.caaspp.org/practice-and-training/index.html. Even though there is a training sample for only one grade, users will be able to familiarize themselves with the test item types and the style, format, and structure of the embedded PT.
• The instructions for test settings for designated supports and accommodations can be found in the **TOMS Pre-Administration Guide for CAASPP Testing** linked on the CAASPP Portal Manuals and Instructions Web page at [http://www.caaspp.org/administration/instructions/](http://www.caaspp.org/administration/instructions/).

The CDE is planning to present the CAA for Science blueprints for SBE approval in November 2017.

**California Spanish Assessment**

On December 6 and 7, the CDE and ETS met with California educators via WebEx to receive input on the CSA blueprints. The CDE and ETS also gathered input from educators on the general achievement level descriptors (ALDs) and the blueprints at the CAASPP Stakeholder in-person meeting on January 24, 2017. ALDs are descriptors of student performance level expectations that provide the range of measurement for the assessment and, along with test blueprints, help to ensure that the evidence from the test will provide valid information to score users.

On January 25 and January 26, 2017, ETS conducted Item Writer Training for educators at the National University in Costa Mesa. The purpose of the training was to lead California educators through the California Common Core State Standards en Español and detail how to write items that are appropriate and free of bias and sensitivity issues. Educators learned about various technology-enabled items that will be used for the new CSA.

In December 2016, the CDE reviewed the pilot test plan and test forms in preparation for the pilot test. The pilot test is scheduled to be administered in fall 2017.

**RECOMMENDATION**

The CDE recommends that the SBE take no specific action at this time.

**BRIEF HISTORY OF KEY ISSUES**

Per California *Education Code (EC)* Section 60640, the CAASPP System succeeded the Standardized Testing and Reporting (STAR) Program on January 1, 2014.

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

In February 2017, an Information Memorandum provided the SBE with an update on California’s Science Assessments Waiver Request—to waive double testing of the science requirement (URL will be provided when posted).

In December 2016, an Information Memorandum provided the SBE with an update on CAASPP activities ([http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-adad-dec16item01.doc](http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-adad-dec16item01.doc)). In addition, a separate Information Memorandum provided the SBE a response letter from the CDE to the ED on the issue of California’s Science
Assessments Waiver Request—to waive double testing of the science requirement (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-adad-dec16item03.doc).

In October 2016, an Information Memorandum provided the SBE with an update on CAASPP activities (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-adad-oct16item01.doc) and on California’s Science Assessments Waiver Request—to waive double testing of the science requirement (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-adad-oct16item03.doc).

In September 2016, the SBE:

- Adopted the State Superintendent of Public Instruction’s proposed levels for the CAAs for ELA and mathematics levels 1, 2, and 3
- Approved the Proposed High-Level Test Design for the California Spanish Assessment, which is inclusive of, but not limited to, the purpose of the assessment, its target population, and a test development timeline (http://www.cde.ca.gov/be/ag/ag/yr16/documents/sep16item04.doc).

In August 2016, an Information Memorandum provided the SBE with an update that outlined the standard-setting for the CAAs for ELA and mathematics (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-adad-aug16item02.doc).

In July 2016, the CDE provided the SBE with an update on CAASPP activities and approved the concept for the CA NGSS alternate assessment (http://www.cde.ca.gov/be/ag/ag/yr16/documents/jul16item01.doc).

In May 2016, the CDE provided the SBE with an update on CAASPP activities and approved both the 2015–16 CAA SSR templates and the proposed CAA Performance Level Descriptors (PLDs) (http://www.cde.ca.gov/be/ag/ag/yr16/documents/may16item07.doc). In addition, the SBE approved two letters to the ED requesting a waiver (under Title 1, Part A, Section 8401) to waive the:

- Double testing of the science test requirement (http://www.cde.ca.gov/be/ag/ag/yr16/documents/may16item08.doc).

In May 2016, the SBE approved the adoption of the content and grade-specific PLDs for the CAAs (http://www.cde.ca.gov/be/ag/ag/yr16/documents/may16item07.doc). These PLDs guided the grade and content-specific standard setting efforts during the standard-setting workshop with ETS in August 2016 as outlined in the August 2016 SBE Information Memorandum.
In April 2016, an Information Memorandum provided the SBE with an update that outlined the process used to develop the content and grade-specific PLDs (http://www.cde.ca.gov/be/pn/im/infomemoapr2016.asp).

In March 2016, the SBE approved the development of three online CA NGSS summative assessments to meet the requirements of the federal Every Student Succeeds Act and California EC Section 60640(b)(2)(B) consistent with the proposed test design in grades five and eight and high school (http://www.cde.ca.gov/be/ag/ag/yr16/documents/mar16item02.doc). In addition, the CDE provided the SBE with an update on CAASPP activities (http://www.cde.ca.gov/be/ag/ag/yr16/documents/mar16item03.doc).

**FISCAL ANALYSIS (AS APPROPRIATE)**

The costs for reporting CAASPP results to LEAs for the 2015–16 through 2017–18 test administrations, including the development and distribution of CAASPP SSRs specific to each test administration, are included in the executed ETS CAASPP contract budget approved by the SBE, the CDE, and the Department of Finance in May 2015.

The 2015 Budget Act includes $76 million for the CAASPP ETS contract work in fiscal year 2015–16. Funding for 2016–17 and beyond will be contingent on an annual appropriation from the Legislature.

The 2015 Budget Act provides $50 million for the K12HSN for the BIIG program grants for LEAs and $10 million for the K12HSN professional development and technical assistance activities.

The 2015 Budget Act also provides $94 million in funding for CAASPP contract activities in 2015–16. This funding is being utilized for the following CAASPP contracts:

- Contract activities provided by ETS ($83.6 million: $7.6 million in Contract 5417; $76 million in CN150012) were approved by the SBE for test administration and development activities, including the development of CAA for Science and primary language assessments.

- A contract with the University of California, Los Angeles ($8 million) was approved by the SBE for Smarter Balanced consortium-managed services, including access to the Smarter Balanced Summative Assessments, Interim Assessments, and Digital Library tools.

- A contract with the Human Resources Research Association ($774,117) was approved by the SBE for a multiyear independent evaluation of the CAASPP System per requirements in California EC Section 60649.

- A contract with SCOE ($1.5 million in one-time funding) for CAASPP support activities, including regional CAASPP Institutes and Senior Assessment Fellows services per authority in the 2015 Budget Act (6100-113-0001, Provision 13).
Funding for 2016–17 and beyond will be contingent upon an annual appropriation being made available from the Legislature in future fiscal years. The proposed Governor’s budget for 2016–17 includes $93.03 million for ongoing costs for the CAASPP contracts.

ATTACHMENT(S)

Attachment 1: California Assessment of Student Performance and Progress Outreach and Professional Development Activities (8 Pages)
California Assessment of Student Performance and Progress Outreach and Professional Development Activities

The California Department of Education (CDE), in coordination with its assessment contractor, has provided a variety of outreach activities to prepare local educational agencies (LEAs) for the administration of the California Assessment of Student Performance and Progress (CAASPP) System. Outreach efforts have included Webcasts, in-person test administration workshops, focus group meetings, and presentations for numerous LEAs throughout the state. The following tables list presentations during December 2016 through February 2017. In addition, the CDE continues to release information regarding the CAASPP System, including weekly updates, on its Web site and through listserv e-mail.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Location</th>
<th>Assessment</th>
<th>Estimated Number of Attendees</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/6/16 and 12/7/16</td>
<td>Educational Testing Service (ETS) via WebEx</td>
<td>California Spanish Assessment (CSA)</td>
<td>12</td>
<td>Gather input from educators on the CSA blueprints.</td>
</tr>
<tr>
<td>12/6/16 through 12/8/16</td>
<td>ETS</td>
<td>California Alternate Assessments (CAAs)</td>
<td>22</td>
<td>ETS trained California educators on how to write CAASPP CAA items for mathematics, English language arts, and science.</td>
</tr>
<tr>
<td>1/10/17</td>
<td>Denver</td>
<td>Smarter Balanced</td>
<td>30</td>
<td>State representatives from eight Smarter Balanced member states and Smarter Balanced staff met to create talking points on the advantages of the Smarter Balanced Assessment System to use for this current legislative session.</td>
</tr>
<tr>
<td>1/19/17</td>
<td>Smarter Balanced Assessment Consortium via WebEx</td>
<td>Smarter Balanced Summative Assessments</td>
<td>60</td>
<td>The Smarter Balanced Technical Advisory Committee met to review psychometric topics related to Smarter Balanced Assessment Consortium.</td>
</tr>
<tr>
<td>Date</td>
<td>Event Location</td>
<td>Assessment</td>
<td>Estimated Number of Attendees</td>
<td>Description</td>
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</tr>
<tr>
<td>1/25/17 and 1/26/17</td>
<td>Orange County</td>
<td>CSA</td>
<td>13</td>
<td>At the Item Writer Training Workshop, ETS trained California educators on how to write test items for the CSA. Educators also learned about various technology-enabled items that will be used for the new computer-based Spanish assessment.</td>
</tr>
<tr>
<td>2/9/17 and 2/10/17</td>
<td>Sacramento</td>
<td>CAASPP System</td>
<td>34</td>
<td>CAASPP Technical Advisory Group met to review psychometric topics related to CAASPP.</td>
</tr>
<tr>
<td>2/23/17</td>
<td>Sacramento</td>
<td>CAASPP System</td>
<td>50</td>
<td>At the Advisory Commission on Special Education meeting, CDE provided updates on California Science Test (CAST) and CAA for Science with sample items and CAST permanent regulations in March board item. Provide accessibility data for 2015–16. Present toolkit/training for resource teachers and others who do not administer summative assessments.</td>
</tr>
</tbody>
</table>
### Webcasts

<table>
<thead>
<tr>
<th>Date</th>
<th>Assessment</th>
<th>Estimated Number of Attendees</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/14/16</td>
<td>CAASPP</td>
<td>Morning Session: 1530</td>
<td>The CDE conducted a Pretest Workshop Webcast, which covered the 2017 administration of the online Smarter Balanced assessments, the CAST pilot, and the CAAs, including the CAA for Science pilot.</td>
</tr>
</tbody>
</table>
|        |            | Afternoon Session: 714       | • Morning Session: Smarter Balanced assessments and CAST pilot  
• Afternoon Session: CAAs |

### In-person Regional Trainings/Meetings

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Location</th>
<th>Event Name</th>
<th>Estimated Number of Attendees</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/4/17</td>
<td>Sheraton Grand Sacramento</td>
<td>2016–17 CAASPP Pretest Workshop</td>
<td>107</td>
<td>Participants learned about the Smarter Balanced Summative Assessments, the CAAs, the CAST pilot, and the CAA for Science pilot. Other topics included roles and responsibilities, technology infrastructure, test preparation for students and staff, use of the Test Operations Management System, and test security.</td>
</tr>
<tr>
<td>1/5/17</td>
<td>Los Angeles County Office of Education (COE)</td>
<td></td>
<td>116</td>
<td></td>
</tr>
<tr>
<td>1/6/17</td>
<td>Santa Clara COE</td>
<td></td>
<td>87</td>
<td></td>
</tr>
<tr>
<td>1/9/17</td>
<td>San Diego COE</td>
<td></td>
<td>67</td>
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## In-person Regional Trainings/Meetings

<table>
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<tr>
<th>Date</th>
<th>Event Location</th>
<th>Event Name</th>
<th>Estimated Number of Attendees</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/10/17</td>
<td>Humboldt COE</td>
<td></td>
<td>35</td>
<td></td>
</tr>
<tr>
<td>1/13/17</td>
<td>San Joaquin COE</td>
<td></td>
<td>77</td>
<td></td>
</tr>
<tr>
<td>1/17/17</td>
<td>Riverside COE</td>
<td></td>
<td>102</td>
<td></td>
</tr>
<tr>
<td>1/18/17</td>
<td>Sonoma COE</td>
<td></td>
<td>117</td>
<td></td>
</tr>
<tr>
<td>1/23/17</td>
<td>Pickwick Gardens Burbank</td>
<td></td>
<td>80</td>
<td></td>
</tr>
<tr>
<td>1/24/17</td>
<td>Ventura COE</td>
<td></td>
<td>105</td>
<td></td>
</tr>
<tr>
<td>1/25/17</td>
<td>Alameda COE</td>
<td></td>
<td>59</td>
<td></td>
</tr>
<tr>
<td>1/31/17</td>
<td>Monterey COE</td>
<td></td>
<td>49</td>
<td></td>
</tr>
<tr>
<td>2/2/17</td>
<td>Shasta COE</td>
<td></td>
<td>69</td>
<td></td>
</tr>
<tr>
<td>2/6/17</td>
<td>Fresno COE</td>
<td></td>
<td>85</td>
<td></td>
</tr>
<tr>
<td>2/7/17</td>
<td>University of California, Irvine</td>
<td></td>
<td>72</td>
<td></td>
</tr>
<tr>
<td>2/8/17</td>
<td>Kern COE</td>
<td></td>
<td>79</td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>Event Location</td>
<td>Event Name</td>
<td>Estimated Number of Attendees</td>
<td>Description</td>
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</tr>
<tr>
<td>1/26/17 and 1/27/17</td>
<td>Sacramento</td>
<td>2016–17 CAASPP Institutes</td>
<td>300</td>
<td>Two-day professional development sessions designed to provide comprehensive strategies for using the CAASPP System to support classroom teaching and student learning in LEAs. Sessions focused on timely topics, including:</td>
</tr>
<tr>
<td>2/2/17 and 2/3/17</td>
<td>Santa Rosa</td>
<td></td>
<td>145</td>
<td>• Fostering a balanced assessment system</td>
</tr>
<tr>
<td>2/7/17 and 2/8/17</td>
<td>Oceanside</td>
<td></td>
<td>233</td>
<td>• Creating a standard process for identifying students for designated supports</td>
</tr>
<tr>
<td>2/9/17 and 2/10/17</td>
<td>Pasadena</td>
<td></td>
<td>289</td>
<td>• Using the Smarter Balanced Teacher Guides effectively</td>
</tr>
<tr>
<td>2/14/17 and 2/15/17</td>
<td>Fresno</td>
<td></td>
<td>190</td>
<td>• Using interim assessments to support teaching and learning</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Using universal tools, designated supports, and accommodations in daily classroom practice</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Providing designated supports for English learners</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Implementing formative assessment practices using the Digital Library</td>
</tr>
<tr>
<td>Date</td>
<td>Event Location</td>
<td>Event Name</td>
<td>Estimated Number of Attendees</td>
<td>Description</td>
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</tr>
<tr>
<td>12/1/16</td>
<td>Sacramento</td>
<td>California Educational Research Association (CERA) Annual Conference</td>
<td>28</td>
<td>Presentation on connecting the Smarter Balanced Interim Assessments with the Digital Library.</td>
</tr>
<tr>
<td>12/1/16</td>
<td>Sacramento</td>
<td>CERA Annual Conference</td>
<td>50</td>
<td>Presentation on best practices to address the logistics of testing.</td>
</tr>
<tr>
<td>12/1/16</td>
<td>Sacramento</td>
<td>CERA Annual Conference</td>
<td>25</td>
<td>Presentation on accessibility for Smarter Balanced English language arts/literacy and mathematics.</td>
</tr>
<tr>
<td>12/1/16</td>
<td>Sacramento</td>
<td>CERA Annual Conference</td>
<td>75</td>
<td>Presentation on CAST and CAA for Science.</td>
</tr>
<tr>
<td>12/5/16</td>
<td>San Francisco</td>
<td>2016 Accountability Leadership Institute for English Learners and Migrant Students</td>
<td>75</td>
<td>CAASPP overview and Smarter Balanced accessibility for all students.</td>
</tr>
<tr>
<td>12/15/16</td>
<td>Sacramento</td>
<td>CAASPP Stakeholders Meeting</td>
<td>12</td>
<td>CAASPP Update.</td>
</tr>
</tbody>
</table>
### Presentations by CDE Staff

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Location</th>
<th>Event Name</th>
<th>Estimated Number of Attendees</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/12/16</td>
<td>Ventura COE</td>
<td>Next Generation Science Standards (NGSS) Rollout</td>
<td>200</td>
<td>General update on the development of California’s science assessments: CAST and CAA for Science.</td>
</tr>
<tr>
<td>1/10/17</td>
<td>Santa Clara COE</td>
<td>NGSS Rollout</td>
<td>135</td>
<td>General update on the development of California’s science assessments: CAST and CAA for Science.</td>
</tr>
<tr>
<td>1/13/17</td>
<td>Sacramento</td>
<td>The California County Superintendents Educational Services Association (CCSESA): Science Collaboration Committee Meeting</td>
<td>25</td>
<td>General update on the development of California’s science assessments: CAST and CAA for Science.</td>
</tr>
<tr>
<td>1/18/17</td>
<td>Sacramento</td>
<td>Regional Assessment Network</td>
<td>25</td>
<td>General update on the CAASPP System.</td>
</tr>
<tr>
<td>1/24/17</td>
<td>Sacramento</td>
<td>CAASPP In-person Stakeholder Meeting</td>
<td>12</td>
<td>Full day information session that provided an update on assessments and accountability. Attendees provided input on CSA blueprint, achievement level descriptors, and accessibility supports for CAST and CSA.</td>
</tr>
<tr>
<td>Date</td>
<td>Event Location</td>
<td>Event Name</td>
<td>Estimated Number of Attendees</td>
<td>Description</td>
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<tr>
<td>--------</td>
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</tr>
<tr>
<td>2/16/17</td>
<td>Sacramento</td>
<td>CAASPP Stakeholder Webinar</td>
<td>12</td>
<td>CAASPP update.</td>
</tr>
</tbody>
</table>
CALIFORNIA STATE BOARD OF EDUCATION

MARCH 2017 AGENDA

SUBJECT

California Assessment of Student Performance and Progress: Authority to Begin Negotiations with Education Testing Services to Amend the Existing Scope of Work for the California Assessment of Student Performance and Progress Contract.

SUMMARY OF THE ISSUE(S)

Pursuant to California Education Code (EC) Section 60643(b), the California Department of Education (CDE) shall develop and the State Superintendent of Public Instruction (SSPI) and the State Board of Education (SBE) shall approve California Assessment of Student Performance and Progress (CAASPP) contracts. In approving an amendment to a CAASPP contract, the CDE, in consultation with the SBE, may make material amendments to the contract that do not increase the contract cost. Contract amendments that increase contract costs may only be made with the approval of the CDE, the SBE, and the Department of Finance (DOF).

The CDE, in consultation with the SBE, is drafting an amendment to the current scope of work (SOW) for the CAASPP test administration contract with Educational Testing Service (ETS). The amendment will reflect material technical changes to the existing tasks in the SOW as well as any revisions to tasks necessary to implement the SBE-approved test design plans for the three successor assessments under development in the current contract.

Contingent on the SBE’s approval of the CDE’s recommendation of this item and the proposed funding that is currently available in the Governor’s Budget proposal, the CDE, the SBE, and the DOF will begin negotiations on changes which require an increase in costs. These negotiations may include the continuation of the Standards-based Tests in Spanish (STS) for one year, a transition year for paper-pencil Smarter Balanced tests, enhancements to reporting systems, and system enhancements to allow for implementation of Smarter Balanced embedded field test performance tasks. If the CDE’s recommendation is approved and there is funding provided to cover the costs of the changes, these negotiated amendments will be brought back to the SBE for approval.

RECOMMENDATION
The CDE recommends that the SBE direct the CDE, in consultation with the SBE and approval of the DOF, to negotiate amendments to the contract that may increase contract costs that do not exceed the budget appropriation, to address the continuation of the STS for one year, a transition year for paper-pencil Smarter Balanced tests, enhancements to reporting systems, and system enhancements to allow for the implementation of Smarter Balanced embedded field test performance tasks.

**BRIEF HISTORY OF KEY ISSUES**

In May 2015, the SBE designated ETS as the CAASPP contractor for the 2015–16, 2016–17, and 2017–18 test administrations. The 2016–17 test administration is the third full operational test administration for the CAASPP System. Pursuant to EC Section 60640, the CDE is continuing to work toward implementing the CAASPP System, including the development of three successor assessments to replace the current paper-pencil science, science alternate, and primary language assessments. These successor assessments are the California Science Test (CAST) aligned with the California Next Generation Science Standards (CA NGSS); the California Alternate Assessment (CAA) for Science based on the Core Content Connectors for CA NGSS; and the California Spanish Assessment (CSA) aligned with the Common Core State Standards in Español (the successor to the STS).

The contract amendment negotiation process will include a full documentation of all task amendment details and annual enhancements, as well as any revisions to tasks necessary to implement the SBE-approved test design plans for the three successor assessments under development in the current contract. The negotiation process will work to address other technical changes by clarifying existing contract language and ensure adherence to Smarter Balanced contract specifications such as the delivery of paper-pencil versions of Smarter Balanced tests. The negotiations may also consider the continuation of the STS for one year, a transition year for paper-pencil Smarter Balanced tests, enhancements to reporting systems, and system enhancements to allow for the implementation of Smarter Balanced embedded field test performance tasks. The current contract does not support the STS or paper-pencil Smarter Balanced tests past 2016-17. All nine tasks of the SOW will be reviewed and amended; however, no new tasks will be added.

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

In September 2016, the SBE approved the Proposed High-Level Test Design for the California Spanish Assessment (CSA) and revised implementation timeline, thus allowing the test development activities included in the CAASPP System administration contract to continue (http://www.cde.ca.gov/be/ag/ag/yr16/documents/sep16item04.doc).

In July 2016, the SBE approved the conceptual design for the CAA for Science. The approval of this design allowed the CDE to begin the work on the development of the
pilot plan and the materials for the spring 2017 pilot test administration (http://www.cde.ca.gov/be/ag/yr16/documents/jul16item01.doc).

In March 2016, the SBE approved the CAST general assessment design. The CAST is aligned with the Next Generation Science Standards (NGSS) for California Public Schools, Kindergarten through Grade Twelve as required by California EC Section 60605.85 and which was adopted by the SBE in September 2013 (http://www.cde.ca.gov/be/ag/ag/yr16/documents/mar16item02.doc).

In May 2015, the SBE approved the CAASPP contract negotiated with ETS, the CDE, the SBE, and the DOF (http://www.cde.ca.gov/be/ag/yr15/documents/may15item01.doc).

In March 2015, the SBE adopted the SSPI recommendation to designate ETS as the CAASPP contractor and requested a draft contract be provided at the May 2015 SBE meeting (http://www.cde.ca.gov/be/ag/ag/yr15/documents/mar15item04.doc).

FISCAL ANALYSIS (AS APPROPRIATE)

The proposed 2017–18 Budget Act provides a total of $87.7 million in funding for multiple CAASPP System contract costs. There is currently $86 million in contract obligations for the CAASPP System contracts which includes $76 million in funding for the currently approved ETS CAASPP 2017–18 contract activities and approximately $1.5 million in available funds to negotiate amendments to the ETS CAASPP Contract. CAASPP contract amendments that increase contract costs may only be made with the approval of the CDE, the SBE, and the DOF. Funding for 2018–19 and beyond will be contingent upon an annual appropriation being made available from the Legislature in future fiscal years.

ATTACHMENT(S)

None
CALIFORNIA STATE BOARD OF EDUCATION

MARCH 2017 AGENDA

SUBJECT
Consideration of a Retroactive Request for Determination of Funding with "Reasonable Basis"/Mitigating Circumstances as Required for a Nonclassroom-based Charter School Pursuant to California Education Code Sections 47612.5 and 47634.2, and Associated California Code of Regulations, Title 5.

Action
Information
Public Hearing

SUMMARY OF THE ISSUE

California Education Code sections 47612.5 and 47634.2 established the eligibility requirements for apportionment funding for charter schools that offer nonclassroom-based instruction. The statutes specify that a charter school may receive apportionment funding for nonclassroom-based instruction only if a determination of funding is made by the State Board of Education (SBE). The California Department of Education (CDE) reviews a charter school's determination of funding request and presents it for consideration by the Advisory Commission on Charter Schools (ACCS), pursuant to relevant California Code of Regulations, Title 5 (5 CCR). The ACCS may include the consideration of mitigating circumstances in conjunction with a recommendation to the SBE.

Pursuant to 5 CCR Section 11963.6(c), any determination of funding request approved by the SBE for an existing nonclassroom-based charter school must be prospective (not for the current year). The CDE received a completed determination of funding request from River Valley Charter (RVC) after the February 1 filing deadline, thereby making the request retroactive, not prospective. Since RVC failed to submit a completed request by the regulatory filing deadline, RVC was required to request a waiver for SBE approval to allow the charter school to request a non-prospective funding determination.

The waiver was submitted to the SBE requesting approval for a retroactive funding determination for fiscal year (FY) 2016–17. The waiver was approved by the SBE at its November 2016 meeting as specified in Attachment 1. The waiver request is provided in the SBE November Meeting Notice on the SBE Web page located at http://www.cde.ca.gov/be/ag/ag/yr16/documents/nov16w04.doc.

RECOMMENDATION

The CDE recommends that the SBE deny the mitigating circumstances request and approve a determination of funding of 85 percent for two years, FY 2016–17 through 2017–18, as provided in Attachment 1.
Advisory Commission on Charter Schools Recommendation

The ACCS met on February 13, 2017, and voted, by a vote of five to three, to approve the mitigating circumstances request and a determination of funding of 100 percent for two years, FY 2016–17 through 2017–18.

BRIEF HISTORY OF KEY ISSUES

RVC submitted a request to obtain a determination of funding by the SBE with the consideration of mitigating circumstances to establish eligibility to receive apportionment funding.

Pursuant to 5 CCR Section 11963.4(a), a nonclassroom-based charter school may qualify for 70 percent, 85 percent, 100 percent funding, or may be denied. To qualify for a proposed recommendation of 100 percent funding, a nonclassroom-based charter school must meet the following criteria:

- At least 40 percent of the school’s public revenues are to be spent on salaries and benefits for all employees who possess a valid teaching certificate.

- At least 80 percent of all revenues are to be spent on instruction and instruction-related services.

- The ratio of average daily attendance for independent study pupils to full-time certificated employees does not exceed a pupil-teacher ratio of 25:1 or the pupil-teacher ratio of the largest unified school district in the county or counties in which the charter school operates.

However, 5 CCR Section 11963.4(e) states that the ACCS may find a “reasonable basis” (also referred to as mitigating circumstances) by which to make a recommendation other than one that results from the criteria specified in the regulations.

5 CCR Section 11963.4(e) provides specific examples of the types of mitigating circumstances and for the ACCS to consider well documented “one-time or unique or exceptional circumstances.” Mitigating circumstances described by a charter school in the funding determination process clarify and provide guidance as to whether or not a specific charter school meets the percentage requirements for a funding determination as expressed in 5 CCR Section 11963.4(a).

Pursuant to 5 CCR Section 11963.4(e):

A reasonable basis for the Advisory Commission on Charter Schools to make a recommendation other than one that results from the criteria specified in subdivision (a) may include, but not be limited to, the following: the information provided by the charter school pursuant to paragraphs (2) through (8), inclusive, of subdivision (b) of section 11963.3, documented data regarding individual circumstances of the charter school (e.g., one-time or unique or exceptional expenses for facilities, acquisition of a school bus, acquisition and installation of
computer hardware not related to the instructional program, special education charges levied on the charter school by a local educational agency, restricted state, federal, or private grants of funds awarded to the charter school that cannot be expended for teacher salaries, or contracted instructional services other than those for special education), the size of the charter school, and how many years the charter school has been in operation. The Advisory Commission on Charter Schools shall give charter schools with less than a total of one hundred (100) units of prior year second period average daily attendance or that are in their first year of operation serious consideration of full funding.

5 CCR Section 11963.6(c) specifies that a determination of funding approved by the SBE shall be prospective (not for the current year) and shall be in increments of a minimum of two years and a maximum of five years in length. When making a recommendation for a funding determination, the CDE also considers the number of years a charter school has been in operation and the number of years requested for the determination of funding by the charter school.

River Valley Charter – #0120

RVC does not meet the requirement to qualify for a proposed recommendation of 100 percent funding based on reported FY 2014–15 data. Therefore, RVC submitted a request to consider mitigating circumstances. A summary of the request from RVC is provided below.

RVC is requesting a 100 percent determination of funding for two years with the consideration of the charter school's mitigating circumstances. RVC reported expenditures of 56.38 percent on certificated staff costs; however, it reported expenditures of 71.85 percent on instruction and instruction-related services costs, which qualifies the charter school for an 85 percent determination of funding.

RVC’s mitigating circumstances request cites that the charter school’s new principal had no charter school experience and was unaware of the determination of funding spending requirements. As such, RVC chose to delay the purchase of new textbooks and supplies for classes that were not yet Common Core-aligned, with the exception of English language arts and mathematics, and instead increased RVC reserves. The CDE finds that RVC has requested and received funding determinations on five prior occasions since 2001 and should be knowledgeable of the spending threshold required for full funding. Furthermore, RVC ended FY 2014–15 with approximately 42 percent or $854,612 in reserves which could have been used to support instruction rather than being held for future expenses or to cover economic uncertainties. The CDE recommends the SBE deny RVC’s mitigating circumstances request and recommends a determination of funding of 85 percent for two years (2016–17 through 2017–18) as provided in Attachment 1.

The funding determination and mitigating circumstances requests are provided in Attachments 2 and 3 of Agenda Item 02 on the ACCS February 13, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/accsnotice021317.asp.
SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At its November 2016 meeting, the SBE approved the CDE’s recommendation to approve the request to waive specific portions of 5 CCR Section 11963.6(c), which allow RVC to submit a determination of funding request for the non-prospective fiscal period of July 1, 2016, through June 30, 2017.

The SBE is responsible for approving a determination of funding to establish eligibility for apportionment funding for charter schools that offer nonclassroom-based instruction. The CDE notes that this request is a recurring action item for the SBE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved, the charter school listed in Attachment 1 would receive apportionment funding under the Local Control Funding Formula model.

ATTACHMENT

Attachment 1: California Department of Education Determination of Funding Recommendation for a Nonclassroom-based Charter School (1 Page)
## California Department of Education
### Determination of Funding Recommendation for a Nonclassroom-based Charter School

<table>
<thead>
<tr>
<th>CDS Code</th>
<th>Charter Authorizer / County</th>
<th>Charter School (Charter Number)</th>
<th>First Year of Operation</th>
<th>Percent Spent on Certificated Staff Compensation(^\ast)</th>
<th>Percent Spent on Instruction and Instruction-Related Services(^\ast)</th>
<th>Pupil-Teacher Ratio(^\ast)</th>
<th>Funding Determination and Years Requested by Charter School With Mitigating Circumstances (5 CCR Section 11963.4)</th>
<th>Funding Determination Without Mitigating Circumstances (5 CCR Section 11963.4)</th>
<th>CDE Recommendation Funding Determination and Years</th>
<th>CDE Recommendation Mitigating Circumstances Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>37-68189-3731072</td>
<td>Lakeside Union Elementary / San Diego</td>
<td>River Valley Charter (0120)</td>
<td>1997–98</td>
<td>56.38%</td>
<td>71.85%</td>
<td>18.0:1</td>
<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>85%</td>
<td>*85% for 2 Years (2016–17 through 2017–18)</td>
<td>No</td>
</tr>
</tbody>
</table>

\(^\ast\)Spending percentages and pupil-teacher ratio correspond to the charter school’s funding determination request as originally submitted to the California Department of Education.

*California Code of Regulations*, Title 5 (5 CCR) Section 11963.4(a) specifies criteria to qualify for a funding determination of 100 percent, 85 percent, 70 percent, or denial. For a nonclassroom-based charter school that spends 40 percent or more of the school’s public revenues on salaries and benefits for all employees who possess a valid teaching certificate, and spends at least 70 percent but less than 80 percent of all revenues on instruction and instruction-related services, the Advisory Commission on Charter Schools shall recommend to the State Board of Education (SBE) approval of the request at 85 percent, unless there is a reasonable basis to recommend otherwise. At its November 2016 meeting, the SBE approved the request to waive specific portions of 5 CCR Section 11963.6(c), for the period of July 1, 2016, through June 30, 2017.
SUMMARY OF THE ISSUES

California Education Code (EC) Section 47605(a)(1) provides that a charter school petition shall identify a single charter school that will operate within the geographic boundaries of the authorizing school district. A charter school may propose to operate at multiple sites within the school district if each location is identified in the charter school petition. There are limited exceptions to these restrictions, including EC Section 47605.1(d) which provides that a charter school that is unable to locate within the geographic boundaries of the authorizing school district, or for temporary use during construction or expansion, may establish one site outside the school district boundaries, but within the county, provided certain conditions are met; and EC Section 47605.1(c) which provides that a charter school may establish a resource center, meeting space, or other satellite facility located in a county adjacent to that in which the charter school is authorized and used exclusively for educational support of nonclassroom-based independent study, provided certain conditions are met.

On November 16, 2016, the Court of Appeal, Third Appellate District, issued a published opinion, as modified, in Anderson Union High School District v. Shasta Secondary Home School, holding that the geographic restrictions in EC Section 47605(a)(1) apply to nonclassroom-based charter schools, and that a charter school may not locate a resource center outside the geographic boundaries of the authorizing school district, unless it can satisfy one of the statutory exceptions. On January 18, 2017, the California Supreme Court denied review of the decision, which thus became final.

RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the nonclassroom-based charter school resource center location waiver policy in Attachment 1.
BRIEF HISTORY OF KEY ISSUES

EC Section 47605(a)(1) provides that a charter school petition shall identify a single charter school that will operate within the geographic boundaries of that school district. A charter school may propose to operate at multiple sites within the school district if each location is identified in the charter school petition. There are certain statutory exceptions to these geographic restrictions.

EC Section 47605.1(c) provides that a charter school may establish a resource center, meeting space, or other satellite facility located in a county adjacent to that in which the charter school is authorized if the facility is used exclusively for educational support for nonclassroom-based independent study, and the charter school provides its primary educational services in, and a majority of the pupils it serves are residents of, the county where the charter school is located.

EC Section 47605.1(d) provides that one site outside of the school district boundaries, but within the county, is permissible, if: (1) the charter school attempted but was unable to locate a facility within the school district, or (2) the site outside the school district is needed for temporary use during construction or expansion.

Finally, under EC Section 47605.1(g), the geographic limitations do not apply to charter schools providing instruction in partnership with the federal Workforce Innovation and Opportunity Act, federal Youth Build or job corps training programs, the California Conservation Corps, and instruction provided to some juvenile court school pupils.

On December 2, 2014, the Shasta County Superior Court issued a statement of decision in Anderson Union High School District v. Shasta Secondary Home School, that a resource center, meeting room, or other satellite facility is not a site or schoolsite and therefore not governed by the geographic restrictions of charter schools. On November 16, 2016, the Court of Appeal, Third Appellate District (Third District), in a published opinion, as modified (2016) 4 Cal. App. 5th 262, reversed the lower court ruling and held that the geographic restrictions in EC Section 47605(a)(1) apply to all charter schools, including nonclassroom-based charter schools, unless one of the statutory exceptions applies. On January 18, 2017, the California Supreme Court denied review of the Third District’s opinion, which thus became final as of that date.

The CDE finds that there are nonclassroom-based charter schools that may have relied upon and operated under an interpretation of the statutes that govern geographic and site restrictions that are in conflict with the Third District’s decision. In order to minimize disruption to pupils and educational programs, a waiver for the limited purpose of providing charter schools operating noncompliant resource centers time to comply with the Third District decision should be considered by the SBE.
SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The subject of this policy is the first to be considered for approval by the SBE. The purpose of the policy includes outlining criteria to use in reviewing and processing waiver requests and to facilitate management of the SBE’s agenda.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact of approving this waiver policy.

ATTACHMENT

Attachment 1: Nonclassroom-Based Charter School Resource Center Location Policy (14 Pages)
Summary of Relevant Education Code Sections
California Education Code (EC) Section 47605(a)(1) provides that a charter school petition shall identify a single charter school that will operate within the geographic boundaries of the authorizing school district. A charter school may propose to operate at multiple sites within the school district if each location is identified in the petition. Pursuant to EC Section 47605.1(d), a single site outside of the district boundaries, but within the county is permissible, but only where: (1) the school attempted but was unable to locate a facility within the district, or (2) the site outside the district is temporary. Additionally, EC Section 47605.1(c) provides that a charter school may establish a resource center, meeting space, or other satellite facility located in a county adjacent to that in which the charter school is authorized if the facility is used exclusively for educational support for nonclassroom-based independent study, and the charter school provides its primary educational services in, and a majority of the pupils it serves are residents of, the county where the school is authorized.

Background
In Anderson Union High School District v. Shasta Secondary Home School (2016) 4 Cal. App. 5th 262 (Anderson), the Third District Court of Appeal (Third District) held that the geographic restrictions in EC sections 47605(a) and 47605.1(d) apply to nonclassroom-based charter schools operating resource centers. Thus, in order to ensure compliance with this court opinion, a charter school resource center must operate within the boundaries of its authorizing school district, unless an exception applies. Additionally the charter school may establish a resource center in an adjacent county as detailed above.

On January 18, 2017, the California Supreme Court denied review of the Third District’s opinion, which thus became final on that date. In consequence, waiver applications relying on Anderson became ripe for consideration. This policy sets forth guidelines for the processing of these waiver applications and to facilitate management of the State Board of Education’s (SBE’s) agenda. Consistent with Anderson, waivers shall apply only to existing, noncomplying resource centers of nonclassroom-based charter schools. This policy shall expire on November 10, 2017.
Evaluation Guidelines
The SBE shall consider these waivers for the limited purpose of giving charter schools operating noncomplying resource centers time to comply with the Anderson court decision in order to minimize disruption to students and the educational program.

In order to facilitate the SBE’s evaluation of these waiver requests and the educational needs of students under EC Section 33051(a)(1), the SBE asks that authorizing school districts or county offices of education applying for this waiver provide the following documentation and the California Department of Education (CDE) use this documentation in reviewing and making recommendations regarding the request:

1. For each resource center subject to the waiver request, submit the address of each center, school district in which each center is located, date each resource center was established, and the number of students attending each center.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

Upon determination by the CDE that the waiver application is complete and satisfies the Evaluation Guidelines, the CDE may, in its discretion, recommend that the SBE place the waiver on the consent agenda. Pursuant to the SBE’s bylaw, Article V, Section 9, any member of the SBE may remove an item from the consent agenda.

Waiver Conditions
The CDE may recommend conditions to the waiver, including, but not limited to, the following:

1. Require the charter school’s governing body to approve a transition plan that details how the charter school’s resource center(s) will come into compliance with the Anderson court decision.

2. Pursuant to EC Section 33051(b), the waiver shall be for a period of not more than two years less two days, and shall not be retroactive.
3. Require the charter school to submit the transition plan to the charter school’s authorizer (authorizer) within 30 days after approval of the waiver.

4. If the authorizer has not visited the resource center(s) pursuant to EC Section 47604.32(a)(2), require the authorizer to visit the resource center(s) within a reasonable time frame.

Statutory Provisions

EC Section 47605

(a)(1) Except as set forth in paragraph (2), a petition for the establishment of a charter school within a school district may be circulated by one or more persons seeking to establish the charter school. A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. A charter school may propose to operate at multiple sites within the school district if each location is identified in the charter school petition. The petition may be submitted to the governing board of the school district for review after either of the following conditions is met:

(A) The petition is signed by a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation.

(B) The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation.

(2) A petition that proposes to convert an existing public school to a charter school that would not be eligible for a loan pursuant to subdivision (c) of Section 41365 may be circulated by one or more persons seeking to establish the charter school. The petition may be submitted to the governing board of the school district for review after the petition is signed by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted.

(3) A petition shall include a prominent statement that a signature on the petition means that the parent or legal guardian is meaningfully interested in having his or her child or ward attend the charter school, or in the case of a teacher’s signature, means that the
teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.

(4) After receiving approval of its petition, a charter school that proposes to establish operations at one or more additional sites shall request a material revision to its charter and shall notify the authority that granted its charter of those additional locations. The authority that granted its charter shall consider whether to approve those additional locations at an open, public meeting. If the additional locations are approved, they shall be a material revision to the charter school’s charter.

(5) A charter school that is unable to locate within the jurisdiction of the chartering school district may establish one site outside the boundaries of the school district, but within the county in which that school district is located, if the school district within the jurisdiction of which the charter school proposes to operate is notified in advance of the charter petition approval, the county superintendent of schools and the Superintendent are notified of the location of the charter school before it commences operations, and either of the following circumstances exists:

(A) The school has attempted to locate a single site or facility to house the entire program, but a site or facility is unavailable in the area in which the school chooses to locate.

(B) The site is needed for temporary use during a construction or expansion project.

(6) Commencing January 1, 2003, a petition to establish a charter school may not be approved to serve pupils in a grade level that is not served by the school district of the governing board considering the petition, unless the petition proposes to serve pupils in all of the grade levels served by that school district.

(b) No later than 30 days after receiving a petition, in accordance with subdivision (a), the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents. Following review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 60 days of receipt of the petition, provided, however, that the date may be
extended by an additional 30 days if both parties agree to the extension. In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

(1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.

(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

(3) The petition does not contain the number of signatures required by subdivision (a).

(4) The petition does not contain an affirmation of each of the conditions described in subdivision (d).

(5) The petition does not contain reasonably comprehensive descriptions of all of the following:

(A)(i) The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.

(ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve
those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

(iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A” to “G” admissions criteria may be considered to meet college entrance requirements.

(B) The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school.

(C) The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

(D) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.

(E) The qualifications to be met by individuals to be employed by the charter school.

(F) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the charter school furnish it with a criminal record summary as described in Section 44237.
(G) The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

(H) Admission requirements, if applicable.

(I) The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

(J) The procedures by which pupils can be suspended or expelled.

(K) The manner by which staff members of the charter schools will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System, or federal social security.

(L) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

(M) The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.

(N) The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.

(O) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

(6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.
(c)(1) Charter schools shall meet all statewide standards and conduct the pupil assessments required pursuant to Sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.

(2) Charter schools shall, on a regular basis, consult with their parents, legal guardians, and teachers regarding the charter school’s educational programs.

(d)(1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against a pupil on the basis of the characteristics listed in Section 220. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.

(2)(A) A charter school shall admit all pupils who wish to attend the school.

(B) If the number of pupils who wish to attend the charter school exceeds the school’s capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the district except as provided for in Section 47614.5. Other preferences may be permitted by the chartering authority on an individual school basis and only if consistent with the law.

(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and shall not take any action to impede the charter school from expanding enrollment to meet pupil demand.

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a
transcript of grades or report card, and health information. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.

(e) The governing board of a school district shall not require an employee of the school district to be employed in a charter school.

(f) The governing board of a school district shall not require a pupil enrolled in the school district to attend a charter school.

(g) The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the school, the manner in which administrative services of the school are to be provided, and potential civil liability effects, if any, upon the school and upon the school district. The description of the facilities to be used by the charter school shall specify where the school intends to locate. The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.

(h) In reviewing petitions for the establishment of charter schools within the school district, the governing board of the school district shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032, as that section read before July 19, 2006.

(i) Upon the approval of the petition by the governing board of the school district, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the applicable county superintendent of schools, the department, and the state board.

(j)(1) If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The county board of education shall review the petition pursuant to subdivision (b). If the petitioner elects to submit a petition for establishment of a charter school to the county board of education and the county board of education denies the
petition, the petitioner may file a petition for establishment of a charter school with the state board, and the state board may approve the petition, in accordance with subdivision (b). A charter school that receives approval of its petition from a county board of education or from the state board on appeal shall be subject to the same requirements concerning geographic location to which it would otherwise be subject if it received approval from the entity to which it originally submitted its petition. A charter petition that is submitted to either a county board of education or to the state board shall meet all otherwise applicable petition requirements, including the identification of the proposed site or sites where the charter school will operate.

(2) In assuming its role as a chartering agency, the state board shall develop criteria to be used for the review and approval of charter school petitions presented to the state board. The criteria shall address all elements required for charter approval, as identified in subdivision (b), and shall define “reasonably comprehensive” as used in paragraph (5) of subdivision (b) in a way that is consistent with the intent of this part. Upon satisfactory completion of the criteria, the state board shall adopt the criteria on or before June 30, 2001.

(3) A charter school for which a charter is granted by either the county board of education or the state board based on an appeal pursuant to this subdivision shall qualify fully as a charter school for all funding and other purposes of this part.

(4) If either the county board of education or the state board fails to act on a petition within 120 days of receipt, the decision of the governing board of the school district to deny a petition shall be subject to judicial review.

(5) The state board shall adopt regulations implementing this subdivision.

(6) Upon the approval of the petition by the county board of education, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition to the department and the state board.

(k)(1) The state board may, by mutual agreement, designate its supervisory and oversight responsibilities for a charter school approved by the state board to any local educational agency in the county in which the charter school is located or to the governing board of the school district that first denied the petition.
(2) The designated local educational agency shall have all monitoring and supervising authority of a chartering agency, including, but not limited to, powers and duties set forth in Section 47607, except the power of revocation, which shall remain with the state board.

(3) A charter school that is granted its charter through an appeal to the state board and elects to seek renewal of its charter shall, before expiration of the charter, submit its petition for renewal to the governing board of the school district that initially denied the charter. If the governing board of the school district denies the charter school's petition for renewal, the school may petition the state board for renewal of its charter.

(l) Teachers in charter schools shall hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and are subject to periodic inspection by the chartering authority. It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, noncollege preparatory courses.

(m) A charter school shall transmit a copy of its annual, independent financial audit report for the preceding fiscal year, as described in subparagraph (l) of paragraph (5) of subdivision (b), to its chartering entity, the Controller, the county superintendent of schools of the county in which the charter school is sited, unless the county board of education of the county in which the charter school is sited is the chartering entity, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering entity pursuant to Section 41020.

**EC Section 47605.1**

(a)(1) Notwithstanding any other law, a charter school that is granted a charter from the governing board of a school district or county office of education after July 1, 2002, and commences providing educational services to pupils on or after July 1, 2002, shall locate in accordance with the geographic and site limitations of this part.

(2) Notwithstanding any other law, a charter school that is granted a charter by the state board after July 1, 2002, and commences providing educational services to pupils on or
after July 1, 2002, based on the denial of a petition by the governing board of a school district or county board of education, as described in paragraphs (1) and (2) of subdivision (j) of Section 47605, may locate only within the geographic boundaries of the chartering entity that initially denied the petition for the charter.

(3) A charter school that receives approval of its charter from a governing board of a school district, a county office of education, or the state board before July 1, 2002, but does not commence operations until after January 1, 2003, shall be subject to the geographic limitations of this part, in accordance with subdivision (e).

(b) This section is not intended to affect the admission requirements contained in subdivision (d) of Section 47605.

(c) Notwithstanding any other law, a charter school may establish a resource center, meeting space, or other satellite facility located in a county adjacent to that in which the charter school is authorized if the following conditions are met:

(1) The facility is used exclusively for the educational support of pupils who are enrolled in nonclassroom-based independent study of the charter school.

(2) The charter school provides its primary educational services in, and a majority of the pupils it serves are residents of, the county in which the charter school is authorized.

(d) Notwithstanding subdivision (a) or subdivision (a) of Section 47605, a charter school that is unable to locate within the geographic boundaries of the chartering school district may establish one site outside the boundaries of the school district, but within the county within which that school district is located, if the school district in which the charter school proposes to operate is notified in advance of the charter petition approval, the county superintendent of schools is notified of the location of the charter school before it commences operations, and either of the following circumstances exist:

(1) The charter school has attempted to locate a single site or facility to house the entire program, but such a facility or site is unavailable in the area in which the charter school chooses to locate.

(2) The site is needed for temporary use during a construction or expansion project.
(e)(1) For a charter school that was granted approval of its charter before July 1, 2002, and provided educational services to pupils before July 1, 2002, this section only applies to new educational services or schoolsites established or acquired by the charter school on or after July 1, 2002.

(2) For a charter school that was granted approval of its charter before July 1, 2002, but did not provide educational services to pupils before July 1, 2002, this section only applies upon the expiration of a charter that is in existence on January 1, 2003.

(3) Notwithstanding other implementation timelines in this section, by June 30, 2005, or upon the expiration of a charter that is in existence on January 1, 2003, whichever is later, all charter schools shall be required to comply with this section for schoolsites at which educational services are provided to pupils before or after July 1, 2002, regardless of whether the charter school initially received approval of its charter school petition before July 1, 2002. To achieve compliance with this section, a charter school shall be required to receive approval of a charter petition in accordance with this section and Section 47605.

(4) This section is not intended to affect the authority of a governmental entity to revoke a charter that is granted on or before the effective date of this section.

(f) A charter school that submits its petition directly to a county board of education, as authorized by Section 47605.5 or 47605.6, may establish charter school operations only within the geographical boundaries of the county in which that county board of education has jurisdiction.

(g) Notwithstanding any other law, the jurisdictional limitations set forth in this section do not apply to a charter school that provides instruction exclusively in partnership with any of the following:

(1) The federal Workforce Innovation and Opportunity Act (29 U.S.C. Sec. 3101 et seq.).

(2) Federally affiliated Youth Build programs.
(3) Federal job corps training or instruction provided pursuant to a memorandum of understanding with the federal provider.

(4) The California Conservation Corps or local conservation corps certified by the California Conservation Corps pursuant to Sections 14507.5 or 14406 of the Public Resources code.

(5) Instruction provided to juvenile court school pupils pursuant to subdivision (b) of Section 42238.18 or pursuant to Section 1981 for individuals who are placed in a residential facility.
### General Waiver

**SUBJECT**

Request by Lakeport Unified School District to waive California Education Code Section 41402(b), the requirement which sets the ratio of administrators to teachers for unified school districts at eight for every 100 teachers.

Waiver Number: 20-10-2016

<table>
<thead>
<tr>
<th>Action</th>
<th>Consent</th>
</tr>
</thead>
</table>

### SUMMARY OF THE ISSUES

The Lakeport Unified School District (LUSD) increased its administrative employees by 1.85 full-time equivalents (FTE) in the current year, resulting in an excess of 1.40 administrative employees over the allowable number without penalty. The LUSD needs this waiver to accommodate its recent staffing changes and plans to work towards meeting the requirements of the administrator to teacher ratio going into the school year after the waiver period requested.

**Authority for Waiver:** *Education Code (EC) Section 33050*

### RECOMMENDATION

- Approval
- Approval with conditions
- Denial

The California Department of Education recommends the State Board of Education approve the request by the LUSD to waive EC Section 41402(b) for the period from August 1, 2016 through June 30, 2018, with the condition that the LUSD finds resolution to the key issues on this waiver through means other than the waiver process.

### SUMMARY OF KEY ISSUES

The LUSD is requesting a waiver of *EC Section 41402(b)* which establishes a financial penalty if a district exceeds a ratio of 8 administrative employees to 100 teachers. The LUSD currently has 83.71 teachers, which allows for 6.7 Full Time Equivalent (FTE) administrators.

The district requested the waiver because it believed that it had an administrator to teacher ratio of 8.2, which exceed the *EC 41202* standard of 8 by 0.2 FTE due to the addition of a Director of Curriculum and Instruction. However, the district’s actual administrator FTE was 8.1, which exceeds the allowed FTE of 6.7 by 1.4. The district
would need to employ an additional 17.54 teachers to be in compliance with the maximum administrator to teacher ratio for the 2016–17 and 2017–18 school year.

The district eliminated a classified management position in the 2015–16 school year and assigned those duties to the new Director of Curriculum and Instruction because the LUSD felt it more appropriate for a certificated administrator to train and supervise academic support staff. The LUSD believes the new position is critical to provide training for the many new teachers who are currently working under a Provisional Internship Permit or completing an induction program.

In addition, the LUSD had a lead teacher position at an elementary school for many years where the job duties were similar to an assistant principal. The job became vacant in the middle of last year and the LUSD was unable to fill the position because it had difficulty attracting both teacher and administrative candidates in their rural county. The LUSD had the support of the teachers’ union to convert the lead teacher position to an assistant principal as a means of attracting applicants. The staff at the elementary school appreciates the support the position provides to students who are coming to school with significant behavioral challenges.

The LUSD indicated that it is located in a county where students' learning is affected by challenges that are not typically found in more affluent communities and lacks the community resources available to families living in urban areas. As a result, the LUSD’s schools provide additional services and programs to assist students with academic, behavioral and social/emotional needs. Over the past four years, the LUSD added a total of 32 staff members including, but not limited to: an English language development teacher, technology teacher, bilingual paraprofessionals, paraprofessionals, counselors, licensed vocational nurse, family advocate, psychologist, and behavioral support providers. The LUSD also implemented a variety of new intervention programs both after school and during the summer months. The LUSD’s school principals and assistant principals provide direct supervision and evaluate all of the certificated and classified staff who provide direct services to students.

The LUSD’s superintendent met with the union president individually about the need to file an administrator to teacher ratio waiver. The union president is also a member of the LCAP Advisory Committee and was aware of the recommendation to add the Director of Curriculum of Instruction position. The union representative’s position is neutral on this waiver and did not provide any opposition.

The LUSD does not foresee the need for a waiver in the future for the administrator to teacher ratio. The LUSD projects an increase in student enrollment in the next two years and as a result will hire additional teachers. In addition, the LUSD plans to evaluate its staffing needs and will shift resources as necessary to meet the requirements of administrator to teacher ratio within the requested waiver period.

**Demographic Information**: Lakeport Unified School District has a student population of approximately 1,530 students and is located in a rural area of Lake County.
Because this is a general waiver, if the 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 requests by various school districts to waive EC Section 41402 for the maximum administrator to teacher ratio; however, these waivers are infrequent with an average of one to two requests every other year. The conditions for the waivers included a projected influx of new students from new housing developments, additional administrative support needed in the interim process of a district unification, and temporary support needed for a small district that was allowed only one administrator.

The conditions included in this waiver are not similar to those previously approved, which were to provide additional administrative support on a temporary basis.

**FISCAL ANALYSIS (AS APPROPRIATE)**

There is no statewide fiscal impact of this waiver approval. Approval of this waiver will prevent an audit penalty for the school district estimated at $60,063 in 2016–17.

**ATTACHMENT(S)**

Attachment 1: Summary Table of Administrator to Teacher Ratio Requirement (1 page)

Attachment 2: Lakeport Unified School District General Waiver Request 20-10-2016 (2 pages)

Attachment 3: Lakeport Unified Teachers Association Written Position on Waiver (1 page)
## Summary Table
### Administrator to Teacher Ratio Requirement

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>District</th>
<th>Period of Request</th>
<th>Bargaining Unit, Representatives Consulted, Date, and Position</th>
<th>Local Board and Public Hearing Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>20-10-2016</td>
<td>Lakeport Unified School District</td>
<td>Requested: August 1, 2016, to June 30, 2018</td>
<td>Lakeport Unified Teachers Association, Steve Newnham, President</td>
<td>LCAP Advisory Committee, April 8, 2016, No objections</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Recommended: August 1, 2016, to June 30, 2018</td>
<td>Bargaining Unit Date: September 8, 2016 Position: Neutral</td>
<td>Public Hearing: September 8, 2016</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Local Board Approval: October 13, 2016</td>
</tr>
</tbody>
</table>

Created by Department of Education January 2017
California Department of Education
WAIVER SUBMISSION - General

CD Code: 1764030 Waiver Number: 20-10-2016 Active Year: 2016

Date In: 10/30/2016 12:51:23 PM

Local Education Agency: Lakeport Unified School District
Address: 2508 Howard Ave.
Lakeport, CA 95453

Start: 8/1/2016 End: 6/30/2018

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Administrator/Teacher Ratio
Ed Code Title: Administrator/Teacher Ratio in High School Distric
Ed Code Section: 41402 (b)
Ed Code Authority: 33050

Ed Code or CCR to Waive: The maximum ratios of administrative employees to each 100 teachers in the various types of school districts shall be as follows:

(a) In elementary school districts—9.
(b) In unified school districts—[8].
(c) In high school districts—7.

This section shall not apply to a school district that has one or fewer administrators.

Outcome Rationale: Pursuant to Education Code Section 41402(b), unified school districts must maintain an administrator-to-teacher ratio of 8 administrators to 100 teachers. During the 2016-17 school year, the Lakeport Unified School District added a Director of Curriculum and Instruction position. The job duties include developing, implementing and evaluating instructional programs in the district, procuring educational materials, overseeing the administration of all state and local testing programs, preparing student data reports, coordinating the district's categorical programs, developing the Local Education Agency Plan, facilitating the district's English learner program, supervising the after school programs, planning professional development, and coordinating the induction plans for beginning teachers.

The addition of the Director of Curriculum and Instruction position will increase our admin-to-teacher ratio from 7.2 to 8.2, thus exceeding the Education Code limit by (.2). The additional administrative support is needed to meet our Local Control and Accountability Plan (LCAP) goal of improving student achievement so the District is requesting a waiver of Education Code Section 41402(b).

Student Population: 1530

City Type: Rural
Public Hearing Date: 9/8/2016
Public Hearing Advertised: A notice was posted at all school sites, in three other public places in the district and on the district website.

Local Board Approval Date: 10/13/2016

Community Council Reviewed By: LCAP Advisory Committee
Community Council Reviewed Date: 4/8/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Erin Smith-Hagberg
Position: Superintendent
E-mail: esh@lakeport.k12.ca.us
Telephone: 707-262-3000 x3029
Fax: 707-263-7332

Bargaining Unit Date: 09/08/2016
Name: Lakeport Unified Teachers Association
Representative: Steve Newnham
Title: President
Position: Neutral
Comments:
LAKEPORT
UNIFIED SCHOOL DISTRICT

Thi Huynh
School Fiscal Services Division
California Department of Education

December 16, 2016

Dear Ms. Huynh,

I am writing at the request of Superintendent Erin Smith-Hagberg to confirm that
I am aware that the Lakeport Unified School District has submitted a waiver to
the California Department of Education to waive Education Code Section
41402(b). The District converted the Lakeport Elementary School lead teacher
position to an assistant principal position and also eliminated a director of student
programs position (classified management) to hire a director of curriculum and
instruction in place of it. These changes caused the district to exceed the
administrator to teacher ration by 1.4. The Lakeport Unified Teachers’
Association is neutral in our position.

Sincerely,

Steve Newnham, President
Lakeport Unified Teachers Association
General Waiver

SUBJECT
Request by Hacienda La Puente Unified School District for a renewal waiver of portions of California Education Code Section 48661(a) to permit collocation of Community Day School on the same site as Valley Continuation High School and Puente Hills High School Independent Study.

Waiver Number: 19-11-2016

SUMMARY OF THE ISSUES

Request by Hacienda La Puente Unified School District (USD) for a renewal of its waiver of California Education Code (EC) Section 48661(a), to permit collocation of Community Day School (CDS), on the same site as Valley Continuation High School (VHS), and Puente Hills High School Independent Study (PHHS), an alternative school of choice serving students through independent study.

Authority for Waiver: EC Section 33050

RECOMMENDATION

☐ Approval  ☒ Approval with conditions  ☐ Denial

The California Department of Education (CDE) recommends approval of the renewal waiver request for this CDS, with the individual conditions and period of approval noted in Attachment 1.

This waiver provides for CDS operated by the Hacienda La Puente USD, to be located on the same campus as VHS, a continuation high school, and PHHS, on the basis of a two-thirds annual vote of the local governing board, certifying that satisfactory alternative facilities are not available for a CDS, in accordance with EC Section 48661(b).

SUMMARY OF KEY ISSUES

EC Section 48916.1(a) requires school districts to ensure that each of their expelled students be provided an educational program during the period of expulsion. EC Section 48661(a) states that a CDS shall not be situated on the same site as a comprehensive elementary, middle, or high school, continuation high school, or an opportunity school. EC Section 48661(a) authorizes a small school district with 2,500 or
fewer students to waive the separation requirement based on an annual certification by at least two-thirds of the local board when separate alternative facilities are not available. The governing board for the Hacienda La Puente USD is asking for similar authority as the board of a smaller district. Hacienda La Puente USD enrolls approximately 19,400 total students. The governing board voted unanimously to request this waiver.

CDS shared its original site with VHS and PHHS under the authorization of a State Board of Education (SBE) waiver issued in 2002. In 2009, VHS was moved to Shadybend, a former elementary school site, occupying the west side of the campus. The Principal was stretched between the two locations and spent time traveling each day between the two sites (roughly three miles apart). The counselor was based on the CDS site and the Teacher on Special Assignment (TOSA) in charge of student discipline was based on the VHS site.

It was not a productive arrangement of student/staff support for either school. The district received a waiver for the 2011–13 school years for CDS and PHHS to join VHS at the Shadybend site. CDS occupies the former kindergarten area, located on the east side of the campus, and, as an independent study school, PHHS was given one classroom on the west side of campus, where VHS operates. With the current collocation, the Principal is on site (with the exception of meetings/off-site conferences) and is able to provide services for the schools. A full-time counselor and TOSA also are on site to provide student and staff support.

The separation between CDS and VHS/PHHS that exists on the Shadybend campus has been proven to be adequate and sufficient in providing safety for all students. There have been no significant negative interactions during the collocation at either of the current and previous sites for the past seven years. This has been accomplished through a number of means. There is a physical barrier and “No Student Area” that is clearly visible from the front office and separates VHS and CDS. Students in each school have their own restrooms. CDS students arrive to, and depart from, the site at a different location and at different times than VHS/PHHS students. CDS students do not go through the quad area in order to access the front office, and students are escorted individually to the front office by a staff member.

A campus peace officer monitors and patrols all areas of the school site. The Hacienda La Puente USD has worked on changing the climate of both VHS and CDS by implementing positive behavior intervention strategies, response to intervention, restorative justice practices, and the Capturing Kids’ Hearts Program. Instructors and administrators participate in trainings provided by the district and by the school site.

In March 2016, the Hacienda La Puente USD requested a permanent waiver under the provisions of EC Section 33051(b). However, the Hacienda La Puente Teachers Association was concerned about potential safety issues. Therefore, the waiver was approved for a period of two years minus one day. This waiver expires on August 8, 2017.

After several years of the schools sharing the campus without any negative incidents between the student populations, the Hacienda La Puente Teachers Association is now
satisfied that the colocation is safe and is now in support of the waiver. The Service Employees International Union also is in support. The local board voted unanimously for the waiver request, exceeding the two-thirds vote they would need to take action under the waiver. Both the School Site Council and the English Learners Advisory Council reviewed the request and had no objections. The California School Employees Association (CSEA) expressed opposition. However, despite requests for clarification from district and CDE staff, the CSEA did not provide any specific justification for their opposition.

**Demographic Information:**

Hacienda La Puente USD has a population of 19,383 students and is located in a suburban area in Los Angeles County.

**Because these are general waivers, if the State Board of Education (SBE) decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a), 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 several previous waiver requests in the past to allow the collocation of a CDS with another school when the CDS could not be located separately and the district has been able to provide for the separation of CDS students from the other schools.

**FISCAL ANALYSIS (AS APPROPRIATE)**

There is no statewide fiscal impact of waiver approval.

**ATTACHMENT(S)**

Attachment 1: Summary Table of Community Day School State Board of Education Waiver (1 page)

Attachment 2: Hacienda La Puente Unified School District General Waiver Request 19-11-2016 (2 pages) (Original Waiver request is signed and on file in the Waiver Office.)
# Summary Table of Community Day School State Board of Education Waiver

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>District Name, Size of District, and Local Board Approval Date</th>
<th>Type(s) of School(s) with which CDS will be Collocated (if waiver of EC Section 48661[a])</th>
<th>Period of Request</th>
<th>Renewal Waiver?</th>
<th>If granted, this waiver will be “permanent” per EC Section 33501(b)</th>
<th>Certificated Bargaining Unit Name and Representative, Date of Action, and Position</th>
<th>Advisory Committee/Schoolsite Council Name, Date of Review and Any Objections</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>19,383 Total Students</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Service Employees International Union, Joyce Garcia, President, August 5, 2016 Support</td>
<td></td>
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<tr>
<td></td>
<td>7 Students in CDS November 17, 2016</td>
<td></td>
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<td></td>
<td></td>
<td>California School Employees Association, Margarita Caldera, President, August 5, 2016 Oppose</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Note: No justification was provided for opposition, despite requests by the district and the California Department of Education.</td>
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</tbody>
</table>

**Conditions:** This waiver provides for Valley Community Day School operated by the Hacienda La Puente USD, to be located on the same campus as Valley Continuation High School, a continuation high school, and Puente Hills High School Independent Study, an alternative school of choice serving students through independent study, on the basis of a two-thirds annual vote of the local governing board, certifying that satisfactory alternative facilities are not available for a CDS, in accordance with EC Section 48661(b).
<table>
<thead>
<tr>
<th>CD Code</th>
<th>Waiver Number: 19-11-2016</th>
<th>Active Year: 2016</th>
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<tr>
<td>Date In:</td>
<td>11/28/2016 9:37:32 AM</td>
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<tr>
<td>Local Education Agency:</td>
<td>Hacienda la Puente Unified School District</td>
<td></td>
</tr>
<tr>
<td>Address:</td>
<td>15959 East Gale Ave.</td>
<td></td>
</tr>
<tr>
<td>City Of Industry, CA 91745</td>
<td></td>
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<tr>
<td>Start:</td>
<td>8/10/2017</td>
<td>End: 8/10/2018</td>
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<tr>
<td>Waiver Renewal:</td>
<td>Y</td>
<td>Previous Waiver Number: 22-10-2015</td>
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<td>Previous SBE Approval Date:</td>
<td>3/9/2016</td>
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<td>Waiver Topic:</td>
<td>Community Day Schools (CDS)</td>
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<tr>
<td>Ed Code Title:</td>
<td>Colocate Facilities</td>
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<tr>
<td>Ed Code Section:</td>
<td>48661(a)</td>
<td></td>
</tr>
<tr>
<td>Ed Code Authority:</td>
<td>33050</td>
<td></td>
</tr>
</tbody>
</table>

Ed Code or CCR to Waive: (a) A community day school shall not be situated on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school, except as follows: (1) When the governing board of a school district [with 2,500 or fewer units of average daily attendance reported for the most recent second principal apportionment] certifies by a two-thirds vote of its membership that satisfactory alternative facilities are not available for a community day school. (b) A certification made pursuant to this section is valid for not more than one school year and may be renewed by a subsequent two-thirds vote of the governing board.

Outcome Rationale: Hacienda La Puente has annually requested and received a co-location waiver

Student Population: 7

City Type: Suburban

Public Hearing Date: 11/17/2016
Public Hearing Advertised: Notice posted at each school site in the district

Local Board Approval Date: 11/17/2016

Community Council Reviewed By: School site Council, English Learners Advisory Council
Community Council Reviewed Date: 10/27/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N
Submitted by: Mr. Joaquin Martinez
Position: Principal
E-mail: jlmartinez@hlpusd.k12.ca.us
Telephone: 626-933-3400 x3402
Fax:

Bargaining Unit Date: 08/05/2016
Name: California School Employees Association
Representative: Margarita Caldera
Title: President
Position: Oppose
Comments: none given

Bargaining Unit Date: 08/05/2016
Name: Hacienda La Puente Teachers Association
Representative: Jane Schults
Title: President
Position: Support
Comments:

Bargaining Unit Date: 08/05/2016
Name: Service Employees International Union
Representative: Joyce Garcia
Title: President
Position: Support
Comments:
Request by nine school districts to waive California Education Code Section 37202(a), the equity length of time requirement for transitional kindergarten and kindergarten programs at the districts’ elementary schools.

Waiver Numbers:
- Anaheim Elementary School District 4-11-2016
- Coronado Unified School District 3-12-2016
- El Centro Elementary School District 8-11-2016
- Escondido Union School District 5-12-2016
- Franklin-McKinley Elementary School District 8-12-2016
- San Ysidro Elementary School District 14-12-2016
- Soulsbyville Elementary School District 7-11-2016
- Southside Elementary School District 26-12-2016
- Tustin Unified School District 12-11-2016

SUMMARY OF THE ISSUES

Anaheim Elementary School District (AESD), Coronado Unified School District (CUSD), El Centro Elementary School District (ECESD), Escondido Union School District (EUSD), Franklin-McKinley Elementary School District (FMESD), San Ysidro Elementary School District (SYESD), Soulsbyville Elementary School District (SESD), Southside Elementary School District (SESD), and Tustin Unified School District (TUSD) seek waivers of the California Education Code (EC) Section 37202(a), equity length of time requirement for kindergarten and transitional kindergarten (TK).

Authority for Waiver: Education Code (EC) Section 33050

RECOMMENDATION

☐ Approval ☒ Approval with conditions ☐ Denial

The California Department of Education recommends approval of the waivers with
conditions. The AESD, CUSD, ECESD, EUSD, FMESD, SYESD, SESD, SESD and TUSD will provide information to AESD, CUSD, ECESD, EUSD, FMESD, SYESD, SESD, SESD, and TUSD families by May 4, 2017, explaining the waiving of EC Section 37202(a), allowing TK students to attend school for fewer minutes than kindergarten students.

SUMMARY OF KEY ISSUES

The AESD, CUSD, ECESD, EUSD, FMESD, SYESD, SESD, SESD, and TUSD are requesting to waive EC Section 37202(a), the equity length of time requirement for kindergarten programs. Pursuant to EC Section 37202(a), any TK program operated by a district must be of equal length to any kindergarten program operated by the same district. The AESD, CUSD, ECESD, EUSD, FMESD, SYESD, SESD, SESD, and TUSD currently offer extended-day (full day) kindergarten programs which exceed the maximum four-hour school day (EC 46111 [a]). The AESD, CUSD, ECESD, EUSD, FMESD, SYESD, SESD, SESD, and TUSD are requesting flexibility in determining the length of their TK programs in order to provide a modified instructional day, curricula, and developmentally appropriate instructional practices. The AESD, CUSD, ECESD, EUSD, FMESD, SYESD, SESD, SESD, and TUSD are concerned that holding TK students in excess of the four-hour minimum school day (pursuant to EC 48911) is not in the best educational interest of their TK students.

Demographic Information:

AESD has a student population of 18,852, and is located in an urban area in Orange County.

CUSD has a student population of 3,185, and is located in a suburban area in San Diego County.

ECESD has a student population of 4,960, and is located in a rural area in Imperial County.

EUSD has a student population of 16,210, and is located in a suburban area in San Diego County.

FMESD has a student population of 8,543, and is located in an urban area in Santa Clara County.

SYESD has a student population of 4,829, and is located in an urban area in San Diego County.

SESD has a student population of 488, and is located in a rural area in Tuolumne County.
SESD has a student population of 240, and is located in a rural area in San Benito County.

TUSD has a student population of 24,061, and is located in an urban area in Orange County.

**Because this is a general waiver, if the 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](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The State Board of Education has approved with conditions all waiver requests to date by local educational agencies to waive EC Section 37202(a), the equity length of time requirement for kindergarten and TK.

**FISCAL ANALYSIS (AS APPROPRIATE)**

Approval of this waiver would have no known fiscal impact.

**ATTACHMENT(S)**

Attachment 1: Summary Table (4 pages).

Attachment 2: AESD General Waiver Request 4-11-2016 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: CUSD General Waiver Request 3-12-2016 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: ECESD General Waiver Request 8-11-2016 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: EUSD General Waiver Request 5-12-2016 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 6: FMESD General Waiver Request 8-12-2016 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
Attachment 7: SYESD General Waiver Request 14-12-2016 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 8: SESD General Waiver Request 7-11-2016 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 9: SESD General Waiver Request 26-12-2016 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 10: TUSD General Waiver Request 12-11-2016 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
## Information from Districts Requesting Waivers of Equity Length of Time for Transitional Kindergarten

**California Education Code Section 37202(a)**

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>District</th>
<th>Period of Request</th>
<th>Bargaining Unit, Representatives Consulted, Date, and Position</th>
<th>Public Hearing and Board Approval Date</th>
<th>Public Hearing Advertisement</th>
<th>SSC/Advisory Committee Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>4-11-2016</td>
<td>Anaheim Elementary School District</td>
<td>Requested: June 30, 2017 to June 29, 2019</td>
<td>Anaheim Elementary Education Association, Kristen Fisher President 9/27/2016 Support</td>
<td>October 12, 2016</td>
<td>The public hearing notice was posted at the district office and on the district Web site.</td>
<td>Transitional Kindergarten Advisory Committee September 27, 2016 No Objection</td>
</tr>
<tr>
<td>3-12-2016</td>
<td>Coronado Unified School District</td>
<td>Requested: August 25, 2016 to June 14, 2018</td>
<td>Association of Coronado Teachers, Kathy Couture Elementary Site Representative 11/02/2016 Support</td>
<td>November 15, 2016</td>
<td>The public hearing notice was posted at the district office, three school offices, and the district Web site.</td>
<td>TK/K Teachers, Administrators, and Bargaining Unit Representation November 2, 2016 No Objection</td>
</tr>
<tr>
<td>Waiver Number</td>
<td>District</td>
<td>Period of Request</td>
<td>Bargaining Unit, Representatives Consulted, Date, and Position</td>
<td>Public Hearing and Board Approval Date</td>
<td>Public Hearing Advertisement</td>
<td>SSC/Advisory Committee Position</td>
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<td>8-11-2016</td>
<td>El Centro Elementary School District</td>
<td>Requested: August 27, 2012 to June 9, 2017</td>
<td>El Centro Elementary Teacher’s Association, Shaelynn Barker President 10/05/2016 Support</td>
<td>Public Hearing Date: October 11, 2016</td>
<td>Board Approval Date: November 8, 2016</td>
<td>The public hearing notice was posted on the district Web site.</td>
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<td>Recommended: July 1, 2016 to June 28, 2018</td>
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<td>5-12-2016</td>
<td>Escondido Union School District</td>
<td>Requested: July 1, 2016 to June 30, 2017</td>
<td>Escondido Elementary Educators Association, Don Arballo President 1/06/2016 Support</td>
<td>March 10, 2016</td>
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<td>The public hearing notice was posted at the district office and on the district Web site.</td>
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<td>Recommended: July 1, 2016 to June 30, 2017</td>
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<td>8-12-2016</td>
<td>Franklin-McKinley Elementary School District</td>
<td>Requested: July 1, 2016 to June 30, 2018</td>
<td>Franklin-McKinley Education Association, Scott Shumlinson President 4/26/2016 Support</td>
<td>September 27, 2016</td>
<td></td>
<td>The public hearing notice was posted at school offices, the district office, local libraries, and on the district Web site.</td>
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<td>Recommended: July 1, 2016 to June 28, 2018</td>
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<td>Waiver Number</td>
<td>District</td>
<td>Period of Request</td>
<td>Bargaining Unit, Representatives Consulted, Date, and Position</td>
<td>Public Hearing and Board Approval Date</td>
<td>Public Hearing Advertisement</td>
<td>SSC/Advisory Committee Position</td>
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<td>14-12-2016</td>
<td>San Ysidro Elementary School District</td>
<td>Requested: July 28, 2016 to June 2, 2017</td>
<td>San Ysidro Educational Association, Guillermina Sandez President 11/14/2016 Support</td>
<td>August 23, 2016</td>
<td>The public hearing notice was advertised through automated phone calls, by posting at school offices and the District English Learner Advisory Committee meeting, and by posting on the district Web site.</td>
<td>San Ysidro School District Governing Board August 23, 2016 No Objection</td>
</tr>
<tr>
<td>7-11-2016</td>
<td>Soulsbyville Elementary School District</td>
<td>Requested: August 23, 2016 to June 8, 2017</td>
<td>Soulsbyville Teachers Association, Russ Fulkerson Representative 8/12/2016 Support</td>
<td>November 7, 2016</td>
<td>The public hearing notice was sent to the county superintendent's office and posted on the school's public bulletin board and at the post office.</td>
<td>Soulsbyville School District Board November 7, 2016 No Objection</td>
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<tr>
<td>Date</td>
<td>District</td>
<td>Requested:</td>
<td>Southside Educator Association, Dena Gregory-Lead Representative 8/16/2016 Support</td>
<td>Recommended: August 17, 2016 to June 9, 2017</td>
<td>June 1, 2016</td>
<td>The public hearing notice was posted at the school board meeting.</td>
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<td>26-12-2016</td>
<td>Southside Elementary School District</td>
<td><strong>Requested:</strong> August 17, 2016 to June 9, 2017</td>
<td><strong>Recommended:</strong> August 17, 2016 to June 9, 2017</td>
<td>Southside Educator Association, Dena Gregory-Lead Representative 8/16/2016 Support</td>
<td>June 1, 2016</td>
<td>The public hearing notice was posted at the school board meeting.</td>
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<td>12-11-2016</td>
<td>Tustin Unified School District</td>
<td><strong>Requested:</strong> July 1, 2016 to June 30, 2017</td>
<td>Tustin Educators’ Association, Roger Kavigan President 10/28/2016 Support</td>
<td>Tustin Educators’ Association, Roger Kavigan President 10/28/2016 Support</td>
<td>November 14, 2016</td>
<td>The public hearing notice was posted at the schoolsites, the Tustin Public Library, the district office, and the district’s instructional resource center.</td>
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California Department of Education
WAIVER SUBMISSION - General

CD Code: 3066423  Waiver Number: 4-11-2016  Active Year: 2016

Date In: 11/3/2016 4:25:14 PM

Local Education Agency: Anaheim Elementary School District
Address: 1001 South East St.
Anaheim, CA 92805


Waiver Renewal: N
Previous Waiver Number: 12-3-2015  Previous SBE Approval Date: 7/9/2015

Waiver Topic: Equity Length of Time
Ed Code Title: Equity Length of Time
Ed Code Section: 37202
Ed Code Authority: 33050

Ed Code or CCR to Waive: a) Except if a school has been closed by order of a city or county board of health, or of the State Board of Health, on account of contagious disease, or if the school has been closed on account of fire, flood, or other public disaster, the governing board of a school district shall maintain all of the elementary day schools established by it for an equal length of time during the school year and all of the day high schools established by it for an equal length of time during the school year.

Outcome Rationale: Anaheim Elementary School District is requesting that we may maintain our current kindergarten and transitional kindergarten (TK) classes at the same school sites within the district for different lengths of time during the day to continue implementing a high quality TK program that provides students with developmentally appropriate instructional practices and preparing them for the more academically rigorous second year of our kindergarten program. We will continue to provide our TK students with a half day program AM/PM model to facilitate smaller student to teacher ratios during this developmental year.

Student Population: 18852

City Type: Urban

Public Hearing Date: 10/12/2016
Public Hearing Advertised: Posted notice on September 29, 2016

Local Board Approval Date: 10/12/2016

Community Council Reviewed By: Transitional Kindergarten Advisory Committee
Community Council Reviewed Date: 9/27/2016
Community Council Objection: N
Community Council Objection Explanation:
Audit Penalty YN: N
Categorical Program Monitoring: N

Submitted by: Ms. Bonnie Reinhardt
Position: Attendance Tech
E-mail: breinhardt@anaheimelementary.org
Telephone: 714-517-7539 x4205
Fax: 714-517-8533

Bargaining Unit Date: 09/27/2016
Name: Anaheim Elementary Education Association
Representative: Kristen Fisher
Title: President
Position: Support
Comments:
CD Code: 3768031  Waiver Number: 3-12-2016  Active Year: 2016

Date In: 12/2/2016 12:40:56 PM

Local Education Agency: Coronado Unified School District
Address: 201 Sixth St.
Coronado, CA 92118

Start: 8/25/2016  End: 6/14/2018

Waiver Renewal: N
Previous Waiver Number: 13-12-2015  Previous SBE Approval Date: 3/10/2016

Waiver Topic: Equity Length of Time
Ed Code Title: Equity Length of Time
Ed Code Section: 37202
Ed Code Authority: 33050

Ed Code or CCR to Waive: Notwithstanding subdivision (a), a school district that is implementing an early primary program, pursuant to Chapter 8, commencing with Section 8970 of Part 6, may maintain kindergarten classes at [different] school sites within the district for different lengths of time during the school day.

Outcome Rationale: Outcorn Rationale: See attached

Student Population: 3185

City Type: Small

Public Hearing Date: 11/15/2016
Public Hearing Advertised: Posted: District Office & 3 school site (public location) offices; District website

Local Board Approval Date: 11/15/2016

Community Council Reviewed By: TK/K teachers, Administrators, and Bargaining Unit representation
Community Council Reviewed Date: 11/2/2016
Community Council Objection: N
Community Council Objection Explanation:
Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Claudia Gallant
Position: Senior Director - Learning Department
E-mail: claudia.gallant@coronadousd.net

Telephone: 619-522-8900 x1014
Fax: 619-435-4672

Bargaining Unit Date: 11/02/2016
Name: ACT
Representative: Kathy Couture
Title: ACT Elementary Site Representative
Position: Support
Comments:
Ed Code or CCR to Waive: Ed Code or CCR to Waive: 
(a) Except if a school has been closed by order of a city or a county board of health, or of the State Board of Health, on account of contagious disease, or if the school has been closed on account of fire, flood, or other public disaster, the governing board of a school district shall maintain all of the [elementary day schools established by it for an equal length of time during the school year] and all of the day high schools established by it for an equal length of time during the school year. (b) Notwithstanding subdivision (a), a school district that is implementing an early primary program, pursuant to Chapter 8 (commencing with Section 8970) of Part 6, may maintain kindergarten classes at different school sites within the district for different lengths of time during the school day.

Outcome Rationale: Currently, the District has a 4-hour day program for transitional kindergarten and an extended day program of 6-hours for kindergarten. The District was unaware that it was required to obtain a waiver to provide programs of differing length. Therefore, the District is requesting both a retroactive and future waiver. The District wishes to continue to provide a program of differing length. The District does not feel that extending the day for our Transitional Kindergarten (TK) classes would be developmentally appropriate for our youngest learners. The District is requesting flexibility in determining the length of our transitional kindergarten program in order to continue implementing a high quality transitional kindergarten program that provides a modified instructional day, modified curricula, and developmentally appropriate instructional practices.

Student Population: 4960

City Type: Rural

Public Hearing Date: 10/11/2016

Public Hearing Advertised: Posted on District website.
Local Board Approval Date: 11/8/2016

Community Council Reviewed By: School site council

Community Council Reviewed Date: 10/25/2016

Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N
Categorical Program Monitoring: N

Submitted by: Ms. Kristy Curry
Position: Assistant Superintendent
E-mail: kcurry@ecesd.org
Telephone: 760-352-5712 x8517
Fax:

Bargaining Unit Date: 10/14/2016
Name: CSEA
Representative: Ramas Morrison
Title: Chapter President
Position: Support
Comments:

Bargaining Unit Date: 10/05/2016
Name: El Centro Elementary Teacher's Association
Representative: Shaelynn Barker
Title: President
Position: Support
Comments:
California Department of Education
WAIVER SUBMISSION - General

CD Code: 3768098  Waiver Number: 5-12-2016  Active Year: 2016

Date In: 12/5/2016 11:37:48 AM

Local Education Agency: Escondido Union School District
Address: 2310 Aldergrove Ave.
Escondido, CA 92029

Start: 7/1/2016  End: 6/30/2017

Waiver Renewal: N  Previous Waiver Number:  Previous SBE Approval Date:

Waiver Topic: Equity Length of Time
Ed Code Title: Equity Length of Time
Ed Code Section: 37202
Ed Code Authority: California School Board of Education

Ed Code or CCR to Waive: California School Board of Education of EC 37202, specifically highlighted below: (a) Except if a school has been closed by order of a city or a county board of health, or of the State Board of Health, on account of contagious disease, or if the governing board of a school district shall maintain all of the (elementary day schools established by it for an equal length of time during the school year) and all of the day high schools established by it for an equal length of time during the school year. (b) Notwithstanding subdivision (a) a school district that is implementing an early primary program, pursuant to Chapter 8 (commencing with Section 8970) of Part 6, may maintain kindergarten classes at different school sites within the district for different lengths of time during the school day.

Outcome Rationale: The Escondido Union School District (TK-8) consists of 17 elementary schools, 1 intermediate school, and 5 middle schools. Escondido Union School District has a 2016-17 student population of 16,210 composed of 44.42% English learners; 5.74% homeless; 77.19% socio-economically disadvantaged; and 11.41% Special Education.

The District will offer a full-day schedule to kindergarten students at 5 elementary schools in order to provide those students additional academic support, intervention, and English Language Development support. At those schools, TK students will attend a half-day schedule. All other elementary schools offer TK and K half-day schedules of equal length.

Student Population: 16210

City Type: Small

Public Hearing Date: 3/10/2016

Public Hearing Advertised: Customary board meeting announcements in district website, and district postings.
Local Board Approval Date: 3/10/2016

Community Council Reviewed By: District Advisory Council
Community Council Reviewed Date: 1/12/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Leila Sackfield
Position: Deputy Superintendent
E-mail: lsackfield@eusd.org
Telephone: 760-432-2112 x112
Fax: 760-735-2875

Bargaining Unit Date: 01/06/2016
Name: Escondido Elementary Educators Association
Representative: Don Arballo
Title: President
Position: Support
Comments:
Ed Code or CCR to Waive: Pursuant to EC 37202, TK programs operated by a district must be of equal length to any kindergarten programs operated by the same school site and/or district, unless there is an approved State Board of Education waiver on file. By statute, the maximum school day in kindergarten is 4 hours (“part day”) (EC 46110). However, EC 8973 allows schools that have adopted an early primary program (extended-day kindergarten or “full day”) to exceed 4 hours. Furthermore, EC 48000 states that a TK shall not be construed as a new program or higher level service. In general, the number of required instructional minutes for TK is 36,000 minutes per year. The minimum length of instructional time that must be offered to constitute a school day is 180 minutes (EC 46117 and 46201).

Outcome Rationale: This waiver is necessary to support a difference instructional minutes for Transitional Kindergarten to Kindergarten classes. All TK classes meet for 180 minutes each day or 36000 minutes each year. Kindergarten classes meet for periods longer than 36000 minutes each year as defined by school instructional minutes.

FMSD continues to add TK classes to elementary schools each year with the goal to include TK in all elementary schools and for equitable minutes to Kindergarten as the transition to TK continues.

Student Population: 8543

City Type: Urban

Public Hearing Date: 9/27/2016
Public Hearing Advertised: Notice of PH was posted in offices, local libraries, district office, and on district website.

Local Board Approval Date: 9/27/2016
Community Council Reviewed By: Superintendent's Advisory Council
Community Council Reviewed Date: 4/26/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Tracy Rohlfing
Position: Director of State and Federal Projects and Assessm
E-mail: tracy.rohlfing@fmsd.org
Telephone: 408-283-4053
Fax:

Bargaining Unit Date: 04/26/2016
Name: Franklin McKinley Education Association
Representative: Scott Shumlinson
Title: President
Position: Support
Comments:
California Department of Education  
WAIVER SUBMISSION - General

CD Code: 3768379  Waiver Number: 14-12-2016  Active Year: 2016

Date In: 12/9/2016 3:56:13 PM

Local Education Agency: San Ysidro Elementary School District  
Address: 4350 Otay Mesa Rd.  
San Ysidro, CA 92173

Start: 7/28/2016  End: 6/2/2017

Waiver Renewal: Y  
Previous Waiver Number: 12-12-2015  Previous SBE Approval Date: 3/9/2016

Waiver Topic: Equity Length of Time  
Ed Code Title: Equity Length of Time  
Ed Code Section: 37202  
Ed Code Authority: 33050

Ed Code or CCR to Waive: Ed Code [37202] to Waive: (a) Except if a school has been closed by order of a city or a county board of health, or of the State Board of Health, on account of contagious disease, or if the school has been closed on account of fire, flood, or other public disaster, the governing board of a school district shall maintain all of the elementary day schools established by it for an equal length of time during the school year and all of the day high schools established by it for an equal length of time during the school year.

Outcome Rationale: Vista Del Mar and Smythe are two schools in the San Ysidro School District currently offering the Transitional Kinder Program. To continually increase our resources and better our program the Transitional Kinder programs at those two schools are offering a different length of time than its Kinder program. A decision was made to continue to differentiate the times between the Transitional Kinder and the regular Kindergarten program due to district reconfiguration; this way allowing for better regulation of resources and operation procedures, ensuring a higher standard of quality service for our students and community.

Student Population: 4829

City Type: Urban

Public Hearing Date: 8/23/2016  
Public Hearing Advertised: School marques, Robo Calls, District Website, DELAC Meeting

Local Board Approval Date: 8/23/2016

Community Council Reviewed By: Community Council Reviews By : San Ysidro School District Governing Board  
Community Council Reviewed Date: 8/23/2016  
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Manuela Colom- Ramirez  
Position: Executive Director Curriculum and Instruction  
E-mail: mcolom@sysd.k12.ca.us  
Telephone: 619-428-4476 x3027  
Fax: 

Bargaining Unit Date: 11/14/2016  
Name: San Ysidro Educational Association  
Representative: Guillermima Sandez  
Title: President  
Position: Support  
Comments:
Ed Code or CCR to Waive: Except if a school has been closed by order of a city or a county board of health, or of the State Board of Health, on account of contagious disease, or if the school has been closed on account of fire, flood, or other public disaster, the governing board of a school district shall maintain all of the elementary day schools established by it for an equal length of time during the school year.

Outcome Rationale: While expanding our Kindergarten classes to an extended day schedule, we would like to reserve the right to not have our TK classes on the same schedule. Per Ed Code LEAs must also keep in mind that (pursuant to EC Section 37202) any TK programs operated by a district must be equal length to any kindergarten programs operated by the same district. If the TK program instructional minutes are a different length than the kindergarten programs then a waiver must be submitted to the State Board of Education. We will provide our TK students with a half day program AM/PM model to facilitate smaller students to teach ratios during developmental year of their two year Kindergarten experience.

Student Population: 488

City Type: Rural

Public Hearing Date: 11/7/2016
Public Hearing Advertised: Posted on 10/26/16, Soulsbyville Post Office, School Public Bulletin Boar, Notice sent to County Superintendent Office

Local Board Approval Date: 11/7/2016

Community Council Reviewed By: Soulsbyville School District Board
Community Council Reviewed Date: 11/7/2016

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Michele Harper
Position: Administrative Assistant
E-mail: mharper@soulsbyvilleschool.com
Telephone: 209-532-1419 x3371
Fax: 209-532-1419

Bargaining Unit Date: 08/12/2016
Name: STA/CTA
Representative: Russ Fulkerson
Title: Representative
Position: Support
Comments:
Equity Length of Time
Attachment 9
Page 1 of 2

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3567553  Waiver Number: 26-12-2016  Active Year: 2016
Date In: 12/15/2016 12:28:55 PM
Local Education Agency: Southside Elementary School District
Address: 4991 Southside Rd.
Hollister, CA 95023
Start: 8/17/2016  End: 6/9/2017
Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:
Waiver Topic: Equity Length of Time
Ed Code Title: Equity Length of Time
Ed Code Section: EC section 37202(a)
Ed Code Authority: EC authority:33050

Ed Code or CCR to Waive: Ed code or CCR to Waive: (a) Except if a school has been closed by order of a city or a county board of health, or of the State Board of Health, on account of contagious disease, or if the school has been closed on account of fire, flood, or other public disaster, the governing board of a school district shall maintain all of the elementary day schools established by it for an equal length of time during the school year and all of the day high schools established by it for an equal length of time during the school year.(b) Notwithstanding subdivision (a), a school district that is implementing an early primary program, pursuant to Chapter 8 (commencing with Section 8970) of Part 6, may maintain kindergarten classes at different school sites within the district for different lengths of time during the school day.

Outcome Rationale: Outcome Rationale: The District would like to continue having the transitional kindergarten (TK) day be shorter than the length of our regular kindergarten day. We have a small rural K-8 grade single school of 240 students in the district. We only have 4 students eligible for the TK program for the 2016-2017 school year. Under our current schedule both the TK and kinder students start the school day at 8:00am and the TK students end the school day at 11:25. Our kindergarten students end their day at 2:15. Our teaching staff and administration believe that it is in the best interest of the TK and kindergarten students for the TK students to have a shorter school day. We are requesting the waiver to continue to provide a high quality instructional program with modified curriculum and developmentally appropriate instructional practices for our TK students.
Due to the size of the school and number of students, our TK and kindergarten students are in a combination class setting. In order to differentiate instruction experiences as student matriculate for TK to kindergarten we require different time blocks for students. We are requesting a retroactive waiver that will apply for future waivers on an annual basis.

Student Population: 240
City Type: Rural
Public Hearing Date: 6/1/2016
Public Hearing Advertised: Public School Board Meeting

Local Board Approval Date: 6/1/2016

Community Council Reviewed By: Southside School Curriculum Council
Community Council Reviewed Date: 5/12/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. John Schilling
Position: Superintendent
E-mail: jschilling@sbcOE.org
Telephone: 831-637-4439
Fax: 831-634-0156
Ed Code or CCR to Waive: Effective January 1, 2005, California Education Code (EC) Section 37202 was revised to allow school districts to offer extended day kindergarten programs at some but not all of the schools in the district without a general waiver of EC 37202. School districts offering extended day kindergarten must have their school boards adopt the Early Primary Program prescribed in EC sections 8970-8974 for implementation as EC 46111 (the four hour per day limit for kindergarteners) still exists in the EC. The law was revised as follows:

37202 (a) Except if a school has been closed by order of a city or a county board of health, or of the State Board of Health, on account of contagious disease, or if the school has been closed on account of fire, flood, or other public disaster,[ the governing board of a school district shall maintain all of the elementary day schools established by it for an equal length of time during the school year and all of the day high schools established by it for an equal length of time during the school year.]

Outcome Rationale: Tustin Unified would like to pilot a full-day kindergarten program at one of the District's eighteen school sites. This site, W.R. Nelson Elementary also hosts a District Transitional Kindergarten Program (TK). The District believes that it is in the best interest of the transitional kindergarten students to remain in a 203 minutes per day program. All TK students will be provided a developmentally appropriate curriculum that readies them for success in the kindergarten program.

Student Population: 30

City Type: Urban

Public Hearing Date: 11/14/2016
Public Hearing Advertised: Notification was posted at the school site, Tustin Public Library, TUSD Central Office, and TUSD IRC

Local Board Approval Date: 11/14/2016

Community Council Reviewed By: District Parent Advisory Committee
Community Council Reviewed Date: 11/2/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Kathie Nielsen
Position: Chief Academic Officer
E-mail: knielsen@tustin.k12.ca.us
Telephone: 714-730-7301 x309
Fax: 714-838-6396

Bargaining Unit Date: 10/28/2016
Name: Tustin Educators' Association (TEA)
Representative: Roger Kavigan
Title: President
Position: Support
Comments:
General Waiver

Request by Nevada County Office of Education to waive portions of California Education Code Section 51745.6, and California Code of Regulations, Title 5, Section 11704, and portions of Section 11963.4(a)(3), related to charter school independent study pupil-to-certificated employees ratio to allow an increase from 25:1 to a 27.5:1 pupil-to-certificated employee ratio at Twin Ridges Home Study Charter School.

Waiver Number: 14-9-2016

SUMMARY OF THE ISSUES

Nevada County Office of Education (COE) submitted a waiver request to the State Board of Education (SBE) to increase the pupil-to-certificated employee ratio from 25:1 to 27.5:1 at Twin Ridges Home Study Charter School (TRHS).

Authority for Waiver: California Education Code (EC) Section 33050

RECOMMENDATION

☐ Approval  ☒ Approval with conditions  ☐ Denial

The California Department of Education (CDE) recommends approval of the waiver request to increase the pupil-to-certificated employee ratio from 25:1 to 27.5:1 at TRHS, for the current year only, as provided in Attachment 1.

Based on these conditions, EC Section 33051(b) will not apply, and the Nevada COE will need to reapply to renew the waiver.

The Nevada COE will spend all excess funds generated by the increased pupil-to-certificated employee ratio on students enrolled at the TRHS.

SUMMARY OF KEY ISSUES

EC Section 51745.6 and California Code of Regulations, Title 5, Section 11704, and portions of Section 11963.4(A)(3), establish minimum requirements for average daily attendance (ADA)-to-certificated employee ratios in independent study that apply to non-classroom-based charter schools. In essence, these sections require that the ratio meet the following criteria:
The ratio cannot exceed the equivalent ratio of ADA-to-full-time certificated employee for all other educational programs operated by the high school or unified school district with the largest ADA of pupils in that county.

In a charter school, the ratio may be calculated by using a fixed ADA-to-certificated-employee ratio of 25:1, or by a ratio of less than 25 pupils per certificated employee.

The TRHS is an independent study public charter school and does not have a bargaining unit. Therefore, the TRHS does not use the local option to extend the ratio through local negotiation as provided under EC Section 51745.6(b). This waiver request was made necessary by the sudden, unexpected resignation of an experienced, longtime certificated teacher at the TRHS. The resignation came in the first month of the 2016–17 school year and resulted in 25 students without an assigned teacher.

It was necessary to ask remaining staff to accept the extra students, temporarily raising the pupil-to-certificated employee ratio above 25:1 to 27.1, while the school interviewed for an appropriately-experienced and credentialed replacement. Within the month, successful hiring occurred. However, this waiver is needed so that the TRHS may be retroactively compliant with applicable laws.

The local board voted unanimously to request the proposed waiver for a waiver period from July 1, 2016 through June 30, 2018, resulting in a permanent waiver under EC Section 33051(b) that provides that the governing board of a school district that has requested and received a general waiver under this article for two consecutive years for the same general waiver is not required to reapply annually if the information contained on the request remains current.

The CDE recommends approval of the waiver for only the current year, from July 1, 2016 through June 30, 2017, to cover the retroactive need for support, plus provide waiver coverage for the remainder of this school year as consideration for having a newly-hired teacher in place. Therefore, EC Section 33051(b) will not apply, and the Nevada COE will need to reapply if they wish to renew the waiver.

**Demographic Information:**

The TRHS has a student population of 158 and is located in a rural area in Nevada County.

**Because these are general waivers, if the State Board of Education (SBE) decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a), at [http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**
SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Previous waivers for Independent Study Program, Pupil Teacher Ratio have been approved by the SBE.

FISCAL ANALYSIS (AS APPROPRIATE)

The increased pupil-to-teacher ratio would result in cost savings for the charter school and increased ADA claims from the state.

ATTACHMENT(S)

Attachment 1: Summary Table of Independent Study State Board of Education Waiver for March 2017 (1 Page)

Attachment 2: Nevada County Office of Education General Waiver Request 14-9-2016 (2 pages) (Original Waiver request is signed and on file in the Waiver Office.)
**Summary Table of Independent Study State Board of Education Waiver for March 2017**

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>County Office of Education/ District Name, Size of District, and Approval Date</th>
<th>Pupil-to-Teacher Ratio Requested (if waiver of California Education Code [EC] Section 51745.6 and California Code of Regulations, Title 5, Section 11704 and Portions of Section 11963.4(a)(3))</th>
<th>Period of Request</th>
<th>Renewal Waiver?</th>
<th>Certificated Bargaining Unit Name and Representative, Date of Action, and Position</th>
<th>Advisory Committee/ School Site Council Name, Date of Review, and Any Objections</th>
</tr>
</thead>
</table>
| 14-9-2016     | Nevada County Office of Education (COE), Twin Ridges Home Study Charter School (TRHS) 158 Total Students September 7, 2016 | Increase from 25:1 to 27.5:1. | **Requested:** July 1, 2016 through June 30, 2018  **Recommended:** July 1, 2016 through June 30, 2017 | N              | No Bargaining Unit                                                              | Twin Ridges Home Study Board of Directors September 7, 2016  
**No objections** |

**Conditions:** Nevada COE will spend all excess funds generated by the increased pupil-to-certificated-employee ratio on students enrolled in the TRHS and will provide an annual assurance report that includes average daily attendance-to-certificated employees ratios, revenues, and expenditures generated at this school to the California Department of Education.

Created by California Department of Education  
January 19, 2017
California Department of Education
WAIVER SUBMISSION - General

CD Code: 2910298             Waiver Number: 14-9-2016             Active Year: 2016

Date In: 9/21/2016 10:39:48 AM

Local Education Agency: Nevada County Office of Education
Address: 112 Nevada City Hwy.
Nevada City, CA 95959

Start: 7/1/2016             End: 6/30/2018

Waiver Renewal: N
Previous Waiver Number:       Previous SBE Approval Date:

Waiver Topic: Independent Study Program
Ed Code Title: Pupil Teacher Ratio
Ed Code Section: portions of 51745.6, and CCR, Title 5, Section 11704, and portions of 11963.4(a)(3)
Ed Code Authority: 33050

Ed Code or CCR to Waive: .The ratio of average daily attendance for independent study pupils to full-time equivalent (FTE) certificated employees responsible for independent study shall not exceed a pupil-teacher ratio of [25:1] 27:1 ...

Outcome Rationale: Twin Ridges Home Study Charter School (TRHS) is authorized by the Nevada County Office of Education (NCOE) and provides high quality home school education to K-8 students in Nevada, Placer, Sierra and Yuba Counties. TRHS supports students in a large geographical area by offering students individual time with credentialed teachers and a personalized learning, independent study educational program. TRHS’ non-classroom based model is constructed through the ongoing teamwork of teachers, parents and students to provide an individualized instructional plan and enrichment programs. The team meets regularly to review student work, assess progress, and plan and provide curriculum. An increase in the pupil-to-teacher ratio will allow cost savings, as well as maximize the resources that TRHS can offer to students. All additional revenue that results from the increased ratio will be used to enhance student services such as enhanced curricular offerings, increased test preparation support, interventions for struggling students, and increased access to technology. In addition this will allow our highly qualified teachers who are trained and experienced in Independent Study to temporarily take additional students in the event that a TRHS teacher must take a leave of absence.

Student Population: 158

City Type: Rural

Public Hearing Date: 9/14/2016
Public Hearing Advertised: Notice posted at the NCOE office and Twin Ridges Charter learning centers
Local Board Approval Date: 9/7/2016

Community Council Reviewed By: Twin Ridges Home Study Board of Directors
Community Council Reviewed Date: 9/7/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Jaynie Aydin
Position: Director
E-mail: jaynie@trhs.us
Telephone: 530-478-1815
Fax:
MARCH 2017 AGENDA

General Waiver

SUBJECT
Request by Sanger Unified School District to waive California Education Code Section 45134(c), to allow the employment of a State Teachers’ Retirement System retiree as a classified school bus driver.

Waiver Number: 36-12-2016

SUMMARY OF THE ISSUES

The Sanger Unified School District (USD) is requesting a waiver of California Education Code (EC) Section 45134(c), to allow a State Teachers’ Retirement System (STRS) retiree to be employed as a classified school bus driver.

Authority for Waiver: Education Code (EC) Section 33050

RECOMMENDATION

Approval  Approval with conditions  Denial

The California Department of Education recommends the State Board of Education (SBE) approve the request by the Sanger USD to waive EC Section 45134(c) for the period from July 1, 2016 through June 28, 2018.

SUMMARY OF KEY ISSUES

An employee may continue to receive a retirement allowance while collecting a salary for work in classified service if EC Section 45134(c) is waived. The Sanger USD is requesting a renewal of a waiver previously received in 2013 through 2015 to allow a retired individual to be employed as a classified school bus driver for the district. The district has an ongoing need for bus drivers and since this individual is available, has the qualifications and training to drive multiple buses and routes, and has a good record with the district, they are requesting the waiver to continue to employ him.

Demographic Information: Sanger USD has a student population of 11,776 and is located in Fresno County serving the city of Sanger, and the communities of Centerville, Del Rey, Fairmont, Lone Star, Tivy Valley, and portions of the Sunnyside area of metropolitan Fresno.
Because this is a general waiver, if the 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 previously approved waivers for Sanger USD to employ this individual in 2013–14, 2014–15, and 2015–16.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of this waiver approval.

ATTACHMENT(S)

Attachment 1: Summary Table (1 page)

Attachment 2: Sanger Unified School District General Waiver Request 36-12-2016 (2 pages)
## Summary Table

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>District</th>
<th>Period of Request</th>
<th>Bargaining Unit, Representatives Consulted, Date, and Position</th>
<th>Local Board and Public Hearing Approval</th>
<th>Previous Waivers</th>
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<tbody>
<tr>
<td>36-12-2016</td>
<td>Sanger Unified School District</td>
<td><strong>Requested:</strong> July 1, 2016 to June 28, 2018</td>
<td>California School Employees Association Chapter 153, Jennifer Herring President</td>
<td>Community Council Review, December 5, 2016, No objections</td>
<td>Yes</td>
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<td><strong>Recommended:</strong> July 1, 2016 to June 28, 2018</td>
<td>Bargaining Unit Date: 11/15/16 Position: Support</td>
<td>Public Hearing: December 13, 2016</td>
<td>19-10-2015</td>
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<td>Local Board Approval: December 13, 2016</td>
<td>18-10-2014</td>
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<td>9-8-2013</td>
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</table>

Created by California Department of Education
January 17, 2017
WAIVER SUBMISSION - General

CD Code: 1062414  Waiver Number: 36-12-2016  Active Year: 2016

Date In: 12/20/2016 12:26:41 PM

Local Education Agency: Sanger Unified School District
Address: 1905 Seventh St.
Sanger, CA 93657

Start: 7/1/2016  End: 6/28/2018

Waiver Renewal: Y
Previous Waiver Number: 19-10-2015-W-02  Previous SBE Approval Date: 1/21/2015

Waiver Topic: Other Waivers
Ed Code Title: Employment - Retirement System
Ed Code Section: [45134(c)]
Ed Code Authority: 33050

Ed Code or CCR to Waive: To allow employment of a STRS retiree as a classified school bus driver

Outcome Rationale: We are understaffed for drivers in our district and have had to combine bus routes, resulting in students arriving late to school. Ray is an effective driver with qualifications and training to drive multiple buses and routes to support the department and the community.

Student Population: 11776

City Type: Rural

Public Hearing Date: 12/13/2016
Public Hearing Advertised: Notice posted at each school

Local Board Approval Date: 12/13/2016

Community Council Reviewed By: Superintendents Cabinet
Community Council Reviewed Date: 12/5/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Jimmy Robles
Position: Director of Support Services
E-mail: jimmy_robles@sanger.k12.ca.us
Telephone: 559-524-6650
CALIFORNIA STATE BOARD OF EDUCATION
MARCH 2017 AGENDA

General Waiver

SUBJECT
Request by six districts to waive one or both the California Education Code sections 15102 and 15268 and request by the Soledad Unified School District to waive sections 15106 and 15270(a), to allow the districts to exceed their bonded indebtedness limits. Total bonded indebtedness may not exceed 1.25 percent of the taxable assessed valuation of property for high school and elementary school districts or 2.5 percent for unified districts. Depending on the type of bond, a tax rate levy limit to $30 per $100,000 or assessed value for high school and elementary school districts or $60 per $100,000 for unified districts, may also apply.

Waiver Numbers:
- Alisal Union School District 4-1-2017
- Lennox School District 6-1-2017
- Meadows Union Elementary School District 7-1-2017
- Oxnard School District 8-1-2017
- Seeley Union Elementary School District 2-1-2017
- Soledad Unified School District 10-11-2016

SUMMARY OF THE ISSUES

The Alisal Union School District’s bonded indebtedness ratio is 1.25 percent and is unable to issue $37.4 million in bonds authorized in November 2016. Therefore, the district is requesting to increase the limit to 2.35 percent.

The Lennox School District’s bonded indebtedness ratio is 1.25 percent and is unable to issue $25 million in bonds authorized November 2016. Therefore, the district is requesting to increase the limit to 3.16 percent.

The Meadows Union School District’s bonded indebtedness ratio is 1.25 percent and is unable to issue $6 million in bonds authorized in November 2016. Therefore, the district is requesting to increase the limit to 2.40 percent.

The Oxnard School District’s bonded indebtedness ratio is 1.25 percent and is unable to
issue $27.47 million in bonds authorized November 2016. Therefore, the district is requesting to increase the limit to 2.12 percent.

The Seeley Union Elementary School District’s bonded indebtedness ratio is 1.25 percent and is unable to issue $6 million in bonds authorized November 2016. Therefore, the district is requesting to increase the limit to 4.58 percent.

The Soledad Unified School District’s bond indebtedness ratio is 2.50 percent and is unable to issue $3.135 million in bonds authorized in November 2016. Therefore, the district is requesting to increase the limit to 2.71 percent.

**Authority for Waiver:** Education Code (EC) Section 33050

**RECOMMENDATION**

☐ Approval  ✗ Approval with conditions  ☐ Denial

The California Department of Education (CDE) recommends that the bonded indebtedness limit be waived with the following conditions: (1) the period of request does not exceed the recommended period on Attachment 1, (2) the total bonded indebtedness does not exceed the recommended new maximum shown on Attachment 1, (3) the district does not exceed the statutory tax rate, (4) the waiver is limited to the sale of bonds approved by the voters on the measure noted on Attachment 1, and (5) the district complies with the statutory requirements of Assembly Bill (AB) 182 related to school bonds which became effective January 1, 2014.

**SUMMARY OF KEY ISSUES**

The California Education Code (EC) provides limits related to a district’s total bonded indebtedness, EC sections 15106 and 15270(a) limits a unified school district’s total general obligation (G.O.) bond indebtedness to 2.5%.

To raise funds to build or renovate school facilities, with voter authorization, school districts may issue G.O. bonds. Prior to 2001, districts needed a two-thirds voter approval. In November 2000, districts were given another option for authorizing and issuing bonds when California voters passed Proposition 39, which allows school bonds to be approved with a 55 percent majority vote if the district abides by several administrative requirements, such as establishing an independent Citizens’ Oversight Committee to oversee the use of the funds. Once G.O. bonds are authorized, school districts issue the bonds in increments as needed to fund their facility projects. When the voters authorize a local G.O. bond, they are simultaneously authorizing a property tax increase to pay the principal and interest on the bond. For Proposition 39 bonds, EC sections 15268 limit the tax rate levy authorized in each election to $30 per $100,000 of taxable property for high school and elementary school districts.

Without a waiver, school districts that are close to their bonding capacity must decide
either to issue fewer bonds, delay the issuance of bonds until their assessed valuation
increases, or obtain other more expensive non-bond financing to complete their
projects, the costs of which could be paid from district general funds. Therefore, the
CDE has historically recommended that the State Board of Education (SBE) approve
related waiver requests with the condition that the statutory tax levies are not exceeded
at the time the bonds are issued.

On October 2, 2013, Governor Brown signed AB 182 (Chapter 477, Statutes of 2013)
which established parameters for the issuance of local education bonds that allow for
the compounding of interest, including capital appreciation bonds (CABs). AB 182
requires a district governing board to do the following:

- Before the bond sale, adopt a resolution at a public meeting that includes specific
criteria, including being publicly noticed on at least two consecutive meeting
agendas.

- Be presented with an agenda item at a public board meeting that provides a
financial analysis of the overall costs of the bonds, a comparison to current
interest bonds, and reasons why the compounding interest bonds are being
recommended.

- After the bond sale, present actual cost information at the next scheduled public
meeting and submit the cost information of the sale to the California Debt and
Investment Advisory Commission.

**District Requests**

Alisal Union School District requests that its outstanding bonded indebtedness limit be
increased to an amount not to exceed 2.35 percent through December 31, 2025. The
district wishes to issue approximately $37.4 million of 2016 Election Measure “M”
Bonds. An additional bond issuance would increase the district’s total bonded
indebtedness to $65.7 million. In order to do so, the district is requesting a bond debt
limit waiver, allowing it to increase its debt limit to an amount not to exceed 2.35 percent
of assessed value. Based on the preliminary debt repayment schedule, the district is
anticipated to come back within the statutory debt limit (1.25 percent) on December 31,
2026.

**Demographic Information:** Alisal Union School District has a student population of
9,282 and is located in Monterey County.

Lennox School District requests that its outstanding bonded indebtedness limit be
increased to an amount not to exceed 3.16 percent through August 1, 2032. The District
now desires to issue additional general obligations bonds under the authorization
received from the voters in 2016 and is now requesting a waiver of Education Code
section 15102 for a period of 15 years.
Demographic Information: Lennox School District has a student population of 4,910 and is located in Los Angeles County.

Meadows Union School District requests that its outstanding bonded indebtedness limit be increased to an amount not to exceed 2.40 percent through November 1, 2029. The district intends to issue $6 million of general obligation bonds. The bond issuance will provide the needed funds for the district to build its new gymnasium/multipurpose room. In order to issue the $6 million, the district is requesting an increase in its debt limit to 2.40 percent of assessed valuation.

Demographic Information: Meadows Union School District has a student population of 459 and is located in Imperial County.

Oxnard School District requests that its outstanding bonded indebtedness limit be increased to an amount not to exceed 2.12 percent through August 1, 2025. The district intends to issue $81 million of general obligation bonds. The bond issuance will provide sufficient proceeds for the district to continue with its ongoing new school construction and classroom modernization program. Provided the waiver is approved, the $81 million bond issuance will be the first issuance under a $142.5 million bond measure (Measure D) approved by 69.94 percent of the local voters on November 8, 2016. In order to access the proposed amount of bond proceeds, the district is requesting an increase in its debt limit to 2.12 percent of assessed valuation.

Demographic Information: Oxnard School District has a student population of 16,799 and is located in Ventura County.

Seeley Union Elementary School District requests that its outstanding bonded indebtedness limit be increased to an amount not to exceed 4.58 percent through November 1, 2043. The district intends to issue $6 million of general obligation bonds. The bond issuance will provide the needed funds for the district to build its new gymnasium/multipurpose room. In order to issue the $6 million, the district is requesting an increase in its debt limit to 4.58 percent of assessed valuation.

Demographic Information: Seeley Union Elementary School District has a student population of 350 and is located in Imperial County.

Soledad Unified School District requests that its outstanding bonded indebtedness limit be increased to an amount not to exceed 2.71 percent through November 1, 2029. The district intends to issue $3.135 million of general obligation bonds. The bond issuance will provide the needed funds for the district to build its new gymnasium/multipurpose room. In order to issue the $3.135 million, the district is requesting an increase in its debt limit to 2.71 percent of assessed valuation.

Demographic Information: Soledad Unified School District has a student population of 4,800 and is located in Monterey County.
Because this is a general waiver, if the 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 bond limit waiver requests limited to the sale of already authorized bonds and at the tax rate levy stated on the bond measure.

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver would allow the district to accelerate the issuance of voter approved bonds.

ATTACHMENT(S)

Attachment 1: Summary Table (3 pages)

Attachment 2: Alisal Union School District General Waiver Request 4-1-2017 (3 pages). (Original waiver request is signed and on file in the Waiver Office).

Attachment 3: Lennox School District General Waiver Request 6-1-2017 (3 pages). (Original waiver request is signed and on file in the Waiver Office).

Attachment 4: Meadows Union School District General Waiver Request 7-1-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office).

Attachment 5: Oxnard School District General Waiver Request 8-1-2017 (3 pages). (Original waiver request is signed and on file in the Waiver Office).

Attachment 6: Seeley Union Elementary School District General Waiver Request 2-1-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office).

Attachment 7: Soledad Unified School District General Waiver Request 10-11-2016 (2 pages). (Original waiver request is signed and on file in the Waiver Office).
Bond Indebtedness Limits
Attachment 1
Page 1 of 3

Summary Table

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>District</th>
<th>Period of Request</th>
<th>Total Bonded Indebtedness Limit and Tax Rate per $100,000 Assessed Valuation Allowed by Law or Noted on Voter Pamphlet</th>
<th>District's Request</th>
<th>CDE Recommended (New Maximum)</th>
<th>Bargaining Unit, Representatives Consulted, Date/Position</th>
<th>Public Hearing and Local Board Approval Date</th>
<th>Advisory Committee Consulted, Date/Position</th>
<th>District States it has Complied with Assembly Bill 182 Requirements</th>
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<tbody>
<tr>
<td>4-1-2017</td>
<td>Alisal Union School District</td>
<td>Requested: March 10, 2017 to December 31, 2025</td>
<td>Debt Limit 1.25%</td>
<td>Debt Limit 2.35%</td>
<td>Debt Limit 2.35%</td>
<td>California School Employees Association (CSEA) – Solange Inoue, President December 7, 2016 Alisal Teachers Association (ATA) – Tina Gutierrez, President December 7, 2016 No Objections</td>
<td>Public Hearing 12/14/2016</td>
<td>Local Board Approval 12/14/2016</td>
<td>No Objections</td>
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<td>Recommended: March 10, 2017 to December 31, 2025</td>
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<td>6-1-2017</td>
<td>Lennox School District</td>
<td>Requested: April 1, 2017 to August 1, 2032</td>
<td>Debt Limit 1.25%</td>
<td>Debt Limit 2.35%</td>
<td>Debt Limit 2.35%</td>
<td>California School Employee’s Association #575 Beatriz Torres, President December 8, 2016 Lennox Teachers Association Brian Guerrero, President December 8, 2016 No Objections</td>
<td>Public Hearing 1/7/2017</td>
<td>Local Board Approval 1/7/2017</td>
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<td>Recommended: April 1, 2017 to August 1, 2032</td>
<td>2014 Measure V Tax Rate No-Limit (Non-Proposition 39)</td>
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<td>7-1-2017</td>
<td>Meadows Union School District</td>
<td>Requested: March 9, 2017 to November 1, 2029</td>
<td>Debt Limit 1.25%</td>
<td>Debt Limit 2.40%</td>
<td>Debt Limit 2.40%</td>
<td>Meadows Union Teachers Association (MUTA) Denise Tuder, President December 30, 2016 No Objections</td>
<td>Public Hearing 12/13/2016</td>
<td>Local Board Approval 12/13/2016</td>
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<td>Recommended: March 9, 2017 to November 1, 2029</td>
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California Education Code (EC) sections 15102 and 15268 prohibit elementary and high school districts from issuing bonds in excess of 1.25 percent of the assessed valuation of a district’s taxable property. EC sections 15106 and 15270(a) prohibit unified school districts from issuing bonds in excess of 2.5 percent of the assessed valuation of a district’s taxable property. EC sections 15268 and 15270(a) limit bonds authorized by a 55 percent majority in elementary and high school districts to $30 per $100,000 of taxable property per election and unified school districts to $60 per $100,000.
<table>
<thead>
<tr>
<th>Date</th>
<th>District</th>
<th>Requested:</th>
<th>Recommended:</th>
<th>Debt Limit</th>
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<th>Comments</th>
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<tr>
<td>8-1-2017</td>
<td>Oxnard School District</td>
<td>March 9, 2017 to August 1, 2025</td>
<td>March 9, 2017 to August 1, 2025</td>
<td>1.25%</td>
<td>2.12%</td>
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<td>Oxnard Educators Association, GEA/CTA/NEA, January 9, 2017, Robin Letkovits, President</td>
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<td>2-1-2017</td>
<td>Seeley Union Elementary School District</td>
<td>March 9, 2017 to November 1, 2043</td>
<td>March 9, 2017 to November 1, 2043</td>
<td>1.25%</td>
<td>4.58%</td>
<td>4.58%</td>
<td>Seeley Teachers Association (STA), Troy Boquist, President November 18, 2016 No Objections</td>
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</table>
Outcome Rationale: Current Need:
Based on the applicable statutory bond debt limit (1.25% of assessed value), the Alisal Union School District currently has a total bond debt capacity of $34.96 million. The District has issued previous bond debt and has approximately $28.32 million in outstanding principal, leaving the District with a net remaining bonding capacity of $6.65 million.

To address new and ongoing capital funding needs, the District wishes to issue approximately $37.4 million of 2016 Election Measure "M" Bonds. An additional bond issuance would increase the District’s total bonded indebtedness to $65.7 million. In order to do so, the District is requesting a bond debt limit waiver, allowing it to increase its debt limit to an amount not to exceed 2.35% of assessed value. Based on the preliminary debt repayment schedule, the District is anticipated to come back within the statutory debt limit (1.25%) on December 31, 2026.

The proposed 2017 Series A Bonds would contain a combination of current interest and capital appreciation bonds. The Series A Bonds will be in full compliance with the bond structuring requirements as provided by Assembly Bill 182.

Background:
In November 8, 2016, voters within the Alisal Union School District approved “Measure M”, authorizing the District to issue $70 million General Obligation (GO) Bonds:

“To repair/modernize neighborhood school classrooms, facilities, and technology infrastructure supporting programs in reading, math, science and arts; improve disabled student access;
repair/replace fire safety, plumbing and electrical systems; with funding that cannot be taken by the State; shall Alisal Union School District rebuild Fremont Elementary School and Alisal Community School and construct one new elementary school to relieve overcrowding and improve student learning; by issuing $70 million in bonds at legal rates, with independent oversight, and no money for administrators?"

Measure "M," as approved by the voters by 73%, specifically authorizes the District to seek a waiver of the statutory bonding limit and issue authorized bonds in excess of the 1.25% limit.

The District now intends to issue the 2017 Series A Bonds under Measure “M” to initiate the first phase of school improvement projects.

Measure "M" was authorized under the election provisions of Proposition 46, which does not provide a tax rate limitation for purposes of repaying the respective bonds. However, at the time of the election, the District estimated the maximum tax rate required to repay all Measure “M” bonds would not exceed $66.30 per $100,000 of assessed value.

Student Population: 9282
City Type: Suburban
Public Hearing Date: 12/14/2016
Public Hearing Advertised: District locations, District Website, and the local news publication Salinas Californian.
Local Board Approval Date: 12/14/2016
Community Council Reviewed By: School Board of Trustees
Community Council Reviewed Date: 12/14/2016
Community Council Objection: N
Community Council Objection Explanation:
Audit Penalty YN: N
Categorical Program Monitoring: N
Submitted by: Mr. Jim Koenig
Position: Associate Superintendent
E-mail: jim.koenig@alisal.org
Telephone: 831-753-5700 x2031
Fax: 831-753-5709
Bargaining Unit Date: 12/07/2016
Name: Alisal Teachers Association (ATA)
Representative Tina Gutierrez
Title: President
Position: Neutral
Comments:
Bargaining Unit Date: 12/07/2016
Name: California School Employees Association (CSEA)

Representative: Solange Inoue
Title: President
Position: Neutral
Comments:
CD Code: 1964709  Waiver Number: 6-1-2017  Active Year: 2017

Date In: 1/9/2017 6:10:48 PM

Local Education Agency: Lennox School District
Address: 10319 South Firmona Ave.
Lennox, CA 90304

Start: 3/10/2017  End: 8/1/2032

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: School Construction Bonds
Ed Code Title: Bond Indebtedness Limit - Non-Unified
Ed Code Section: 15102 & 15268
Ed Code Authority: 33050-33053 & 35582(e)

Ed Code or CCR to Waive: 15102. The total amount of bonds issued pursuant to this chapter and Chapter 1.5 (commencing with Section 15264) shall not exceed [1.25] 3.16 percent of the taxable property of the school district or community college district, or the school facilities improvement district, if applicable, as shown by the last equalized assessment of the county or counties in which the district is located. 15268. The total amount of bonds issued, including bonds issued pursuant to Chapter 1 (commencing with Section 15100), shall not exceed [1.25] 3.16 percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located.

Outcome Rationale: Desired Outcome

The granting of this waiver will permit the Lennox School District to issue up to $25,000,000 in general obligation bonds, as authorized by the District voters on November 8, 2016.

Rationale

A. Background

The Lennox School District, formed in 1910, serves the Lennox community, a 1.3 square-mile area of metropolitan Los Angeles situated between the cities of Hawthorne and Inglewood and the Los Angeles International Airport. The District operates a preschool, five elementary schools, and one middle school.

On June 2, 1998, the District’s voters authorized the issuance of $10,000,000 principal amount of general obligation bonds. The District issued substantially all of the authorized bonds in three series in 1998, 2002, and 2012 and refunded one series in 2012. Bonds from this authorization
are outstanding in the amount of $5,515,411.05.

On November 6, 2007, the District’s voters authorized the issuance of $10,700,000 principal amount of general obligation bonds. The District has issued the three series of these bonds in 2007, 2012, and 2016 and refunded some of the bonds in 2016. Bonds from this authorization are outstanding in the amount of $5,452,561.30, and $4,182,438.70 of the original authorization remains unissued.

All together, the District has outstanding $10,967,972.35 of bonds. The District’s assessed valuation for 2016-17 is $1,138,988,075, and its bond limitation (1.25%) is $14,237,351. The District now desires to issue additional general obligations bonds under the authorization received from the voters in 2016 and is now requesting a waiver of Education Code section 15102 until 2032 when the projected bonding capacity is projected to become positive under the 1.25% calculation.

B. Financial Information

The attached Bonding Capacity Analysis shows the assessed valuation and existing and proposed debt service requirements.

The bonds approved on November 8, 2016, were submitted to the voters under the Education Code provisions that require a two-thirds vote for approval. They are not subject to the limitation based on projected tax rates that is applicable to bonds submitted under provisions that allow approval at 55%. The tax rate statement submitted to the voters indicated that the District estimated that the maximum tax rate required to service the debt would be $86 per $100,000 assessed valuation. The attached analysis shows that the District expects that rate not to be exceeded if the bonds are issued in accordance with the proposed debt issuance plan.

C. Reasons to approve this waiver

1. Approval will permit the District to provide essential learning facilities to its students sooner, rather the waiting until a future fiscal year when the bond indebtedness of the District is expected to fall below the 1.25% limit set forth in the California Education Code.
2. Approval will allow the District to capitalize on lower construction costs.
3. Approval will allow the District to take advantage of low interest rates.
4. Approval will satisfy the will of District voters who, at the November 8, 2016 election, reviewed and approved the authorization of $25,000,000 of bonds. Of the votes cast, 83.59% were in favor.

Student Population: 4910

City Type: Urban

Public Hearing Date: 1/7/2017
Public Hearing Advertised: Notice in newspaper

Local Board Approval Date: 1/7/2017

Community Council Reviewed By: Tax Oversight Committee
Community Council Reviewed Date: 12/15/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Kevin Franklin
Position: Chief Business Official
E-mail: kevin_frankin@lennox.k12.ca.us
Telephone: 310-695-4000
Fax: 310-677-3817

Bargaining Unit Date: 12/08/2016
Name: California School Employee's Association #575
Representative: Beatriz Torres
Title: CSEA President
Position: Support
Comments:

Bargaining Unit Date: 12/08/2016
Name: Lennox Teachers Association
Representative: Brian Guarrrero
Title: LTA President
Position: Support
Comments:
California Department of Education
WAIVER SUBMISSION - General

CD Code: 1363198 Waiver Number: 7-1-2017 Active Year: 2017

Date In: 1/10/2017 8:33:51 AM

Local Education Agency: Meadows Union Elementary School District
Address: 2059 Bowker Rd.
El Centro, CA 92243

Start: 3/9/2017 End: 11/1/2029

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: School Construction Bonds
Ed Code Title: Bond Indebtedness Limit - Non-Unified after 2000
Ed Code Section: 15102 and 15268
Ed Code Authority: 33050

Ed Code or CCR to Waive: Ed.C. 15102 and 15268: The total amount of bonds issued pursuant to this chapter and Chapter 1.5 shall not exceed 1.25 percent of the taxable property of the school district or community college district, or the school facilities improvement district, if applicable, as shown by the last equalized assessment of the county or counties in which the district is located.

Outcome Rationale: Current Need:

The current statutory debt limit for non-unified school districts is 1.25% of the total assessed valuation of the taxable property within a district’s boundaries. As of December 2016, the District’s current outstanding debt is only $400,000, which represents 0.150% percent of the District’s total assessed valuation.

However, in April 2017, the District intends to issue $6 million of general obligation bonds. The bond issuance will provide the needed funds for the District to build its new gymnasium/multipurpose room.

In order to issue the $6 million, the District is requesting an increase in its debt limit to 2.40% of assessed valuation. Based on our analysis of the District’s position, the District should fall below the statutory debt limit within thirteen (13) years or by 2030.

Provided the waiver is approved, the $6 million bond issuance will be the first and only issuance of the $6 million bond measure (Measure R) approved by the local voters on November 8, 2016. The voters expressed strong support for the passage of Measure R, with a passage rate of 86%. Measure R is a Proposition 46 election that requires a 2/3, or 66.7%, majority vote approval. Unlike a Proposition 39 election (55% approval), there is not a tax rate limit for the District’s Measure R bonds.

The $6 million will also provide matching funds for approximately $2 million in state grants that will made available to the District as a result of the recently approved state-wide Proposition 51 bond.
Analysis:

Attached to this waiver request is the following:

i. Historical Assessed Values, Fiscal Years 2002 through 2017 (Attachment A)
ii. Summary of General Obligation Bond Indebtedness versus Projected Debt Limits (Attachment B)
iii. Tax Rate Analysis (Attachment C)
iv. Board Resolution Approving Waiver (Attachment D)
v. Public Notice (Attachment E)

The District anticipates the possibility of using a combination of Current Interest Bonds and Capital Appreciation Bonds for this bond sale. However, the District intends to fully comply with the provisions of Assembly Bill 182.

Student Population: 459

City Type: Rural

Public Hearing Date: 12/13/2016
Public Hearing Advertised: Notices posted at Meadows Union School, the District office and website "meadowsunion.org"

Local Board Approval Date: 12/13/2016

Community Council Reviewed By: Meadows Parent Teachers Organization
Community Council Reviewed Date: 12/13/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Matt Phillips
Position: Superintendent
E-mail: matt.phillips@meadowsunion.org
Telephone: 760-352-7512 x2299
Fax: 760-337-1275

Bargaining Unit Date: 12/30/2016
Name: Meadows Union Teachers Association (MUTA)
Representative: Denise Tuder
Title: President
Position: Support
Ed Code or CCR to Waive: 15268. The total amount of bonds issued, including bonds issued pursuant to Chapter 1 (commencing with Section 15100), shall not exceed 1.25 percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located.

Outcome Rationale: Current Need:

The current statutory debt limit for non-unified school districts is 1.25% of the total assessed valuation of the taxable property within a district's boundaries. On July 8, 2015, the State Board of Education approved a waiver that increased the Oxnard School District's debt limit to 1.67% for a period until July 31, 2025, which enabled the District to sell additional bonds in 2015. As of December 2016, the District's current outstanding debt is 1.45% percent of the District's total assessed valuation and is projected to fall beneath the statutory debt limit by fiscal year 2019-20 assuming an average annual assessed valuation growth of 4.00%. Under the current waiver, the District could issue additional bonds in the amount of approximately $27,465,000. During the first half of 2017, the District intends to issue $81 million of general obligation bonds. The bond issuance will provide sufficient proceeds for the District to continue with its ongoing new school construction and classroom modernization program. Provided the waiver is approved, the $81 million bond issuance will be the first issuance under a $142.5 million bond measure (Measure D) approved the local voters on November 8, 2016. The voters expressed strong support for the passage of Measure D, as nearly 69.94% of ballots supported passage—while Measure D required only 55% approval for passage, it would have passed even if a 2/3 vote was required.

In order to access the proposed amount of bond proceeds, the District is requesting an increase in its debt limit to 2.12% of assessed valuation. Based on our analysis of the District's position, the District should fall below the statutory debt limit within nine (9) years or by fiscal year 2024-25.
Analysis:

Attached to this waiver request is the following:

i. Notice of Public Hearing (Attachment A)
ii. Historical Assessed Values, Fiscal Years 2002 through 2017 (Attachment B)
iii. Summary of General Obligation Bond Indebtedness versus Projected Debt Limits, together with the Tax Rate Analysis (Attachment C)
iv. Board Resolution Approving Waiver – Resolution No. 16-17 (Attachment D)

Based on the Tax Rate Analysis figures, the District anticipates that the tax rate will not exceed applicable Proposition 39 tax rate limit for any of its outstanding bonded indebtedness, should the California Department of Education grant this waiver request.

The District currently has Certificates of Participation (COPs) outstanding.

The District anticipates the use a combination of Current Interest Bonds and Capital Appreciation Bonds in future bond sales; however, the District intends to fully comply with the provisions of Assembly Bill 182 including all notice and disclosure provisions thereto.

Student Population: 16799

City Type: Suburban

Public Hearing Date: 12/7/2016
Public Hearing Advertised: Local newspaper Ventura County Star on 11/23/2016 as well as the District Office.

Local Board Approval Date: 12/7/2016

Community Council Reviewed By: Bond Oversight Committee
Community Council Reviewed Date: 1/9/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Cesar Morales
Position: Superintendent
E-mail: drcmorales@oxnardsd.org
Telephone: 805-385-1501 x2034
Fax: 805-487-2118

Bargaining Unit Date: 01/05/2017
Name: Classified School Employees Association (CSEA)
Representative: Ilene Poland
Title: President
Position: Neutral
Comments:

Bargaining Unit Date: 01/09/2017
Name: Oxnard Educators Association (OEA/CTA/NEA)
Representative: Robin Lefkovits
Title: President
Position: Neutral
Comments:

Bargaining Unit Date: 01/09/2017
Name: Oxnard Supportive Services (OSSA)
Representative: Brenda Muth
Title: President
Position: Neutral
Comments:
Waiver Topic: School Construction Bonds
Ed Code Title: Bond Indebtedness Limit - Non-Unified after 2000
Ed Code Section: 15102
Ed Code Authority: 33050

Ed Code or CCR to Waive: Ed.C. 15102: The total amount of bonds issued pursuant to this chapter and Chapter 1.5 (commencing with Section 15264) shall not exceed 1.25 percent of the taxable property of the school district or community college district, or the school facilities improvement district, if applicable, as shown by the last equalized assessment of the county or counties in which the district is located.

Outcome Rationale: Current Need:
The current statutory debt limit for non-unified school districts is 1.25% of the total assessed valuation of the taxable property within a district’s boundaries. The District currently has no bonded debt outstanding. Based on a 1.25% limit, the District could issue only $1.64 million in bonds based on the 2016-17 assessed valuations.
In April 2017, the District intends to issue $6 million of general obligation bonds. The bond issuance will provide the needed funds for the District to build its new gymnasium/multipurpose room.
In order to issue the $6 million, the District is requesting an increase in its debt limit to 4.58% of assessed valuation. Based on our analysis of the District’s position, the District should fall below the statutory debt limit by 2043.
Provided the waiver is approved, the $6 million bond issuance will be the first and only issuance of the $6 million bond measure (Measure S) approved by the local voters on November 8, 2016. The voters expressed strong support for the passage of Measure S, with a passage rate of 84%. Measure S is a Proposition 46 election that requires a 2/3, or 66.7%, majority vote approval. Unlike a Proposition 39 election (55% approval), there is not a tax rate limit for the District’s Measure S bonds. Part of the rationale for pursuing a 2/3 vote instead of a 55% approval was because a tax rate limitation would prohibit the District from obtaining the amount of bond proceeds it needs for much needed facilities projects. As required by law, District voters were presented with information regarding anticipated tax rates in the sample ballot. The rates presented assumed issuance of one $6 million bond issuance.

Analysis:
Attached to this waiver request is the following:

i. Historical Assessed Values, Fiscal Years 2002 through 2017 (Attachment A)
ii. Summary of General Obligation Bond Indebtedness versus Projected Debt Limits, together with the Tax Rate Analysis (Attachment B)
iii. Tax Rate Analysis (Attachment C)
iv. Board Resolution Approving Waiver (Attachment D)
v. Public Notice (Attachment E)

The District anticipates the possibility of using a combination of Current Interest Bonds and Capital Appreciation Bonds for this bond sale. However, the District intends to fully comply with the provisions of Assembly Bill 182.

Student Population: 350

City Type: Rural

Public Hearing Date: 12/13/2016

Local Board Approval Date: 12/13/2016

Community Council Reviewed By: School Site Council
Community Council Reviewed Date: 1/5/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Cecilia Dial
Position: Superintendent
E-mail: cdial@seeley.k12.ca.us
Telephone: 760-352-3571
Fax: 760-352-1629

Bargaining Unit Date: 11/18/2016
Name: Seeley Teachers Association (STA)
Representative: Troy Boquist
Title: President
Position: Support
Comments:
CD Code: 2775440     Waiver Number: 10-11-2016     Active Year: 2016

Date In: 11/14/2016 9:26:03 AM

Local Education Agency: Soledad Unified School District
Address: 1261 Metz Rd.
Soledad, CA 93960

Start: 3/9/2017     End: 3/1/2018

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: School Construction Bonds
Ed Code Title: Bond Indebtedness Limit - Unified after 2000
Ed Code Section: 15106
Ed Code Authority: 33050

Ed Code or CCR to Waive: A unified school district or community college district may issue bonds that, in aggregation with bonds issued pursuant to Section 15270, shall not exceed [2.50%] percent of the taxable property of the school district or community college district, or the school facilities improvement district, if applicable, as shown by the last equalized assessment of the county or counties in which the district is located.

Outcome Rationale: On November 6, 2012, District voters approved the issuance of GO Bonds in the amount of $40 million to finance the acquisition and construction of school facilities. The election was a 2/3 vote election, called pursuant to Education Code Section 15100 and following and Article XIIIA Section 1(b)(2).

The District has issued three series of bonds pursuant to this authority, totaling $36.865 million. Due to the small, largely agricultural tax base, the District's assessed valuation is low relative to the costs to construct school facilities. At this time, the District cannot issue the final $3.135 million series and still meet the 2.50% bonding capacity test. This series, along with funds on hand, will fund the construction of a new middle school which is set to begin December 2016. As such, the District is seeking a waiver of bonding capacity up to the amount of 2.72% of assessed values determined in accordance with Education Code Section 15106. It is anticipated that this waiver is only needed to issue this fourth and final series of bonds pursuant to the authority of the 2012 bond election. It is projected that this series will be issued as current interest bonds, and the tax rate on the authorization will be below what was promised to voters. If the waiver is granted, issuance is expected in the first half of 2017.

Student Population: 4800

City Type: Rural

Public Hearing Date: 11/9/2016
Public Hearing Advertised: District Office and school sites

Local Board Approval Date: 11/9/2016

Community Council Reviewed By: Board Advisory Committee on School Construction
Community Council Reviewed Date: 10/26/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Stephen Zhang
Position: Financial Analyst
E-mail: szhang@dalescott.com
Telephone: 415-956-1030 x110
Fax:

Bargaining Unit Date: 10/28/2016
Name: California School Employee Association
Representative: Marco Hernandez
Title: President
Position: Support
Comments:

Bargaining Unit Date: 10/25/2016
Name: Soledad Teacher's Association
Representative: Glenda Woodrow
Title: President
Position: Support
Comments:
CALIFORNIA STATE BOARD OF EDUCATION
MARCH 2017 AGENDA

☐ General Waiver

SUBJECT
Request by Lawndale Elementary School District to waive California Education Code Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish a by-trustee-area method of election.

Waiver Number: 15-12-2016

SUMMARY OF THE ISSUES

School districts that elect board members at-large face existing or potential litigation under the California Voting Rights Act of 2001 (CVRA). Pursuant to the California Education Code (EC), a district can change from at-large elections to by-trustee-area elections only if the change is approved by both the County Committee on School District Organization (County Committee) and voters at a districtwide election.

To reduce the potential for litigation and to establish by-trustee-area elections as expeditiously as possible, the Lawndale Elementary School District (ESD) requests that the California State Board of Education (SBE) waive the requirement that by-trustee-area election methods be approved at a districtwide election—allowing by-trustee-area elections to be adopted upon review and approval of the County Committee.

Authority for Waiver: EC Section 33050

RECOMMENDATION

☐ Approval ☐ Approval with conditions ☐ Denial

The California Department of Education (CDE) recommends the SBE approve the request by the Lawndale ESD to waive EC Section 5020, and portions of sections 5019, 5021, and 5030 (as indicated in Attachment 3), which require a districtwide election to approve a by-trustee-area method of election.

SUMMARY OF KEY ISSUES

Approval of the waiver request would eliminate the election requirement for approval of trustee areas and a by-trustee-area method of election for future governing board elections in the Lawndale ESD. The voters in the district will continue to elect all board...
members—however, if the waiver request is approved, all board members will be elected by trustee areas beginning with the next governing board election.

County Committees have the authority to approve or disapprove the adoption of trustee areas and methods of election for school district governing board elections. Pursuant to EC Section 5020, County Committee approval of trustee areas and election methods constitutes an order of election; thus, voters in the district have final approval.

Many districts in California are facing existing or potential litigation under the CVRA because of their at-large election methods. To help avoid potential litigation, the Lawndale ESD is taking action to establish trustee areas and adopt a by-trustee-area election method. In order to establish the trustee areas and the method of election as expeditiously as possible, the district is requesting that the SBE waive the requirement that the trustee areas and the election method be approved at a districtwide election. If the SBE approves the waiver request, a by-trustee-area election method can be adopted in the district upon review and approval of the County Committee without a subsequent local election to approve the change.

Only the election to establish trustee areas and the election method will be eliminated by approval of the waiver request—voters in the school district will continue to elect all governing board members. Moreover, approval of the waiver will not eliminate any existing legal rights of currently seated board members.

The waiver request has been reviewed by the CDE and it has been determined that there was no significant public opposition to the waiver at the public hearing held by the governing board of the district. The CDE has further determined that none of the grounds specified in EC Section 33051, which authorize denial of a waiver, exist. The CDE recommends the SBE approve the request by the Lawndale ESD to waive EC Section 5020, and portions of sections 5019, 5021, and 5030 (as indicated in Attachment 3), which require a districtwide election to approve a by-trustee-area method of election.

**Demographic Information:**

The Lawndale ESD has a student population of 5,531 and is located in an urban area of Los Angeles County.

**Because this is a general waiver, if the 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 over 130 similar waivers—most recently for the Redlands Unified School District in San Bernardino County at the January 2017 SBE meeting.
FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver request will not have negative fiscal effects on any local or state agency. Failure to approve the request will result in additional costs to the Lawndale ESD for a districtwide election.

ATTACHMENT(S)

Attachment 1: Summary Table (1 page)

Attachment 2: Lawndale Elementary School District General Waiver Request 15-12-2016 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: California Education Code Sections Proposed for Waiver (4 pages)
### Summary Table

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>District</th>
<th>Period of Request</th>
<th>Bargaining Unit, Representatives Consulted, Date, and Position</th>
<th>Public Hearing and Board Approval Date</th>
<th>Public Hearing Advertisement</th>
<th>SSC/Advisory Committee Position</th>
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<tbody>
<tr>
<td>15-12-2016</td>
<td>Lawndale Elementary School District</td>
<td></td>
<td><strong>Requested:</strong> January 1, 2017 to December 31, 2018&lt;br&gt;Lawndale Teachers Association, Denise Bolton, President 10/25/2016 Support</td>
<td></td>
<td>The public hearing notice was posted in two newspapers; at all schools, and the District Office; and on the District website, Facebook, and Twitter.</td>
<td>District Parents Advisory Committee, District English Learner Advisory Committee, and eight School Site Councils (11/15/2016) Objections: The Lucille Smith Elementary School Site Council initially opposed the waiver, citing stakeholder input—but changed its position to “neutral” at a subsequent meeting.*</td>
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<td><strong>Recommended:</strong> January 1, 2017 to December 30, 2018&lt;br&gt;Lawndale Federation of Classified Employees, Carl Williams, President 11/1/2016 Support</td>
<td></td>
<td>12/6/2016</td>
<td></td>
</tr>
</tbody>
</table>

* The district was contacted for clarifying information regarding the objections. The district indicated that the school site council meeting was held just days after the November presidential election and school site council members felt that their voices had not been heard in that election, so they did not feel comfortable voting in favor of the waiver request. The Lucille Smith Elementary School Site Council met again on January 10, 2017, and reconsidered the waiver—they changed the school site council position to “neutral” in order to support the rest of the district.

Created by California Department of Education
January 6, 2017
Revised: January 13, 2017
Outcome Rationale: WHEREAS, the LAWNDALE ELEMENTARY SCHOOL District ("District") currently uses an at-large system of electing its Governing Board members; and
WHEREAS, at-large electoral systems such as the District's are subject to challenge under the California Voting Rights Act of 2001, codified at sections 14025–14032 of the California Elections Code ("CVRA"); and
WHEREAS, “by-trustee area” electoral systems are not vulnerable to challenge under the CVRA; and
WHEREAS, in a by-trustee area system of election, candidates for the District’s Governing Board (the “Board”) must reside within a specific geographic subarea of the District called a “trustee area” and candidates are elected only by the voters of that trustee area; and
WHEREAS, one method of transitioning from an at-large electoral system to a by-trustee area electoral system is for a school district’s governing board to petition the local county committee on school district organization by resolution to initiate the transition under California Education Code section 5019(c)(1); and
WHEREAS, the provisions of Education Code section 5020, and related sections, require that the establishment of trustee areas and adoption of a by-trustee area election methodology must be put to a vote by the electors of the District; and
WHEREAS, to avoid the cost, expense and uncertainty inherent in CVRA cases, the District is proceeding to change its current at-large election system to a by-trustee area election system; and
WHEREAS, at its meeting of October 18, 2016, this Board adopted Resolution No. 10, 2016-2017 which approved a proposed map that divided the District into five trustee areas from which one Board member will be selected by the registered voters of that area and in which the Board member must reside. The map of trustee areas approved by this Board pursuant to Resolution
No. 10, 2016-2017 is referred to as Map B and is attached to Resolution No. 10, 2016-2017; and
WHEREAS, Resolution No. 10, 2016-2017 also identifies trustee areas 1, 2 and 4, to be the three trustee areas which would elect at the District's next regular election in November of 2018; and
WHEREAS, in order to complete the transition in a timely manner and to guarantee that the new by-trustee area election methodology will be in place in time to elect new governing board members at the Board’s next regularly-scheduled election in November of 2018, the District must obtain a waiver of the election process as set forth in Education Code sections 5019, 5020, 5021 and 5030 from the State Board of Education; and
WHEREAS, Education Code section 33050 et seq. allows the governing board of a school district to request the State Board of Education to waive all or part of any section of the Education Code or any regulation adopted by the State Board of Education that implements a provision of the Education Code, subject to certain exceptions; and
WHEREAS, Education Code sections 5020 and related sections are not listed as exceptions in Education Code section 33050 et seq. and can thus be waived; and
WHEREAS, to obtain a waiver, the District must comply with Education Code and California Department of Education and State Board of Education requirements; and
WHEREAS, the District has consulted with all collective bargaining units and they support this waiver request; and
WHEREAS, the District has consulted with advisory and other committees or councils with an interest in the waiver and all but one school site council supports this waiver request; and
WHEREAS, on December 6, 2016, the District conducted a properly noticed public hearing, at which time the public, if any, testified on the merits of obtaining a waiver from the State Board of Education; and
WHEREAS, the District must submit a complete General Waiver Request form to the California Department of Education; and
NOW THEREFORE, be it resolved by the Governing Board of the Lawndale Elementary School District as follows:
1. That the above recitals are true and correct.
2. That the Board hereby declares the Board’s intention to seek a waiver of Education Code section 5020 and portions of related sections pertaining to the requirement that the establishment of trustee areas and adoption of a by-trustee area election method must be put to a vote by the electors of the District.
3. That the District has consulted all collective bargaining units and made every effort to include them as participants in the waiver process. The Lawndale Teachers Association (Teachers union) and the Lawndale Federation of Classified Employees (Classified employees union) have indicated their support of the District’s General Waiver Request.
4. That the District has consulted committees and councils, including School Site Councils, the District English Learner Advisory Committee (“DELAC”), and the District Parent Advisory Committee (“DPAC”) and each committee and council except for the School Site Council of the Lucille Smith Elementary School has indicated their support for the District’s General Waiver Request.
5. That the District distributed a notice specifically inviting public testimony regarding the waiver, and said notice was printed in two newspapers of general circulation, posted at various school sites, the District Office, and on the District website.
6. That on December 6, 2016, the Board conducted a properly noticed public hearing held during a regular meeting of the Board at which time the public was able to testify on the waiver proposal.
7. That the District's Superintendent and/or designee, is authorized and directed to submit a General Waiver Request to the California Department of Education, seeking a waiver of the requirement that the establishment of trustee areas and adoption of a by-trustee area election method must be put to a vote by the electors of the District under Education Code section 5020 and related sections in order to ensure the timely adoption of the District's trustee areas and the District's orderly transition from its current at-large electoral method to a by-trustee area electoral method.

8. A draft of the proposed General Waiver Request form, along with its Attachments A and B, is attached hereto as Exhibit 1.

Student Population: 5531

City Type: Urban

Public Hearing Date: 12/6/2016
Public Hearing Advertised: Notice in 2 newspapers, notices posted at all schools, notice posted at the District Office and on the District website, Facebook, and Twitter

Local Board Approval Date: 12/6/2016

Community Council Reviewed By: District Parents Advisory Comm., District English Learner Advisory Comm., 8 School Site Councils
Community Council Reviewed Date: 11/15/2016
Community Council Objection: Y
Community Council Objection Explanation: Lucille Smith Elementary School Site Council opposed the waiver citing stakeholder input

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Ellen Dougherty
Position: Superintendent
E-mail: ellen_dougherty@lawndalesd.net
Telephone: 310-973-1300 x50002
Fax: 310-263-6492

Bargaining Unit Date: 11/01/2016
Name: Lawndale Federation of Classified Employees (LFCE)
Representative: Carl Williams
Title: President
Position: Support
Comments:
Bargaining Unit Date: 10/25/2016
Name: Lawndale Teachers Association (LTA)
Representative: Denise Bolton
Title: President
Position: Support
Comments:
California Education Code Sections Proposed for Waiver

Request to waive California Education Code Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish a by-trustee-area method of election. Language proposed to be waived is identified in brackets ([ ]) below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters, by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.
(d) If the county committee on school district organization approves pursuant to subdivision (a) [the rearrangement of the boundaries of trustee areas for a particular district, then the trustee areas shall be effectuated for the next district election occurring at least 120 days after [its approval], unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters].

[§ 5020. Presentation of proposal to electors]

(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.

(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.

(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that
there is sufficient time to place the issue on the ballot.

(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:
"For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District--No."

"For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--No."

"For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--No."

"For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--No."

"For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."

"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--No."

For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District--No."

If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.]

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Section[s] 5019 [and 5020 ]is approved[ by a majority of the voters voting at the election], any affected incumbent board member shall serve out his or her term of office and
succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established [at such election] which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by [a majority of the voters voting on the measure, or by ] the county committee on school district organization[ when no election is required], and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved [by a majority of the voters voting at the election], the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Section[s] 5019[ and 5020, respectively], may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

[ In counties with a population of less than 25,000, ] the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.
Specific Waiver

SUBJECT
Request by four local educational agencies under the authority of California Education Code Section 52863 for waivers of Education Code Section 52852, relating to schoolsite councils regarding changes in shared, composition, or shared and composition members.

Waiver Numbers: Central Unified School District 16-11-2016
Central Unified School District 17-11-2016
Pomona Unified School District 4-12-2016
Sacramento County Office of Education 24-12-2016
Whitmore Union Elementary School District 5-11-2016

SUMMARY OF THE ISSUE(S)
Specific authority is provided in California Education Code (EC) Section 52863 to allow the State Board of Education (SBE) to waive the Schoolsite Council (SSC) requirements contained in EC Section 52852 of the School-Based Coordination Program Act that would hinder the success of the program implementation. These waivers must be renewed every two years.

Authority for Waiver: EC Section 52863

RECOMMENDATION
☐ Approval ☑ Approval with conditions ☐ Denial

The California Department of Education (CDE) recommends approval with conditions (see Attachment 1).

SUMMARY OF KEY ISSUES
The Central Unified School District is requesting an SSC composition change for a small school: Central Unified Alternative/Opportunity School (11 teachers serving 228 students in kindergarten through grade twelve). The school is an alternative adult education site with high student mobility. It is located in an urban area.

The Central Unified School District is requesting a shared SSC for three small schools: Pathway Community Day School (9 teachers serving 28 students in grades seven through twelve), Pathway Elementary Community Day School (1 teacher serving 4
students in kindergarten through grade six), and Pershing Continuation High School (8 teachers serving 128 students in grades nine through twelve). The three schools have the same administrative team and are located on the same lot in an urban area.

The Pomona Unified School District is requesting to renew a shared SSC for two small schools: Park West (Continuation) High School (13 teachers serving 236 students in grades nine through twelve) and Pomona Alternative School (3 teachers serving 31 students in kindergarten through grade twelve). The two schools are both alternative sites and share some teaching staff. The shared SSC will help them streamline site operations and reduce duplicated efforts, thus allowing for consolidated efforts in many other areas. They are located on the same campus in a suburban area.

The Sacramento County Office of Education is requesting three separate SSCs with composition change for three small schools: (1) Elinor Lincoln Hickey Jr./Sr. High School (2 teachers serving 56 students in grades seven through twelve); (2) Gerber Jr./Sr. High School (2 teachers serving 71 students in grades seven through twelve); and (3) North Area Community School (2 teachers serving 75 students in grades seven through twelve). The three schools are community schools and are located in a rural area.

The Whitmore Union Elementary School District is requesting an SSC composition change for a very small school: Whitmore Union Elementary School (3 teachers serving 25 students in kindergarten through grade eight). The school is located in a rural area.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The CDE has previously presented requests from local educational agencies (LEAs) to waive some of the SSC requirements in EC Section 52863 or to allow one shared SSC for multiple schools. All of these requests have been granted with conditions. The conditions take into consideration the rationale provided by the LEAs, a majority of which are due to the size, type, location, or other capacities of the schools.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: Local Educational Agencies Requesting a Schoolsite Council Waiver (4 Pages)

Attachment 2: Central Unified School District Specific Waiver Request 16-11-2016 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Central Unified School District Specific Waiver Request 17-11-2016 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
Attachment 4: Pomona Unified School District Specific Waiver Request 4-12-2016 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Sacramento County Office of Education Specific Waiver Request 24-12-2016 (4 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 6: Whitmore Union Elementary School District Specific Waiver Request 5-11-2016 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
## Local Educational Agencies Requesting a Schoolsite Council Waiver

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>Local Educational Agency (LEA) for School(s) (County-District-School Code[s])</th>
<th>LEAs Request for a Schoolsite Council (SSC) Waiver</th>
<th>California Department of Education Recommendation</th>
<th>Previous Waiver Yes or No Period of Request/Period Recommended</th>
<th>Collective Bargaining Unit Position/Current Agreement</th>
<th>SSC/Advisory Committee Position</th>
<th>Local Board Approval Date</th>
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<tbody>
<tr>
<td>16-11-2016</td>
<td>Central Unified School District for Central Unified Alternative/Opportunity School (1073965 1030386)</td>
<td>SSC composition change</td>
<td>Approval with conditions: the SSC must consist of one principal, one classroom teacher (selected by peers), one other school representative (selected by peers), two parents/community members (selected by parents), and one student (selected by peers).</td>
<td>No Requested: 11/05/2016 to 11/19/2018</td>
<td>Central Unified Teachers Association Kathy Tonozzi Site Representative 10/16/2016</td>
<td>Central Unified Alternative/Opportunity School SSC 10/25/2016</td>
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<td>17-11-2016</td>
<td>Central Unified School District for Pathway Community Day School (1073965 0114751), Pathway Elementary Community Day School (1073965 0125682), and Pershing Continuation High School (1073965 1035112)</td>
<td>Shared SSC</td>
<td>Approval with conditions: the SSC must consist of one principal, four classroom teachers (selected by peers), one other school representative (selected by peers), three parents/community members (selected by parents), and three students (selected by peers).</td>
<td>No Requested: 11/15/2016 to 11/15/2018</td>
<td>Central Unified Teachers Association Sunny Dhillon Site Representative 10/27/2016</td>
<td>Central Unified Alternative Community Day School SSC, Pathway Elementary Community Day School SSC, and Pershing Continuation High School SSC 10/27/2016</td>
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<td>4-12-2016</td>
<td>Pomona Unified School District for Park West (Continuation) High School (1964907 1936772) and Pomona Alternative School (1964907 1995547)</td>
<td>Shared SSC</td>
<td>Approval with conditions: the SSC must consist of one principal, four classroom teachers (selected by peers), one other school representative (selected by peers), three parents/community members (selected by parents), and three students (selected by peers).</td>
<td>Yes</td>
<td>Associated Pomona Teachers Association Michael da Rosa President 12/01/2016</td>
<td>Park West (Continuation) High School and Pomona Alternative School shared SSC</td>
<td>10/26/2016 No Objection</td>
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<td>Requested: 07/01/2016 to 06/30/2018</td>
<td>Support</td>
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<td>Recommended: 07/01/2016 to 06/30/2018</td>
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4-12-2016 Pomona Unified School District for Park West (Continuation) High School (1964907 1936772) and Pomona Alternative School (1964907 1995547) Shared SSC Approval with conditions: the SSC must consist of one principal, four classroom teachers (selected by peers), one other school representative (selected by peers), three parents/community members (selected by parents), and three students (selected by peers). Yes Requested: 07/01/2016 to 06/30/2018 Recommended: 07/01/2016 to 06/30/2018 Associated Pomona Teachers Association Michael da Rosa President 12/01/2016 Support Park West (Continuation) High School and Pomona Alternative School shared SSC 10/26/2016 No Objection
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<tr>
<td>24-12-2016</td>
<td>Sacramento County Office of Education for Elinor Lincoln Hickey Jr./Sr. High School (3410348 0106237), Gerber Jr./Sr. High School (3410348 0118745) and North Area Community School (3410348 0106245)</td>
<td>SSC composition change for three separate SSCs</td>
<td>Approval with conditions: 1) Elinor Lincoln Hickey Jr./Sr. High School: the SSC must consist of one principal, one classroom teacher (selected by peers), one other school representative (selected by peers), two parents/community members (selected by parents), and one student (selected by peers). 2) Gerber Jr./Sr. High School: the SSC must consist of one principal, one classroom teacher (selected by peers), one other school representative (selected by peers), two parents/community members (selected by parents), and one student (selected by peers). 3) North Area Community School: the SSC must consist of one principal, one classroom teacher (selected by peers), one other school representative (selected by peers), two parents/community members (selected by parents), and one student (selected by peers).</td>
<td>No</td>
<td>None indicated</td>
<td>Elinor Lincoln Hickey Jr./Sr. High School SSC 09/30/2016</td>
<td>12/13/2016</td>
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<td>1) Elinor Lincoln Hickey Jr./Sr. High School: the SSC must consist of one principal, one classroom teacher (selected by peers), one other school representative (selected by peers), two parents/community members (selected by parents), and one student (selected by peers). 2) Gerber Jr./Sr. High School: the SSC must consist of one principal, one classroom teacher (selected by peers), one other school representative (selected by peers), two parents/community members (selected by parents), and one student (selected by peers). 3) North Area Community School: the SSC must consist of one principal, one classroom teacher (selected by peers), one other school representative (selected by peers), two parents/community members (selected by parents), and one student (selected by peers).</td>
<td>07/01/2016 to 06/30/2018</td>
<td>Gerber Jr./Sr. High School SSC 09/30/2016</td>
<td>No Objection</td>
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<td>Approved with conditions: 1) Elinor Lincoln Hickey Jr./Sr. High School: the SSC must consist of one principal, one classroom teacher (selected by peers), one other school representative (selected by peers), two parents/community members (selected by parents), and one student (selected by peers). 2) Gerber Jr./Sr. High School: the SSC must consist of one principal, one classroom teacher (selected by peers), one other school representative (selected by peers), two parents/community members (selected by parents), and one student (selected by peers). 3) North Area Community School: the SSC must consist of one principal, one classroom teacher (selected by peers), one other school representative (selected by peers), two parents/community members (selected by parents), and one student (selected by peers).</td>
<td>07/01/2016 to 06/30/2018</td>
<td>North Area Community School SSC 09/30/2016</td>
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<th>Previous Waiver Yes or No</th>
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<tr>
<td>5-11-2016</td>
<td>Whitmore Union Elementary School District for Whitmore Union Elementary School (4570169 6050595)</td>
<td>SSC composition change</td>
<td>Approval with conditions: the SSC must consist of one principal, one classroom teacher (selected by peers), and two parents/community members (selected by parents).</td>
<td>No</td>
<td>Requested: 08/03/2016 to 08/03/2018</td>
<td>Recommended: 08/03/2016 to 08/02/2018</td>
<td>None indicated</td>
<td>Whitmore Union Elementary School Parent Advisory Committee 11/08/2016</td>
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Created by the California Department of Education
November 14, 2016
California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 1073965  Waiver Number: 16-11-2016  Active Year: 2016

Date In: 11/21/2016 9:22:29 AM

Local Education Agency: Central Unified School District
Address: 5652 West Gettysburg Ave.
Fresno, CA 93722

Start: 11/5/2016  End: 11/15/2018

Waiver Renewal: Y
Previous Waiver Number:   Previous SBE Approval Date:

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Number and Composition of Members
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or CCR to Waive: 52852 A schoolsite council shall be established [at each school] which participates in school-based program coordination.

Outcome Rationale: CLASS is an alternative education (adult ed) site. Many students come and go throughout the year so keeping members on the school site council requires multiple elections as parents and students come and go thru the year.

Student Population: 228

City Type: Urban

Local Board Approval Date: 11/15/2016

Council Reviewed By: School Site Council
Council Reviewed Date: 10/25/2016
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Annette Grigsby-Chamberlain
Position: Director, State & Federal Programs
E-mail: agrigsby@centralusd.k12.ca.us
Telephone: 559-274-4700 x63146
Fax: 559-276-3101
Bargaining Unit Date: 10/16/2016
Name: Central Unified Teachers Association
Representative: Kathy Tonozzi
Title: Site Representative
Position: Support
Comments:
California Department of Education
WAIVER SUBMISSION - Specific


Date In: 11/21/2016 9:47:47 AM

Local Education Agency: Central Unified
Address: 5652 West Gettysburg Ave.
Fresno, CA 93722

Start: 11/15/2016  End: 11/15/2018

Waiver Renewal: Y
Previous Waiver Number: 
Previous SBE Approval Date:

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Shared Schoolsite Council with Reduced Number and Composition
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or CCR to Waive: EC Section 5282: A school site council shall be established at [each school] which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers of the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

Outcome Rationale: The low numbers at these schools sites make it difficult for each individual school to convene a compliant School Site Council. These schools share a common campus and a common administration team. We request that the schools combine their council with the following composition: 1 principal; 4 teachers elected by other teachers at the schools; 1 other staff elected by other staff from the schools; 3 parents elected by other parents at the sites; and 3 students elected by other students at the schools.

Student Population: 156

City Type: Urban

Local Board Approval Date: 11/15/2016

Council Reviewed By: School Site Council
Council Reviewed Date: 10/27/2016
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N
Submitted by: Ms. Annette Grigsby-Chamberlain  
Position: Director, State & Federal Programs  
E-mail: agrigsby@centralusd.k12.ca.us  
Telephone: 559-274-4700 x63146  
Fax: 559-276-3101

Bargaining Unit Date: 10/27/2016  
Name: Central Unified Teachers Association  
Representative: Sunny Dhillon  
Title: Site Representative  
Position: Support  
Comments:
CD Code: 1964907  Waiver Number: 4-12-2016  Active Year: 2016

Date In: 12/5/2016 9:17:00 AM

Local Education Agency: Pomona Unified School District
Address: 800 South Garey Ave.
Pomona, CA 91766

Start: 7/1/2016  End: 6/30/2018

Waiver Renewal: Y
Previous Waiver Number: 23-6-2014-W-12  Previous SBE Approval Date: 9/3/2014

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Shared Schoolsite Council
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or CCR to Waive:
EC 52852 A schoolsite council shall be established at [each] school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

Outcome Rationale: Pomona Unified School District is requesting a shared SSC for two alternative schools: Park West Continuation High School (13 teachers serving 236 students in grades nine through twelve) and Pomona Alternative School (3 teachers serving 31 students in grades kindergarten through twelve). Some of the teaching staff at both schools are shared with schools in the district. The two schools share one principal. They are housed on the same campus in a suburban area. The approval of this waiver application will streamline site operations, reduce distractive duplicated efforts, and allow consolidated planning ensuring a synergic effort to provide effective standard based instruction, program evaluation, parent engagement and development activities, and school-to-home- communication resulting in greater opportunities to increase student achievement.

Student Population: 24654

City Type: Suburban

Local Board Approval Date: 11/9/2016

Council Reviewed By: School Site Council
Council Reviewed Date: 10/26/2016
Council Objection: N
Council Objection Explanation:
Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Zoila Savaglio
Position: Director, State and Federal Programs
E-mail: zoila.savaglio@pusd.org
Telephone: 909-397-4800 x23829
Fax: 909-629-9750

Bargaining Unit Date: 12/01/2016
Name: Associated Pomona Teachers
Representative: Michael da Rosa
Title: President
Position: Support
Comments:
California Department of Education  
WAIVER SUBMISSION - Specific

CD Code: 3410348    Waiver Number: 24-12-2016    Active Year: 2016

Date In: 12/15/2016 11:46:47 AM

Local Education Agency: Sacramento County Office of Education  
Address: 10474 Mather Blvd.  
Mather, CA 95655

Start: 7/1/2016    End: 6/30/2018

Waiver Renewal: N    Previous Waiver Number:    Previous SBE Approval Date:

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Number and Composition of Members  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or CCR to Waive: Education Code section 52852 states that:
(a) "A schoolsite council shall be established at each school that participates in school-based program coordination. The schoolsite council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by the parents; and in secondary schools, pupils selected by pupils attending the school."
(b) [(1) At the secondary level the schoolsite council shall be constituted to ensure parity between (A) the principal, classroom teachers, and other school personnel; and (B) parents, or other community members selected by parents.]

[[3) At both the elementary and secondary levels, classroom teachers shall comprise the majority of persons represented under subparagraph (A) of paragraph (1) ...."
We are requesting a waiver pursuant to Education Code section 52863 which states in pertinent part as follows:]
“Any governing board, on behalf of a school site(sic) council, may request the State Board of Education to grant a waiver of any provision of this article [Chapter 12, Article 3]. The State Board of Education may grant a request when it finds that the failure to do so would hinder the implementation or maintenance of a successful school-based coordinated program.

Background:
[Using the above statutory requirements an Elementary Schoolsite Council would have to consist of at least 10 people: 1 principal, 3 teachers and 1 other school employee (5 total) and 5 parents or other community members. In addition a Secondary Schoolsite Council would have to consist of at least 12 people: 1 principal, 3 teachers and 2 other school employees (6 total) and 3 parents or other community members as well as 3 students (6 total).]
Outcome Rationale: Due to the small number of students at each SCOE community school, we often open
the school year at a community school staffed with only two teachers. This formula works
well for matching staffing levels with student enrollment but does not meet California’s
requirement to have at least three teachers serve on each secondary schoolsite council.
This misalliance requires that we request waivers for each SCOE Community School
from the State Board of Education regarding the composition of schoolsite councils.

Education Code section 52852 states that:
(a) “A schoolsite council shall be established at each school that participates in
school-based program coordination. The schoolsite council shall be composed
of the principal and representatives of: teachers selected by teachers at the
school; other school personnel selected by other school personnel at the school;
parents of pupils attending the school selected by the parents; and in secondary
schools, pupils selected by pupils attending the school.”
(b) (1) At the secondary level the schoolsite council shall be constituted to ensure
parity between (A) the principal, classroom teachers, and other school personnel;
and (B) parents, or other community members selected by parents.

(3) At both the elementary and secondary levels, classroom teachers shall comprise
the majority of persons represented under subparagraph (A) of paragraph (1) ....”
We are requesting a waiver pursuant to Education Code section 52863 which states in
pertinent part as follows:
“Any governing board, on behalf of a school site(sic) council, may request the State
Board of Education to grant a waiver of any provision of this article [Chapter 12, Article
3]. The State Board of Education may grant a request when it finds that the failure to
do so would hinder the implementation or maintenance of a successful school-based
coordinated program.

VIII.E.2.
If the State Board of Education approves a waiver request, the waiver shall apply only
to the school or schools which requested the waiver and shall be effective for no more
than two years. The State Board of Education may renew a waiver request.”

Background:
Using the above statutory requirements an Elementary Schoolsite Council would have to consist
of at least 10 people: 1 principal, 3 teachers and 1 other school employee (5 total) and 5 parents
or other community members. In addition a Secondary Schoolsite Council would have to consist
of at least 12 people: 1 principal, 3 teachers and 2 other school employees (6 total) and 3
parents or other community members as well as 3 students (6 total).

We are applying for a waiver for Schoolsite Council Statute-Number and Composition of
Members
Ed Code Section: 52852
Ed Code Authority: 52863
Background:
Using the above statutory requirements an Elementary Schoolsite Council would have to consist
of at least 10 people: 1 principal, 3 teachers and 1 other school employee (5 total) and 5 parents
or other community members. In addition a Secondary Schoolsite Council would have to consist
of at least 12 people: 1 principal, 3 teachers and 2 other school employees (6 total) and 3
parents or other community members as well as 3 students (6 total).
For the following community schools:

Elinor Lincoln Hickey Jr./Sr. High School
2040 Ethan Way
Sacramento, CA 95825
Enrollment: 56 students

Gerber Jr./Sr. High School
8401 Gerber Road #B
Sacramento, CA 95828
Enrollment: 71 students

North Area Community School
4000 Pinell Street
Sacramento, CA 95838
Enrollment: 75 students

Our community schools have one-two academic teachers and a student population of 75 or less; this makes it impossible for us to meet the requirement for teachers; and difficult to ensure parity in our parents/community members. We wish to reduce the composition of overall numbers of each School Site Council.

We wish to apply for a waiver to constitute our site councils as follows:
Minimum of 6 members consisting of:
1 Principal, 1 teacher, 1 other staff
2 Parent/community members
1 Student

We are requesting this waiver to achieve properly constituted site councils. We have site councils at each school site that provide input into our programming, SPSAs, LEA Plans, LCAP, and school/district-wide decision making; however, we are unable to meet the composition requirements for teachers and this waiver will allow us to do so.

Student Population: 75

City Type: Urban

Local Board Approval Date: 12/13/2016

Council Reviewed By: Schoolsite Council
Council Reviewed Date: 9/30/2016
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Matt Perry
Position: Assistant Superintendent
E-mail: mperry@scoe.net
Telephone: 916-228-2507
Fax: 916-228-2403
California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 4570169  Waiver Number: 5-11-2016  Active Year: 2016

Date In: 11/10/2016 9:01:33 AM

Local Education Agency: Whitmore Union Elementary
Address: 30611 Whitmore Rd.
Whitmore, CA 96096

Start: 8/3/2016  End: 8/3/2018

Waiver Renewal: N  Previous Waiver Number:  Previous SBE Approval Date:

Waiver Topic: Schoolsite Council Statute
Ed Code Title: Number and Composition of Members
Ed Code Section: 52852
Ed Code Authority: 52863

Ed Code or CCR to Waive: EC 52852 A schoolsite council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

Outcome Rationale: The waiver would provide composition in numbers that are practical and possible. Whitmore Union Elementary school district is requesting to reduce the composition of the site council. A well-functioning SSC is instrumental in driving student achievement via the Single Plan for Student Achievement. Whitmore Union Elementary School District is a small, rural school district in Shasta County. In addition, Whitmore Union Elementary is isolated from the rest of the county. One staff member is assigned to a home study program and two teachers are on site. There are 25 students total.

Whitmore Union Elementary School

<table>
<thead>
<tr>
<th>Administrative Staff</th>
<th>Teachers</th>
<th>Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>.2</td>
<td>3</td>
<td>25</td>
</tr>
</tbody>
</table>

We are proposing a composition of: 2 parents, 1 teacher, 1 admin

Student Population: 25

City Type: Rural

Local Board Approval Date: 11/8/2016
Council Reviewed By: Parent advisory Committee
Council Reviewed Date: 11/8/2016
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Janet Tufts
Position: Senior Director, Shasta COE
E-mail: jtufts@shastaco.org
Telephone: 530-941-4150
Fax:
REQUEST by Livermore Valley Joint Unified School District to waive California Education Code Section 56366.1(a), the requirement for state certification to allow an uncertified nonpublic school, Stellar Academy for Dyslexics located in Newark, California to provide services to one student with disabilities.

Waiver Number: 39-12-2016

SUMMARY OF THE ISSUE(S)

The Livermore Valley Joint Unified School District (LVJUSD) contacted multiple California certified, in-state nonpublic schools (NPS) to offer a free appropriate public education (FAPE) to one elementary school student with disabilities. The student requires specialized reading instruction for dyslexia, and uses American Sign Language (ASL) as their primary mode of communication. However, none of these placement options would accept the student, or could not meet the student’s comprehensive, unique needs. The uncertified nonpublic school, Stellar Academy for Dyslexics (SAFD) located in Newark, California, offers specialized academic instruction for dyslexia, and can provide instruction in ASL. The student’s parents and the district agree this is the most appropriate placement to implement the student's individualized education program (IEP). The District requests to waive California Education Code Section 56366.1(a), the requirement for state certification, to allow the use of California’s federal special education funds for the placement of this student at the SAFD.

Authority for Waiver: Education Code (EC) Section 56101

RECOMMENDATION

The California Department of Education (CDE) recommends approval of this waiver for the period requested, January 9, 2017, through January 9, 2018. The LVJUSD is the first California Local Educational Agency (LEA) to request a waiver for a student placed at the SAFD. The SAFD did not apply for NPS certification for the 2016–17 school year.
The CDE recommends that the SAFD be certified as a NPS before any other California students are placed at the school. This will ensure that the CDE is able to properly monitor, and provide them with appropriate technical assistance.

SUMMARY OF KEY ISSUES

The LVJUSD contacted multiple certified, in-state NPSs for possible placement to offer a FAPE to the student. These placement options would not accept the student, or could not meet the needs of the student who requires specialized instruction for dyslexia and a bilingual ASL-English education. The SAFD will accept the student, and the student’s parents and the LEA agree the school is the appropriate placement because it provides specialized reading instruction for dyslexia, and bilingual ASL-English instruction.

The placement is necessary to meet the student’s comprehensive, unique needs, and does not abrogate any right provided to this individual with exceptional needs and their parents or guardians under the federal Individuals with Disabilities Education Act; or affect the compliance of the LVJUSD with federal laws and regulations. In addition, before contracting with the nonpublic, nonsectarian school within the state, the LVJUSD documented its efforts to utilize public schools and to locate an appropriate NPS within the state.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In January 2017, the California State Board of Education approved two waivers similar to this one, allowing the Palo Alto Unified School District (PAUSD), and the Kern County Office of Education (KCOE) to waive California Education Code Section 56366.1(a), the requirement for state certification. The PAUSD placed one student with disabilities at the Daniels Academy, and the KCOE placed one student with disabilities at Red Rock Lava Heights.

In July 2015, the California State Board of Education approved a waiver similar to this one, allowing Siskiyou Union High School District to waive California Education Code Section 56366.1(a), the requirement for state certification, in order to place student with disabilities at KidsPeace National Centers.

In March 2015, the California State Board of Education approved a waiver similar to this one, allowing Capistrano Unified School District to waive California Education Code Section 56366.1(a), the requirement for state certification, in order to place one student with disabilities at KidsPeace National Centers.

FISCAL ANALYSIS (AS APPROPRIATE)

If this waiver is approved, the LVJUSD may use state and federal special education funds for the placement of this student at the SAFD. If this waiver is denied, the LVJUSD may only use local funds to support the student’s placement at SAFD. The estimated yearly cost for placement is $13,898.00.
Attachment 1: Child Specific NPA or NPS Certification Summary Table (1 page)

Attachment 2: Livermore Valley Joint Unified School District Specific Waiver Request 39-12-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)
# Child Specific / NPA or NPS Certification Summary Table

California *Education Code* Section 56366.1(a)

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>Local Educational Agency</th>
<th>Period of Request</th>
<th>Demographics</th>
<th>Local Board Approval Date</th>
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<td>Recommended: 1/9/2017 to 1/9/2018</td>
<td>LEA population per DataQuest: 14,052</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>City Type: Suburban</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>County: Alameda</td>
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</tbody>
</table>

Created by the California Department of Education
January 6, 2016
Outcome Rationale: California School for the Deaf’s program cannot meet the student’s specialized needs. The student requires specialized instruction for dyslexia, and the student uses American Sign Language as his primary mode of communication.

Multiple, certified nonpublic schools have been contacted to see if they could meet the needs of a student who requires specialized reading instruction for dyslexia and requires a bilingual ASL-English education. They are unable to meet his academic needs.

Stellar Academy for Dyslexics uses the Slingerland methodology, which is an internationally recognized teaching method for students with dyslexia. This methodology is a simultaneous, multi-sensory, structured approach for teaching language arts to dyslexic students in the classroom. The Stellar Academy for Dyslexics currently has a staff member, fluent in American Sign Language. This program is appropriate, as it can meet the student’s educational needs, as well as providing bilingual, ASL-English instruction.

District staff will periodically visit and observe the program, while the student is in attendance. Student’s progress on goals will be monitored through the annual IEP process, required triennial assessment, as well as through required progress reporting.

This is not an out of state school.

Student Population: 14

City Type: Suburban

Local Board Approval Date: 12/15/2016
Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Jennie Lee Kordes
Position: Assistant Director, Special Education
E-mail: jkordes@lvjusd.k12.ca.us
Telephone: 925-606-3218
Fax: 925-606-3443
General Waiver

SUBJECT
Request by Shasta County Office of Education for a renewal to waive California Code of Regulations, Title 5, Section 3051.16(b)(3), the requirement that educational interpreters for Deaf and Hard of Hearing students meet minimum qualifications as of August 15, 2016, to allow an interpreter to continue to provide services to students until June 30, 2017, under a remediation plan to complete those minimum requirements.

Waiver Number: 9-11-2016

SUMMARY OF THE ISSUES
The State Board of Education (SBE) must determine if Jessica Walker qualifies for an educational interpreter waiver to provide educational interpreter services until June 30, 2017.

Authority for Waiver: Education Code (EC) Section 33050

RECOMMENDATION

☐ Approval ☒ Approval with conditions ☐ Denial

The California Department of Education (CDE) recommends approval of the waiver requests for Jessica Walker with the individual conditions noted in Attachment 1.

SUMMARY OF KEY ISSUES

The Individual with Disabilities Education Improvement Act of 2004 (IDEIA 2004) requires that interpreters for pupils who are Deaf or Hard of Hearing meet state-approved or state-recognized certification, registration, or other comparable requirements, as defined in Title 34 of the Code of Federal Regulations, Section 300.156(b)(1).

To meet this federal requirement, the California Code of Regulations, Section 3051.16(b)(3) require the following:

By July 1, 2009, and thereafter, an educational interpreter shall be certified by
the national Registry of Interpreters for the Deaf (RID), or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the Educational Interpreter Performance Assessment (EIPA), the Educational Sign Skills Evaluation-Interpreter/Receptive (ESSE-I/R), or the National Association of the Deaf/American Consortium of Certified Interpreters (NAD/ACCI) assessment. If providing Cued Language transliteration, a transliterator shall possess Testing/Evaluation and Certification Unit (TECUnit) certification, or have achieved a score of 4.0 or above on the EIPA – Cued Speech.

**Demographic Information:**

The Shasta County Office of Education has a student population of 240 and is located in a rural area in Shasta County.

**Because this is a general waiver, if the 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](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

In 2002, the State Board of Education (SBE) approved regulations that required educational interpreters to be certified by the national Registry of Interpreters for the Deaf (RID), or equivalent, by January 1, 2007. As of July 1, 2009, they have been required to be certified by the RID, or equivalent, or to have achieved a score of 4.0 or better on specified assessments.

In November, 2009, the SBE approved a policy regarding educational interpreter waiver requests. That policy is on the CDE Web site at [http://www.cde.ca.gov/re/lr/wr/documents/interpreter_000.doc](http://www.cde.ca.gov/re/lr/wr/documents/interpreter_000.doc)

**FISCAL ANALYSIS (AS APPROPRIATE)**

There is no statewide fiscal impact of waiver approval.

**ATTACHMENT(S)**

Attachment 1: List of Waiver Number, Information Regarding Test Scores and Conditions (1 page)

Attachment 2: Shasta County Office of Education General Waiver Request 9-11-2016 (2 pages) (Original waiver request is signed and on file in the Wavier Office)
### List of Waiver Number, Information Regarding Test Scores and Conditions

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>LEA</th>
<th>Interpreter</th>
<th>Period of Request</th>
<th>Local Board and Public Hearing Approval Date</th>
<th>Bargaining Unit, Representative(s) Consulted, Date and Position</th>
<th>Advisory Committee Consulted, Date and Position</th>
<th>Previous Waivers (Yes/No)</th>
<th>Date</th>
<th>Name, Date, and Score of Most Recent Evaluation</th>
<th>Name, Dates, and Scores of Previous Evaluations</th>
<th>Date of Hire</th>
</tr>
</thead>
</table>

**Conditions:**

1. The Shasta County Office of Education (SCOE) provides professional development opportunities include (but are not limited to) regular access to a Lead Educational Interpreter (LEI) who is RID-certified holding both NIC and Ed:K-12 certifications. The LEI provides regular training in the form of:
   - Weekly one-on-one mentoring sessions,
   - Upper division ASL college classes during the fall and spring semesters, and
   - Maintaining and updating an educational interpreter webpage accessible to each SCOE interpreter housing a variety of support links to ASL on-line dictionaries, interpreter resources, professional organizations, and professional development opportunities.

2. In addition to the training provided by the LEI, SCOE is also assisting to meet the state’s requirements by
   - Paying EIPA assessment fees,
   - Providing the necessary equipment and further training in order to videotape, and transcribe interpreting work to facilitate self-assessment process, and
   - Offering monthly educational interpreter meetings (conducted in sign language) providing opportunities to share information and training pertinent to the educational interpreter environment, network with professional colleagues and enhance expressive/receptive language skills.

Created by California Department of Education
January 23, 2017
California Department of Education
WAIVER SUBMISSION - General

CD Code: 4510454  Waiver Number: 9-11-2016  Active Year: 2016

Date In: 11/10/2016 6:06:12 PM

Local Education Agency: Shasta County Office of Education
Address: 1644 Magnolia Ave.
Redding, CA 96001

Start: 8/15/2016
End: 6/30/2017

Waiver Renewal: N
Previous Waiver Number: N/A
Previous SBE Approval Date: N/A

Waiver Topic: Special Education Program
Ed Code Title: Educational Interpreter for Deaf and Hard of Hearing
Ed Code Section: CCR, Title 5 Section 3051.16(b)(3)
Ed Code Authority: 33050-33053

Ed Code or CCR to Waive: California Code of Regulations, Title 5 (5CCR) Section 3051.16
Specialized Services for Low-Incidence Disabilities.
(b) Certification requirements for educational interpreters for deaf and hard of hearing pupils.
[(3) By July 1, 2009, and thereafter an educational interpreter shall be certified by the national
RID, or equivalent, in lieu of RID certification or equivalent, an educational interpreter must have
achieved a score of 4.0 or above on the EIPA, the ESSE I/R, or the NAD/ACCI assessment. If
providing Cued Language translation, a transliterator shall possess TECUnit certification, or
have achieved a score of 4.0 or above on the EIPA-Cued Speech.]

Outcome Rationale:

On behalf of Jessica Walker, the SCOE is requesting a first-time waiver to allow her to interpret
in the K-12 classroom during the 2016-17 school year. This will benefit Shasta County's DHH
program by helping to provide another deaf or hard of hearing student access to the academic
and social content of the classroom. Jessica recently received a score of 3.4 on the EIPA. With
her high level of dedication to professional development and her attention to the responsibilities
of her work, she is striving to meet the CDE's requirements as soon as possible. This will
provide a very important benefit. It will impact the Shasta County deaf and hard of hearing
students by enhancing the interpreting coverage in their mainstream classes. It will also give our
educational interpreters more opportunities to interpret together in teams which will provide
them with exposure to different interpreting styles, classroom content, and language
proficiencies. Jessica is an asset to our team.

Student Population: 240

City Type: Rural

Public Hearing Date: 11/9/2016
Public Hearing Advertised: The local newspaper, "The Record Searchlight"

Local Board Approval Date: 11/9/2016

Community Council Reviewed By: Shasta County Community Advisory Committee
Community Council Reviewed Date: 10/19/2016
Community Council Objection: N
Community Council Objection Explanation:
Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Yvette Marley
Position: SCOE Lead Educational Interpreter
E-mail: ymarley@shastacoe.org
Telephone: 530-225-2965
Fax: 530-225-0105

Bargaining Unit Date: 10/11/2016
Name: California School Employees Association, Ch 642
Representative: Daniel Coyne
Title: Chapter 642 President
Position: Support
Comments: None
General Waiver

SUBJECT

Request by eleven local educational agencies to waive *California Code of Regulations*, Title 5, Section 3043(d), which requires a minimum of 20 school days of four hours each for attendance for an extended school year (summer school) for special education students.

Waiver Numbers:
- Butte County Office of Education 22-11-2016
- Chula Vista Elementary School District 13-11-2016
- Covina Valley Unified School District 15-11-2016
- Fall River Joint Unified School District 10-12-2016
- Gateway Unified School District 6-12-2016
- Greenfield Union School District 14-11-2016
- Paradise Unified School District 21-11-2016
- Red Bluff Union Elementary School District 1-11-2016
- San Pasqual Valley School District 18-11-2016
- South Bay Union School District 20-11-2016
- South Whittier Elementary School District 2-11-2016

SUMMARY OF THE ISSUES

Eleven local educational agencies (LEAs) request to be allowed to provide instruction in fewer than the 20 school days required by law for extended school year (ESY). Each LEA proposes an alternate schedule that will allow them to provide the minimum number of hours required, but in fewer days.

Authority for Waiver: *Education Code (EC) Section 33050*

RECOMMENDATION

☐ Approval ☒ Approval with conditions ☐ Denial

The California Department of Education recommends that the State Board of Education (SBE) approve the request from 11 LEAs to provide ESY services for fewer than 20 days with the condition that instructional hours are consistent with those provided to the general education enrollment at the same grade level unless their individualized education program (IEP) specifies otherwise. Also, special education and related services offered during the ESY period must be comparable in standards, scope, and quality to the special education program offered during the regular academic year as
required by *California Code of Regulations*, Title 5 (5 CCR), Section 3043.

**SUMMARY OF KEY ISSUES**

The Butte County Office of Education (BCOE) proposes to provide ESY services utilizing a 15-day model of six hours of instruction per day, which will provide a greater number of instructional hours than the traditional 20-day model. This schedule will better match the district calendars of the sites where BCOE classes are located, and will allow students with disabilities more opportunities to be with their typically developing peers. Fewer ESY days will result in substantial savings in transportation, utilities, janitorial, food services, administration, and clerical costs to districts. The proposed model will also allow for all of the ESY expenses to be accounted for in one fiscal year, rather than two.

The Chula Vista Elementary School District (CVESD) proposes a 15-day ESY schedule with five hours and 25 minutes of instruction per day for students in kindergarten through sixth grades, and four hours of instruction per day for pre-kindergarten students. The CVESD operates a year-round schedule with a six-week summer break. It is difficult to have students attend a four-week, 20-day ESY program because it impedes the ability for families and staff to take summer vacations. The proposed three-week, 15-day schedule will provide the same number of hours as would be provided in the traditional 20-day schedule, and will provide an appropriate break for families and staff. Without the shortened schedule, the CVESD will experience difficulties with both staffing and student attendance.

The Covina-Valley Unified School District (CVUSD) proposes to provide ESY services utilizing a 15-day model over a three-week period of five and one-half hours per day, providing more instructional hours than the traditional 20-day model, including holidays. The shortened schedule will allow students with disabilities the ability to access the Opportunities for Learning academic and enrichment summer school programs that enhance their exposure to the general education curriculum. The CVUSD believes the proposed schedule will provide continuity for students between the regular school year and ESY instructional days. Additionally, the 15-day schedule will result in significant savings in energy usage, utilities, transportation, janitorial, and clerical cost.

The Fall River Joint Unified School District proposes to provide ESY services utilizing a 15-day model with five hours and 45 minutes of instruction per day, which will provide a greater number of instructional hours than the traditional 20-day model. This schedule will provide appropriate academic support and will reduce related costs for transportation and building maintenance. It will also allow flexibility for families to plan for weekend breaks without interrupting the students’ educational program. The period of request for the renewal will cover the 2017 ESY.

The Gateway Unified School District (GUSD) proposes to provide ESY services utilizing a 15-day model of five and one-half hours of instruction per day. This proposal aligns the district schedule with the ESY schedule of two other local elementary school districts that collaborate to provide ESY services to students with disabilities. The GUSD serves a large geographical region that requires long bus rides for students, many who are medically fragile. In addition to the transportation issues, most of the ESY students
require designated instruction services, and it is challenging to get qualified staff for a 20-day schedule. The GUSD states that their history has shown that a shortened ESY schedule benefits students by having fewer transportation days, improving student attendance, and helping the district to hire qualified staff.

The Greenfield Union School District proposes to provide ESY services utilizing a 16-day model of five and one-half hours of instruction per day. This proposal provides more hours of instruction than the traditional 20-day ESY program. Fewer ESY days will facilitate cost effective services within the district and allow for students with disabilities to participate in educational experiences along with their non-disabled peers.

The Paradise Unified School District (PUSD) proposes to provide ESY services utilizing a 15-day model of five and one-half hours of instruction per day which will allow the PUSD to provide the same amount of ESY hours as in the standard 20-day schedule. This proposal aligns the district schedule with the ESY schedule of the County Office of Education which provides ESY services to some PUSD students. Fewer ESY days will result in savings in transportation, utilities, janitorial, food services, administration and clerical costs.

The Red Bluff Union Elementary School District (RBUESD) proposes to provide ESY services utilizing a 15-day model of five and one-half hours of instruction per day. The proposed schedule will provide more hours of instruction than the typical 20-day schedule, and will align better with the typical school day for all grade levels. It will enable the RBUESD to hire highly qualified and trained classroom teachers and staff, and will provide more time for in-depth instruction. All special education services offered during the ESY period will be comparable in standards, scope and quality of those offered during the regular academic year. Fewer ESY days will result in substantial savings in transportation, utilities, janitorial, food services, administration, and clerical costs.

San Pasqual Valley Unified School District (SPVUSD) proposes an alternate ESY schedule utilizing a 15-day model over a three-week period at five and one-half hours per day. The SPVUSD believes the proposed schedule will provide more continuity for delivery of instruction between general education and special education as it will match that of the general education summer school program, allowing students with disabilities to participate with their non-disabled peers. The proposed schedule will give students and families the flexibility to plan extended weekend breaks without interrupting the students’ educational programs. The shortened number of days will facilitate cost effective services within classrooms, and reduce related costs for transportation, electricity, custodial services, food services, administration, etc. Please note that the SPVUSD amended the period of request on their waiver submission from June 12, 2017—June 30, 2017, to June 5, 2017—June 23, 2017.

The South Bay Union School District (SBUSD) is proposing to provide ESY utilizing a 15-day schedule of five hours and 45 minutes each day. The 15-day schedule will provide the same amount of instructional hours as the standard 20-day schedule. The SBUSD is modifying its school calendar to align with the area secondary schools which will create a shortened summer break between the 2016–17 and 2017–18 school years. The proposed ESY schedule will allow the SBUSD to address the regression and
recoupment needs of identified students. An additional benefit may be that the students’ teachers and aides will choose to work if the ESY schedule is shortened.

The South Whittier Elementary School District (SWESD) proposes to provide ESY services in 2017 and 2018 utilizing a 15-day model of five hours and four minutes per day over a four-week period. The 15-day schedule will provide the same number of instructional hours as the traditional 20-day schedule, including holidays. SWESD believes that the proposed ESY schedule will enable them to hire highly qualified and trained classroom teachers and staff, increase the participation and attendance of eligible students, and facilitate cost effective services and related services. Please note that the SWESD amended the original waiver submission to increase the number of instructional minutes from four hours and 45 minutes per day to five hours and four minutes per day.

Because this is a general waiver, if the 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

In the past, the SBE approved waivers to allow school districts to provide the required minimum amount of instruction in fewer days during the ESY for special education students.

Extended school year is the term for the education of students with disabilities “between the close of one academic year and the beginning of the next,” similar to a summer school. It must be provided for each individual with exceptional needs whose IEP requires it. LEAs may request a waiver to provide an ESY program for fewer days than the traditional model.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: Extended School Year Summary Table (11 pages)

Attachment 2: Butte County Office of Education General Waiver Request (2 pages) 22-11-2016 (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Chula Vista Elementary School District General Waiver Request 13-11-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Covina Valley School District General Waiver Request 15-11-2016 (2 pages) (Original waiver request is signed and on file in the Waiver
Attachment 5: Fall River Joint Unified School District General Waiver Request 10-12-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 6: Gateway School District General Waiver Request 6-12-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 7: Greenfield Union School District General Waiver Request 14-11-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 8: Paradise Unified School District General Waiver Request 21-11-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 9: Red Bluff Union Elementary School District General Waiver Request 1-11-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 10: San Pasqual Valley School District General Waiver Request 18-11-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 11: South Bay Union School District General Waiver Request 20-11-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 12: South Whittier Elementary School District General Waiver Request 2-11-2016 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)
<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>District</th>
<th>Period of Request</th>
<th>Demographics</th>
<th>Local Board and Public Hearing Approval Date</th>
<th>Bargaining Unit, Representative Consulted, Date, and Position</th>
<th>Public Hearing Advertised</th>
<th>Advisory Committee or Site Council Consulted/ Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>22-11-2016</td>
<td>Butte County Office of Education</td>
<td><strong>Requested:</strong> June 12, 2017 to June 30, 2017</td>
<td>Student population: 130 Area: Rural County: Butte</td>
<td>11/14/2016</td>
<td>Butte County Teachers Association, Rachel Frank President 10/18/2016 <strong>Support</strong> California School Employees Association 436, Veronica Rosales President 10/17/2016 <strong>Support</strong></td>
<td>Notice posted at each school site and three other non-school locations</td>
<td>School Site Council 11/15/2016 No objection</td>
</tr>
<tr>
<td>Waiver Number</td>
<td>District</td>
<td>Period of Request</td>
<td>Demographics</td>
<td>Local Board and Public Hearing Approval Date</td>
<td>Bargaining Unit, Representative Consulted, Date, and Position</td>
<td>Public Hearing Advertised</td>
<td>Advisory Committee or Site Council Consulted/ Date</td>
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<tr>
<td>13-11-2016</td>
<td>Chula Vista Elementary School District</td>
<td>Requested: June 12, 2017 to June 30, 2017</td>
<td><strong>Student population</strong>: 3,500 Area: Urban County: San Diego</td>
<td>11/16/2016</td>
<td>Chula Vista Classified Employees Organization, Peter Zeitler President 10/10/2016 Support</td>
<td>Notice advertised in the newspaper and posted at each school site</td>
<td>Special Education Parent Committee 10/26/2016 No objection</td>
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<tr>
<td></td>
<td></td>
<td>Recommended: June 12, 2017 to June 30, 2017</td>
<td>K-6 15 days at 5.25 hours/day 81.25 hours total Pre-K 15 days at 4 hours/day 60 hours total</td>
<td></td>
<td>Chula Vista Educators, Manuel Yvellez President 10/13/2016 Support</td>
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<tr>
<td>Waiver Number</td>
<td>District</td>
<td>Period of Request</td>
<td>Demographics</td>
<td>Local Board and Public Hearing Approval Date</td>
<td>Bargaining Unit, Representative Consulted, Date, and Position</td>
<td>Public Hearing Advertised</td>
<td>Advisory Committee or Site Council Consulted/Date</td>
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</table>
| 15-11-2016    | Covina Valley Unified School District | **Requested:** June 12, 2017 to June 30, 2017 | **Student population:** 11,851  
**Area:** Suburban  
**County:** Los Angeles | 3/7/2016 | Covina Unified Education Association, Sita Rampershad President 3/7/2016 Support | Notice posted at each school and on the District Website | Special Education Task Force (includes community members) 1/6/2016 |
<p>|               |                                  | <strong>Recommended:</strong> June 12, 2017 to June 30, 2017 |                             |                                             |                                                               |                          | No objection                                |</p>
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<tr>
<th>Waiver Number</th>
<th>District</th>
<th>Period of Request</th>
<th>Demographics</th>
<th>Local Board and Public Hearing Approval Date</th>
<th>Bargaining Unit, Representative Consulted, Date, and Position</th>
<th>Public Hearing Advertised</th>
<th>Advisory Committee or Site Council Consulted/ Date</th>
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<tbody>
<tr>
<td>10-12-2016</td>
<td>Fall River Joint Unified School District</td>
<td>Requested: June 12, 2017 to June 30, 2017</td>
<td><strong>Student population:</strong> 16  <strong>Area:</strong> Rural  <strong>County:</strong> Shasta</td>
<td>10/12/2016</td>
<td>Classified School Employees Association, Larry Goza President 12/6/2016 Support Fall River Teachers Association, Janelle House President 10/6/2016 Support</td>
<td>Notice posted at each school site</td>
<td>Fall River Joint Unified School District Advisory Committee 9/16/2016  No objection</td>
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<tr>
<td>Waiver Number</td>
<td>District</td>
<td>Period of Request</td>
<td>Demographics</td>
<td>Local Board and Public Hearing Approval Date</td>
<td>Bargaining Unit, Representative Consulted, Date, and Position</td>
<td>Public Hearing Advertised</td>
<td>Advisory Committee or Site Council Consulted/ Date</td>
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<td>Recommended: June 7, 2017 to June 27, 2017</td>
<td>15 days at 5.5 hours/day 82.5 hours total</td>
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<td>Waiver Number</td>
<td>District</td>
<td>Period of Request</td>
<td>Demographics</td>
<td>Local Board and Public Hearing Approval Date</td>
<td>Bargaining Unit, Representative Consulted, Date, and Position</td>
<td>Public Hearing Advertised</td>
<td>Advisory Committee or Site Council Consulted/ Date</td>
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| 14-11-2016    | Greenfield Union School District | Requested: June 12, 2017 to July 7, 2017 | **Student population:** 274  
**Area:** Urban  
**County:** Kern | 11/9/2016 | Greenfield Teachers Association, Robert Dotson President 10/28/2016 Support | Notice posted at the District office, each school, and on the District Web site | District Advisory Committee and English Language Advisory Committee 10/26/16  
**No objection** |
<table>
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<tr>
<th>Waiver Number</th>
<th>District</th>
<th>Period of Request</th>
<th>Demographics</th>
<th>Local Board and Public Hearing Approval Date</th>
<th>Bargaining Unit, Representative Consulted, Date, and Position</th>
<th>Public Hearing Advertised</th>
<th>Advisory Committee or Site Council Consulted/ Date</th>
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<tr>
<td>21-11-2016</td>
<td>Paradise Unified School District</td>
<td><strong>Requested:</strong> November 29, 2016 to July 31, 2017</td>
<td><strong>Student population:</strong> 589</td>
<td>11/15/2016</td>
<td>Paradise Classified Employees Association, Kristin Mundy President 10/12/2016 <strong>Support</strong> Teachers Association of Paradise (TAP), Jan Hillskemper Acting President of TAP 10/20/2016 <strong>Support</strong></td>
<td>Notice posted at each school</td>
<td>Butte County SELPA Community Advisory Committee 11/17/16  <strong>No objection</strong></td>
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<td><strong>Recommended:</strong> November 29, 2016 to July 31, 2017</td>
<td><strong>Area:</strong> Rural</td>
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<td><strong>15 days at 5.5 hours/day</strong></td>
<td><strong>County:</strong> Butte</td>
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<td><strong>82.5 hours total</strong></td>
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<td>Waiver Number</td>
<td>District</td>
<td>Period of Request</td>
<td>Demographics</td>
<td>Local Board and Public Hearing Approval Date</td>
<td>Bargaining Unit, Representative Consulted, Date, and Position</td>
<td>Public Hearing Advertised</td>
<td>Advisory Committee or Site Council Consulted/Date</td>
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| 1-11-2016     | Red Bluff Union School District         | **Requested:** June 12, 2016 to June 30, 2017 | **Student population:** 2,024  
**Area:** Rural  
**County:** Tehama | 10/18/2016 | California Teachers Association, Catherine Piffero President 9/24/2016 Support | Notice posted at the District office, each school, and on the District Web site | School board, posted for site councils 10/18/2016 |
|               |                                         | **Recommended:** June 12, 2016 to June 30, 2017 | 15 days at 5.5 hours/day  
82.5 hours total |
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<th>Waiver Number</th>
<th>District</th>
<th>Period of Request</th>
<th>Demographics</th>
<th>Local Board and Public Hearing Approval Date</th>
<th>Bargaining Unit, Representative Consulted, Date, and Position</th>
<th>Public Hearing Advertised</th>
<th>Advisory Committee or Site Council Consulted/ Date</th>
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<td></td>
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<td>Recommended: June 5, 2017 to June 23, 2017</td>
<td>Area: Rural</td>
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<td>County: Imperial</td>
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<td>15 days at 5.5 hours/day</td>
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<td>82.5 hours total</td>
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<td>Waiver Number</td>
<td>District</td>
<td>Period of Request</td>
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<td>Local Board and Public Hearing Approval Date</td>
<td>Bargaining Unit, Representative Consulted, Date, and Position</td>
<td>Public Hearing Advertised</td>
<td>Advisory Committee or Site Council Consulted/ Date</td>
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<td>20-11-2016</td>
<td>South Bay Union School District</td>
<td>Requested: June 12, 2017 to June 30, 2017</td>
<td>Student population: 200&lt;br&gt;Area: Urban&lt;br&gt;County: San Diego</td>
<td>11/10/2016</td>
<td>South West Teachers Association (SWTA), Tracy Rolfe Special Education Teacher and SWTA Leadership Team Member 10/23/2016 Support</td>
<td>Notice posted at the District office and at each school</td>
<td>South West Teachers Association 11/17/16 No objection</td>
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<tr>
<td>Waiver Number</td>
<td>District</td>
<td>Period of Request</td>
<td>Demographics</td>
<td>Local Board and Public Hearing Approval Date</td>
<td>Bargaining Unit, Representative Consulted, Date, and Position</td>
<td>Public Hearing Advertised</td>
<td>Advisory Committee or Site Council Consulted/ Date</td>
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<tr>
<td>2-11-2016</td>
<td>South Whittier Elementary School District</td>
<td>Requested: June 12, 2017 to July 6, 2017 and June 11, 2018 to July 5, 2018</td>
<td>Student population: 2,981 Area: Urban County: Los Angeles</td>
<td>Local Board 10/18/2016 Public Hearing 9/15/2016</td>
<td>California School Employees Association, Josie Tafoya President 10/7/2016 Support South Whittier Teacher's Association Patricia Vega-Jeter Co-President 10/06/2016 Support</td>
<td>Notice posted on the District’s Web site and on the school board agenda</td>
<td>District Advisory Committee District English Language Advisory Committee 9/15/16 No objection</td>
</tr>
</tbody>
</table>
California Department of Education
WAIVER SUBMISSION - General

CD Code: 0410041       Waiver Number: 22-11-2016       Active Year: 2016

Date In: 11/30/2016 3:08:11 PM

Local Education Agency: Butte County Office of Education
Address: 1859 Bird St.
Oroville, CA 95965

Start: 6/12/2017       End: 6/30/2017

Waiver Renewal: Y
Previous Waiver Number: 7-10-2015       Previous SBE Approval Date: 1/13/2016

Waiver Topic: Special Education Program
Ed Code Title: Extended School Year (Summer School)
Ed Code Section: CCR, Title 5, Section 3043 (d)
Ed Code Authority: 33050

Ed Code or CCR to Waive: 5 CCR 3043 – Extended School Year. Extended school year services shall be provided for each individual with exceptional needs who has unique needs and requires special education and related services in excess of the regular academic year. Such individuals shall have handicaps which are likely to continue indefinitely or for a prolonged period, and interruption of the pupil’s educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the pupil will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her handicapping condition. The lack of clear evidence of such factors may not be used to deny an individual an extended school year program if the individualized education program team determines the need for such a program and includes extended school year in the individualized education program pursuant to subsection (f). [(d) An extended year program shall be provided for a minimum of 20 instructional days, including holidays.]

Outcome Rationale: For the last several years, BCOE has applied for a waiver to Ed Code 5 CCR 3043 which discusses Extended School Year services. We are seeking to renew our request for a General Waiver from the California Department of Education. If granted, the waiver would be in effect for one extended school year period. Rationale: BCOE proposes to provide Extended School Year (ESY) services to identified special education students utilizing a fifteen (15) day, six (6.0) hours of instructional model rather than the traditional model of twenty (20) day with four (4) hours of instruction. Students would receive the same or greater number of instructional minutes. The operation of ESY for 15 days instead of 20 will better match the district calendars of sites where BCOE classes are located allowing students more opportunities to be with their typically developing peers. Surrounding districts, Oroville and Paradise are also
seeking a waiver, which will again align services and supports to neighboring districts. On a fiscal side, fewer ESY days will result in substantial savings in transportation, utilities, janitorial, food services, administration and clerical costs to districts. Lastly, the proposed model of providing 15 days of service will allow for all the expenses to be accounted for in one fiscal year, rather than two.

Student Population: 130

City Type: Rural

Public Hearing Date: 11/14/2016
Public Hearing Advertised: Notice posted at each school site and at 3 other non-school locations

Local Board Approval Date: 11/14/2016

Community Council Reviewed By: School Site Council
Community Council Reviewed Date: 11/15/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Stacy Doughman
Position: Director, Special Education
E-mail: sdoughma@bcoe.org
Telephone: 530-532-5745
Fax: 530-532-5794

Bargaining Unit Date: 10/18/2016
Name: BCTA
Representative: Rachel Frank
Title: President
Position: Support
Comments:
Bargaining Unit Date: 10/17/2016
Name: CSEA 436
Representative: Veronica Rosales
Title: President
Position: Support
Comments:
Bargaining Unit Date: 10/18/2016
Name: CSEA 736
Representative: Melissa Medrano
Title: President
Position: Support
Comments:
Outcome Rationale: Chula Vista Elementary School District requests a waiver to modify the required Special Education extended school year from 20 days to 15 days. There is no summer school program for general education students in the District.

The Chula Vista Elementary School District operates a year-round schedule with only a six-week summer break. It is difficult to have families attend with a four week ESY program and also difficult to staff a four-week ESY program because that impedes families’ and staff’s only ability to take summer vacations with families. Operating under this model provides for the equivalent number of instructional minutes for students, while maximizing attendance and staffing options.

In order to provide Extended School Year services to ALL students, we are requesting a reduced number of days, while still providing the same number of hours as would have been provided in a 20-day program (80 hours). Without it, we experience difficulties with both staffing and attendance of students.

The program for K-6 will be: June 12 – June 30, 2017; 5 hours 25 minutes/day (80 hours); PreK will be: June 12 – June 30, 2017; 4 hours/day (60 hours). This will provide an appropriate break for staff and students, and allow us to appropriately staff the program and provide services to all
students across the District. Students would receive the full 80 hours (K-6) and 60 hours (PreK) of instruction required by Ed Code. In addition, we have learned that longer school days provide greater opportunity for instructional impact, and an unintentional positive consequence is that operating for fewer days saves operational, facilities, and transportation costs.

Student Population: 3500

City Type: Urban

Public Hearing Date: 11/16/2016
Public Hearing Advertised: Newspaper and notices posted at all school sites

Local Board Approval Date: 11/16/2016

Community Council Reviewed By: Special Education Parent Committee
Community Council Reviewed Date: 10/26/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Sharon Casey
Position: Director of Special Education
E-mail: sharon.casey@cvesd.org
Telephone: 619-425-9600 x1705
Fax: 619-585-0976

Bargaining Unit Date: 10/10/2016
Name: Chula Vista Classified Employees Organization
Representative: Peter Zeitler
Title: President
Position: Support
Comments:

Bargaining Unit Date: 10/13/2016
Name: Chula Vista Educators
Representative: Manuel Yvellez
Title: President
Position: Support
Comments:
California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 1964436  Waiver Number: 15-11-2016  Active Year: 2016

Date In: 11/18/2016 1:26:30 PM

Local Education Agency: Covina-Valley Unified School District
Address: 519 East Badillo St.
Covina, CA 91723

Start: 6/12/2017  End: 6/30/2017

Waiver Renewal: N  Previous Waiver Number:
Previous SBE Approval Date:

Waiver Topic: Special Education Program
Ed Code Title: Extended School Year (Summer School)
Ed Code Section: CCR, Title 5, Section 3043(d)
Ed Code Authority: 33050

Ed Code or CCR to Waive: CCR, Title 5, Section 3043(d), requires a minimum of 20 school days of attendance for a extended school year (summer school) for special education students.

Outcome Rationale: A four week of extended school year provides family and staff a shortened summer break, Historically it has been difficult to find quality staff that are specialized to meet the instructional needs of these students. This will provide for a less of a transition in routine from the full instructional days of the regular school year to the extended school year day. Our students with moderate to severe disabilities struggle with change in routine and this model will provide continutiy for the students served. Additionally, this model will result in significant savings in energy usage, utilities, transportation, janitorial, and clerical cost.

The Covina-Valley Unified School District proposes to provide extended school year (ESY) services for fewer than 20 days as required by law. The District proposes an alternate 15-day model with five and one-half hours of instruction per day. The shortened ESY will allow special education students the ability to access Opportunities For Learning academic and enrichment summer school offerings that enhance our students exposure to the general education curriculum. In previous years, ESY was delivered over 19 days, 4.25 hours daily, totaling 80.75 hours. In the new proposal, ESY will be delivered over 15 days, 5.5 hours daily, totaling 82.5 hours.

Student Population: 11851

City Type: Suburban

Local Board Approval Date: 3/7/2016

Audit Penalty YN: N
Categorical Program Monitoring: N

Submitted by: Ms. Josie Paredes
Position: Director of Student Services
E-mail: jparedes@c-vusd.org
Telephone: 626-974-7000 x800087
Fax:

Bargaining Unit Date: 03/07/2016
Name: Covina Unified Education Association
Representative: Sita Rampershad
Title: CUEA President
Position: Support
Comments:
California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 4569989 Waiver Number: 10-12-2016 Active Year: 2016

Date In: 12/9/2016 12:36:55 PM

Local Education Agency: Fall River Joint Unified School District
Address: 20375 Tamarack Ave.
Burney, CA 96013

Start: 6/12/2017 End: 6/30/2017

Waiver Renewal: N Previous Waiver Number:
Previous SBE Approval Date: 

Waiver Topic: Special Education Program
Ed Code Title: Extended School Year (Summer School)
Ed Code Section: CCR Title 5, Section 3043 (d)
Ed Code Authority: 33050

Ed Code or CCR to Waive: 3043 (d) An extended year program shall be provided for a minimum of 20 instructional days including holidays.

Outcome Rationale: Fall River Joint Unified School District (FRJUSD) respectfully requests reducing the number of extended school year from 20 to a 15 day schedule continuing to provide the 80 hours of ESY. It will provide appropriate academic support and will reduce related costs for transportation and building maintenance. It will allow for flexibility for families to plan for weekend breaks without interrupting the students’ educational program. The period of request for the renewal will cover the 2017 ESY.

Student Population: 16

City Type: Rural

Local Board Approval Date: 10/12/2016

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Rebecca Torgrimson
Position: Special Education Director
E-mail: rtorgrimson@frjusd.org
Telephone: 530-335-4576
Fax:

Bargaining Unit Date: 12/06/2016
Name: Classified School Employees Association
Representative: Larry Goza
Title: President CSEA
Position: Support
Comments:
Bargaining Unit Date: 10/06/2016
Name: Fall River Teachers Association
Representative: Janelle House
Title: FRTA President
Position: Support
Comments:
Extended School Year
Attachment 6
Page 1 of 2

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 4575267 Waiver Number: 6-12-2016 Active Year: 2016

Date In: 12/5/2016 1:22:43 PM

Local Education Agency: Gateway Unified School District
Address: 4411 Mountain Lakes Blvd.
Redding, CA 96003


Waiver Renewal: Y
Previous Waiver Number: 2-12-2015-W-03 Previous SBE Approval Date: 3/15/2016

Waiver Topic: Special Education Program
Ed Code Title: Extended School Year (Summer School)
Ed Code Section: CCR, Title 5, Section 3043(d)
Ed Code Authority: 33050

Ed Code or CCR to Waive: An extended year program shall be provided for a minimum of 20 instructional days, including holidays.

Outcome Rationale: The Gateway School District participates in a collaborative with two other local elementary school districts to provide ESY services to SPED students preschool through 8th grade as well as high school for the ESY program. We serve a large geographical region that requires long bus rides for students, many of whom are medically fragile. In addition to the transportation issues, we also have most of our students who require DIS services and it is challenging to get qualified staff on board. With a longer school day, 5.5 hours as well as fewer days to contract DIS staff, we are more successful in getting services to our students. The district suggests reducing the number of instructional days to 15 while increasing the length of each day so that students will receive the same number of instructional minutes they would if the program was 4 weeks long. Our history in this has proven that both student and employee attendance is greatly improved during the shorter 15 day session.

Student Population: 2472

City Type: Rural

Local Board Approval Date: 11/9/2016

Public Hearing Date: 11/9/2016

Public Hearing Advertised: Posted on District Website

Audit Penalty YN: N

Categorical Program Monitoring: N
Submitted by: Mr. James Harrell  
Position: Superintendent  
E-mail: jharrell@gwusd.org  
Telephone: 530-245-7909  
Fax:

Bargaining Unit Date: 09/21/2016  
Name: CSEA  
Representative: Ian Bates  
Title: CSEA President  
Position: Support  
Comments:

Bargaining Unit Date: 09/21/2016  
Name: GTA  
Representative: Matt Hunsaker  
Title: GTA President  
Position: Support  
Comments:
Ed Code or CCR to Waive: Ed Code or CCR to Waive: 3043 Extended school year services shall be provided for each individual with exceptional needs who has unique needs and requires special education and related services in excess of the regular academic year. Such individuals shall have handicaps which are likely to continue indefinitely or for a prolonged period, and interruption of the pupil's educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the pupil will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her handicapping condition. The lack of clear evidence of such factors may not be used to deny an individual an extended school year program if the individualized education program team determines the need for such a program and includes extended school year in the individualized education program pursuant to subsection (f).
(a) Extended year special education and related services shall be provided by a school district, special education local plan area, or county office offering programs during the regular academic year.
(b) Individuals with exceptional needs who may require an extended school year are those who:

(1) Are placed in special classes or centers; or
(2) Are individuals with exceptional needs whose individualized education programs specify an extended year program as determined by the individualized education program team.

(c) The term "extended year" as used in this section means the period of time between the close of one academic year and the beginning of the succeeding academic year. The term "academic year" as used in this section means that portion of the school year during which the regular day school is maintained, which period must include not less than the number of days required to entitle the district, special education services region, or county office to apportionments of state funds.

(d) [An extended year program shall be provided for a minimum of 20 instructional days, including holidays]
The strike-out indicates the exact language being waived but is still valid.
Outcome Rationale: The Greenfield Union School District requests an alternate ESY schedule
that will allow us to provide a 16-day, 5.5 hour per day instructional program (16 x 5.5=88 hours). The District will offer ESY Monday-Thursday during the weeks of June 12, 2017 through July 7, 2017, with the exception of the week of July 3 – 7, 2017. The district will operate Monday and Wednesday through Friday with no ESY on Tuesday July 4, 2017. Students will receive the same or greater number of minutes as they would in a traditional 20-day ESY program. Proposed changes will provide the following:

1) Continue the use of highly qualified and trained classroom teachers and staff that work with students during the school year.
2) This will allow the District to provide more continuity for delivery of instruction between general education and special education and allow students with disabilities to participate in educational experiences along with their non-disabled peers.
3) This model will also facilitate cost effective services within classrooms and reduce related costs for transportation, utilities, custodial services, food services, etc.

Student Population: 274

City Type: Urban

Public Hearing Date: 11/9/2016
Public Hearing Advertised: A notice was posted at the District Office, at each school site, and on the District website

Local Board Approval Date: 11/9/2016
Community Council Reviewed By: District Advisory Committee and District English Language Advisory Committee
Community Council Reviewed Date: 11/14/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Melissa Ortiz
Position: Director of Special Education
E-mail: ortizm@gfusd.net
Telephone: 661-837-6130 x4103
Fax: 661-832-4754

Bargaining Unit Date: 10/28/2016
Name: Greenfield Teachers Association
Representative: Robert Dotson
Title: Union President
Position: Support
Comments:
California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 0461531        Waiver Number: 21-11-2016        Active Year: 2016

Date In: 11/29/2016 3:12:26 PM

Local Education Agency: Paradise Unified School District
Address: 6696 Clark Rd
Paradise, CA 95969

Start: 11/29/2016        End: 7/31/2017

Waiver Renewal: Y
Previous Waiver Number: 7-1-2016-W-02        Previous SBE Approval Date: 5/16/2016

Waiver Topic: Special Education Program
Ed Code Title: Extended School Year (Summer School)
Ed Code Section: 5 CCR 3043
Ed Code Authority: 33050-33053

Ed Code or CCR to Waive: 5 CCR 3043 – Extended School Year. Extended school year services shall be provided for each individual with exceptional needs who has unique needs and requires special education and related services in excess of the regular academic year. Such individuals shall have handicaps which are likely to continue indefinitely or for a prolonged period, and interruption of the pupil’s educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the pupil will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her handicapping condition. The lack of clear evidence of such factors may not be used to deny an individual an extended school year program if the individualized education program team determines the need for such a program and includes extended school year in the individualized education program pursuant to subsection [(f). (d) An extended year program shall be provided for a minimum of 20 instructional days, including holidays.]

Outcome Rationale: Paradise Unified School District proposes to provide Extended School Year (ESY) services to identified special education students utilizing a fifteen (15) day, five and one half (5.5) hours of instructional model rather than the traditional model of twenty (20) day with four (4) hours of instruction. Students would receive the same or greater number of instructional minutes. Parents, students, and staff supported the longer more intense instructional days last year. Butte County Office of Education has applied for the waiver which supports accessing the services we receive from them for our students. Fewer ESY days will result in savings in transportation, utilities, janitorial, food services, administration and clerical costs.

Student Population: 589

City Type: Rural

Local Board Approval Date: 11/15/2016
Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Mary Ficcardi
Position: Director of Special Services
E-mail: mficcardi@pusdk12.org
Telephone: 530-872-6400 x242
Fax: 530-877-5073

Bargaining Unit Date: 10/12/2016
Name: Paradise Classified Employee Association (PCEA)
Representative: Kristin Mundy
Title: PCEA President
Position: Support
Comments:

Bargaining Unit Date: 10/20/2016
Name: Teachers Association of Paradise (TAP)
Representative: Jan Hillskemper
Title: Acting President of TAP
Position: Support
Comments:
An extended year program shall be provided for a minimum of [20] instructional days, including holidays. (Change 20 to 15)

Outcome Rationale: The financial situation in California has led us to look at how we can provide services in a smarter and leaner fashion. The RBUESD is requesting a waiver to allow the District operated Extended School Year (ESY) program to operate for 15 days total, in June 2017.

The K-8 program will operate for 5.5 hours per day vs. 4 hours per day in the traditional 20 day program. The hours per day, per program, will actually increase the minutes of instruction over the Extended School Year and will align better with the typical school day for all grade levels served.

Additionally, this schedule will increase the likelihood that highly qualified and trained classroom teachers and staff will apply to work during this time, and provide more time for indepth instruction.

All special education services offered during the extended year period will be comparable in standards, scope and quality of those offered during the regular academic year as required by California Code of regulations, Title 5, (5 CCR), Section 3043(d).

Given the current fiscal crisis in California, fewer ESY days will result in substantial savings in transportation, utilities, janitorial, food services, administration and clerical costs.
Local Board Approval Date: 10/18/2016

Community Council Reviewed By: School board, posted for site councils
Community Council Reviewed Date: 10/18/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Karen Schreder
Position: Special Education Director
E-mail: kschreder@rbuesd.org
Telephone: 530-527-7200 x121
Fax:

Bargaining Unit Date: 09/24/2016
Name: CTA
Representative: Catherine Piffero
Title: CTA President
Position: Support
Comments:
Outcome Rationale: San Pasqual Valley Unified School District requests to be allowed to provide instruction in fewer than the 20 days required by law for extended school year (ESY). The LEA requests an alternate schedule that will allow it to provide the minimum number of hours required, but in fewer days utilizing a 15-day model over a three-week period at 5.5 hours per day (15 days x 5.5 hours per day = 82.5 hours), providing the same number of hours as in a traditional 20-day model, including holidays (20 days x 4 hours = 80 hours). The proposed model, which extends daily attendance time, results in identical time totals, but provides for a reduction in total days of attendance to 15 days, Monday through Friday, over a three-week period. The San Pasqual Valley Unified School District believes the proposed model will:
* provide more continuity for delivery of instruction between general education and special education so that the extended year program for special education students may be modified to match that of the general education summer school program. This waiver would allow special education students to participate in their educational experience along with their non-disabled peers, allow students and families the flexibility to plan extended weekend breaks without interrupting the students' educational program.
* facilitate cost effective services within classrooms and reduce related costs for transportation, electricity, custodial services, food services, administration, etc.

Student Population: 710

City Type: Rural

Public Hearing Date: 11/17/2016
Public Hearing Advertised: District Office, School Sites, Water Department, U.S. Postal Office
Local Board Approval Date: 11/17/2016

Community Council Reviewed By: School Site Council
Community Council Reviewed Date: 11/17/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Thien Hoang
Position: Director of Special Education
E-mail: thoang@spvusd.org
Telephone: 760-572-0222 x2498
Fax:

Bargaining Unit Date: 11/17/2016
Name: California School Employees Association
Representative: Ramon Haro
Title: President
Position: Neutral
Comments:
Outcome Rationale: South Bay Union School District is requesting a waiver to modify the required 20 day extended school year (ESY) program to 15 days, due to the circumstances described below. This request is for the current school year only (2016-17).

South Bay Union School District has approximately 200 students with IEPs who qualify for extended school year. There is no summer school program for any other students in the District. Beginning with the 2012-13 school year, the district will be modifying its school calendar to align with the area secondary schools, creating a much shorter time between school years. The last day of the regular 206-17 school year is June 6th for students and the projected first day of the 2017-18 school year is July 24, 2017 for teachers and for students. This shortened period provides only 22 days to hold an ESY session.

A 15 day ESY program combined with a shortened 15 day period in the summer with no school, would still allow the District to address the regression and recoupment needs of identified students. An additional benefit would be a greater likelihood that the students’ teachers and aides will choose to work if the session is shorter.

The ESY program, for the purposes of reimbursement for average daily attendance, will provide instruction of at least as many minutes over the 15 day period as it would have during the typical 20 day ESY program and will receive the reimbursement for the 20 days of instruction.
Student Population: 200

City Type: Urban

Local Board Approval Date: 11/10/2016

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Thomas Bevilacqua
Position: Special Education Coordinator
E-mail: tbevilacqua@sbusd.org
Telephone: 619-628-1660 x1665
Fax: 619-628-1669

Bargaining Unit Date: 10/23/2016
Name: SWTA
Representative: Tracy Rolfe
Title: Special Education Teacher and SWTA leadership team
Position: Support
Comments:
Extended School Year
Attachment 12
Page 1 of 3

California Department of Education
WAIVER SUBMISSION - General

CD Code: 1965037 Waiver Number: 2-11-2016 Active Year: 2016

Date In: 11/1/2016 2:41:04 PM

Local Education Agency: South Whittier Elementary School District
Address: 11200 Telechron Ave.
Whittier, CA 90605

Start: 6/12/2017 End: 7/6/2017

Waiver Renewal: Y
Previous Waiver Number: 10-11-2015-w-03 Previous SBE Approval Date: 3/9/2016

Waiver Topic: Special Education Program
Ed Code Title: Extended School Year (Summer School)
Ed Code Section: CCR, Title 5, Section 3043 (d)
Ed Code Authority: 33050

Ed Code or CCR to Waive: Section 3043 (d)-Extended school year services shall be provided for each individual with exceptional needs who has unique needs and requires special education and related services in excess of the regular academic year. Such individuals shall have handicaps which are likely to continue indefinitely or for a prolonged period, and interruption of the pupil’s educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the pupil will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her handicapping condition. The lack of clear evidence of such factors may not be used to deny an individual an extended school year program if the individualized education program team determines the need for such a program and includes extended school year in the individualized education program pursuant to subsection (f).

a. Extended year special education and related services shall be provided by a school district, special education local plan area, or county office offering programs during the regular academic year.

b. Individuals with exceptional needs who may require an extended school year are those who: (1) are placed in special classes or centers; or(2) are individuals with exceptional needs whose individualized education programs specify an extended year program as determined by the individualized education program team.

c. The term “extended school year” as used in this section means the period of time between the close of one academic year and the beginning of the succeeding academic year. The term “academic year” as used in this section means that portion of the school year during which the regular day school is maintained, which period must include not less than the number of days required to entitle the district special education services region, or county office to apportionments of state funds.

d. [An extended year program shall be provided for a minimum of 20 instructional days, including holidays].

Revised: 3/8/2017 8:32 AM
Outcome Rationale: South Whittier School District is proposing to operate a four week Extended School Year program. Request waiver for two Extended School Years from the California State Board of Education. Our proposed ESY 2017 will operate Monday-Thursday during the weeks of June 12, 2017 to July 6, 2017, 4.75 hours of instruction per day. ESY 2018 would operate Monday-Thursday during the weeks of June 11, 2018 to July 5, 2018 pending approval of 2017-2018 school calendar.

Proposed Changes will provide the following:
1) Continue the use of highly qualified and trained classroom teachers and staff that work with students during the school year will apply and work during ESY as has been the pattern since the waiver’s inception in ESY 2014.
2) Continue to facilitate cost effective services with the classroom and reduce related costs for transportation, electricity, custodial services, food services, administration, etc.
3) Continue an increase of participation and attendance of eligible students. We have found that there is a drop in attendance on Fridays, as well as a reduction in attendance during the final week of instruction when ESY is 5 weeks in length.

Student Population: 2981

City Type: Urban

Public Hearing Date: 9/15/2016
Public Hearing Advertised: website, printed school board agenda

Local Board Approval Date: 10/18/2016

Community Council Reviewed By: District Advisory Committee/District English Language Advisory Committee
Community Council Reviewed Date: 9/15/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Tonette Demoray
Position: Special Education Coordinator
E-mail: tdemoray@swhittier.net
Telephone: 562-944-6231 x2019
Fax: 562-903-5868

Bargaining Unit Date: 10/07/2016
Name: CSEA
Representative: Josie Tafoya
Title: President
Position: Support
Comments:
Bargaining Unit Date: 10/06/2016
Name: South Whittier Teacher’s Association
Representative: Patricia Vega-Jeter
Title: Co-President
Position: Support
Comments:
CALIFORNIA STATE BOARD OF EDUCATION
MARCH 2017 AGENDA

General Waiver

SUBJECT
Request by Centinela Valley Union High School District to waive the California Education Code sections 15102 and 15268 to allow the district to exceed its bonded indebtedness limits. Total bonded indebtedness may not exceed 1.25 percent of the taxable assessed valuation of property. A tax rate levy limit to $30 per $100,000 of assessed value also applies.

Waiver Numbers: 44-12-2016

SUMMARY OF THE ISSUES

The Centinela Valley Union High School District’s bonded indebtedness ratio is 1.25 percent and is unable to issue $110 million in bonds authorized in November 2016. Therefore, the district is requesting to increase the limit to 2.20 percent.

Authority for Waiver: Education Code (EC) Section 33050

RECOMMENDATION

Approval with conditions

The California Department of Education (CDE) recommends that the bonded indebtedness limit be waived with the following conditions: (1) the period of request does not exceed the recommended period on Attachment 1, (2) the total bonded indebtedness does not exceed the recommended new maximum shown on Attachment 1, (3) the district does not exceed the statutory tax rate, (4) the waiver is limited to the sale of bonds approved by the voters on the measure noted on Attachment 1, and (5) the district complies with the statutory requirements of Assembly Bill (AB) 182 related to school bonds which became effective January 1, 2014.

SUMMARY OF KEY ISSUES

The California Education Code (EC) provides limits related to a district’s total bonded indebtedness; EC sections 15106 and 15270(a) limit a unified school district’s total
general obligation (G.O.) bond indebtedness to 2.5%.

To raise funds to build or renovate school facilities, with voter authorization, school districts may issue G.O. bonds. Prior to 2001, districts needed a two-thirds voter approval. In November 2000, districts were given another option for authorizing and issuing bonds when California voters passed Proposition 39, which allows school bonds to be approved with a 55 percent majority vote if the district abides by several administrative requirements, such as establishing an independent Citizens’ Oversight Committee to oversee the use of the funds. Once G.O. bonds are authorized, school districts issue the bonds in increments as needed to fund their facility projects. When the voters authorize a local G.O. bond, they are simultaneously authorizing a property tax increase to pay the principal and interest on the bond. For Proposition 39 bonds, EC Section 15268 limits the tax rate levy authorized in each election to $30 per $100,000 of taxable property for high school and elementary school districts.

Without a waiver, school districts that are close to their bonding capacity must decide either to issue fewer bonds, delay the issuance of bonds until their assessed valuation increases, or obtain other more expensive non-bond financing to complete their projects, the costs of which could be paid from district general funds. Therefore, the CDE has historically recommended that the State Board of Education (SBE) approve related waiver requests with the condition that the statutory tax levies are not exceeded at the time the bonds are issued.

On October 2, 2013, Governor Brown signed AB 182 (Chapter 477, Statutes of 2013) which established parameters for the issuance of local education bonds that allow for the compounding of interest, including capital appreciation bonds (CABs). AB 182 requires a district governing board to do the following:

- Before the bond sale, adopt a resolution at a public meeting that includes specific criteria, including being publicly noticed on at least two consecutive meeting agendas.

- Be presented with an agenda item at a public board meeting that provides a financial analysis of the overall costs of the bonds, a comparison to current interest bonds, and reasons why the compounding interest bonds are being recommended.

- After the bond sale, present actual cost information at the next scheduled public meeting and submit the cost information of the sale to the California Debt and Investment Advisory Commission.

District Request

The current statutory debt limit for non-unified school districts is 1.25 percent of the total assessed valuation of taxable property within a district’s boundaries.
Effective July 1, 2014, the Wiseburn School District (Wiseburn), previously a feeder school district for the District, became a unified school district, which reduced the assessed valuation of the District. EC 35582 provides the statutory bonding limits for both the District and Wiseburn following the reorganization of Wiseburn. EC 35582(b) and (d) provide for the application of EC 15102 and 15268 to the District following this type of reorganization.

Chapter 730, Statutes of 2012, authorized the District and Wiseburn to establish the Local Public Schools Funding Authority (LPFSA) as a joint powers authority and established a method for allocating the assessed value of residential and non-residential real property in each district. The LPFSA is authorized to issue bonds based on the assessed value of each district. On November 8, 2016, voters approved Measure LP authorizing the LPSFA, through its School Facilities Improvement District No. 2016-1, to issue $110 million in G.O. bonds. Pursuant to EC 35582(c), the bonding limit applicable to bonds payable from ad valorem property taxes of the LPSFA is equal to the sum of the respective bonding limits applicable to the members of the LPSFA.

The District requests that its outstanding bonded indebtedness limit be increased to an amount not to exceed 2.20 percent through August 1, 2031, in order to access the proposed amount of proceeds.

Demographic Information: Centinela Valley Union High School District has a student population of 6,585 and is located in Los Angeles County.

Because this is a general waiver, if the 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 bond limit waiver requests limited to the sale of already authorized bonds and at the tax rate levy stated on the bond measure.

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver would allow the district to accelerate the issuance of voter approved bonds.

ATTACHMENT(S)

Attachment 1: Summary Table (1 page)

Attachment 2: Centinela Valley Union High School District General Waiver Request 44-12-2016 (3 pages). (Original waiver request is signed and on file in the Waiver Office).
<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>District</th>
<th>Period of Request</th>
<th>Total Bonded Indebtedness Limit and Tax Rate per $100,000 Assessed Valuation Allowed by Law or Noted on Voter Pamphlet</th>
<th>District's Request</th>
<th>CDE Recommended (New Maximum)</th>
<th>Bargaining Unit, Representatives Consulted, Date/Position</th>
<th>Public Hearing and Local Board Approval Date</th>
<th>Advisory Committee Consulted, Date/Position</th>
<th>District States it has Complied with Assembly Bill 182 Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>44-12-2016</td>
<td>Centinela Valley Union High School District</td>
<td>Requested: March 20, 2017 to August 1, 2031 Recommended: March 20, 2017 to August 1, 2031</td>
<td>Debt Limit 1.25% Debt Limit 2.20% Debt Limit 2.20%</td>
<td>Debt Limit 2.20%</td>
<td>Centinela Valley Secondary Teachers’ Association Temisha Brame, President December 12, 2016 California Schools Employees Association Cesar Perez, President December 14, 2016</td>
<td>Public Hearing 12/13/2016 Local Board Approval 12/13/2016</td>
<td>The district advertised notice of the public hearing in the local newspaper, the Daily Breeze and on the Board website</td>
<td>Hawthorne High School Site Council 12/12/16 No Objections</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Summary Table

District(s) Requesting Increase in Bond Indebtedness Limits

California Education Code (EC) sections 15102 and 15268 prohibit elementary and high school districts from issuing bonds in excess of 1.25 percent of the assessed valuation of a district’s taxable property. EC sections 15106 and 15270(a) prohibit unified school districts from issuing bonds in excess of 2.5 percent of the assessed valuation of a district’s taxable property. EC sections 15268 and 15270(a) limit bonds authorized by a 55 percent majority in elementary and high school districts to $30 per $100,000 of taxable property per election and unified school districts to $60 per $100,000.
Ed Code or CCR to Waive: 15102. The total amount of bonds issued pursuant to this chapter and Chapter 1.5 (commencing with Section 15264) shall not exceed 1.25 2.20 percent of the taxable property of the school district or community college district, or the school facilities improvement district, if applicable, as shown by the last equalized assessment of the county or counties in which the district is located.

15268. The total amount of bonds issued, including bonds issued pursuant to Chapter 1 (commencing with Section 15100), shall not exceed 1.25 2.20 percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located.

Outcome Rationale: Current Need: The current statutory debt limit for non-unified school districts is 1.25% of the total assessed valuation of taxable property within a district’s boundaries. Effective July 1, 2014, Wiseburn School District (“Wiseburn”), previously a feeder school district for Centinela Valley Union High School District (the “District”), became a unified school district, which reduced the assessed valuation of the District. Section 35582 provides for the statutory bonding limits for each of the District and Wiseburn following the reorganization of Wiseburn, and specifically subsections 35582(b) and (d) provide for the application of Sections 15102 and 15268, respectively, to the District following such reorganization.

Through a joint exercise of powers agreement (the “JPA Agreement”), and pursuant to Section 6500 et. seq. of the California Government Code, the District and Wiseburn created the Local Public Schools Funding Authority (the “LPSFA”), a joint powers authority, wherein each of the District and Wiseburn were members. Through the LPSFA and pursuant to Sections 35582(b) and (d), the District may levy ad valorem taxes against taxable property within the District, as well as non-residential properties within Wiseburn, by issuing future general obligation bonds through the LPSFA, or through a School Facilities Improvement District formed by the JPA. On November 8, 2016, voters approved Measure LP authorizing the Local Public Schools Funding Authority, through its School Facilities Improvement District No. 2016-1, to issue $110 million in general obligation bonds. Pursuant to Cal. Ed. Code 35582(c), the bonding limit applicable to
bonds payable from ad valorem property taxes of the LPSFA is equal to the sum of the respective bonding limits applicable to the members of the LPSFA. In order to access the proposed amount of proceeds, the District is requesting an increase in its debt limit to 2.20% of assessed valuation. Based on our analysis of the District’s position, the District should fall below the 1.25% debt limit by fiscal year 2031-32. The attached table illustrates the District’s assessed valuation and statutory debt limitation.

Section 35582(d) provides for the method of allocating bonds issued by the LPSFA to the District and Wiseburn. We note that the District and Wiseburn are in discussions related to potential adjustments to the basis of allocating the bonded indebtedness of the LPSFA to the District and Wiseburn for purposes of the bonding capacity limits set forth in Section 35582(b). The District does not expect its bonding capacity needs stated herein to be affected by the discussions with Wiseburn.

Analysis: Attached to this waiver request is the following: i. Notice of Public Hearing (Attachment A) ii. Historical Assessed Values for Fiscal Years 1987 through 2017 (Attachment B) iii. Summary of General Obligation Bonds Indebtedness versus Projected Debt Limits, together with the Tax Rate Analysis (Attachment C) iv. Board Approved Resolution (Attachment D).

Based on the Tax Rate Analysis figures, the District anticipates that the tax rate will not exceed applicable Proposition 39 tax rate limit for any of its outstanding bonded indebtedness, should the California Department of Education grant this waiver request. The District anticipates the use of a combination of Current Interest Bonds and Capital Appreciation Bonds in future bond sales; however, the District intends to fully comply with the provisions of Assembly Bill 182, including all notice and disclosure provisions thereto.

Student Population: 6586

City Type: Suburban

Public Hearing Date: 12/13/2016
Public Hearing Advertised: The District advertised notice of the public hearing in the local newspaper, the Daily Breeze and on the Board website.

Local Board Approval Date: 12/13/2016

Community Council Reviewed By: Hawthorne High School School Site Council
Community Council Reviewed Date: 12/12/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Ron Hacker
Position: Assistant Superintendent, Business Services
E-mail: hackerr@centinela.k12.ca.us
Telephone: 310-263-3220
Fax: 310-644-7218
Bargaining Unit Date: 12/14/2016
Name: California Schools Employees Association
Representative: Cesar Perez
Title: President
Position: Support
Comments:

Bargaining Unit Date: 12/12/2016
Name: Centinela Valley Secondary Teachers’ Association
Representative: Temisha Brame
Title: President
Position: Support
Comments:
CALIFORNIA STATE BOARD OF EDUCATION
MARCH 2017 AGENDA

SUBJECT
STATE BOARD PROJECTS AND PRIORITIES.
Including, but not limited to, future meeting plans; agenda items; and officer nominations and/or elections; State Board appointments and direction to staff; declaratory and commendatory resolutions; Bylaw review and revision; Board policy; approval of minutes; Board liaison reports; training of Board members; and other matters of interest.

SUMMARY OF THE ISSUE(S)

1. SBE Draft Preliminary Report of Actions/Minutes for the January 11-12, 2017 meeting

2. Board member liaison reports

RECOMMENDATION

The SBE staff recommends that the SBE:

   1. Approve the Preliminary Report of Actions/Minutes for the January 11-12, 2017 meeting. (Attachment 1)

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At each regular meeting, the State Board has traditionally had an agenda item under which to address “housekeeping” matters, such as agenda planning, non-closed session litigation updates, non-controversial proclamations and resolutions, bylaw review and revision, Board policy; Board minutes; Board liaison reports; and other matters of interest. The State Board has asked that this item be placed appropriately on each agenda.

FISCAL ANALYSIS (AS APPROPRIATE)

Not applicable.

ATTACHMENT(S)

Attachment 1: State Board of Education Draft Preliminary Report of Actions/Minutes for the January 11-12, 2017 meeting (23 Pages) may be viewed at the following link: [http://www.cde.ca.gov/be/mt/ms/](http://www.cde.ca.gov/be/mt/ms/).
SUBJECT
California Assessment of Student Performance and Progress: Approve Commencement of Rulemaking for Amendments to the California Code of Regulations, Title 5, Sections 850 through 859.

SUMMARY OF THE ISSUE(S)

The California Department of Education (CDE) is responsible for the oversight of the California Assessment of Student Performance and Progress (CAASPP) System, which is governed by California Education Code (EC) sections 60640 through 60649. As required by EC Section 60640(q), the California Code of Regulations, Title 5 (5 CCR) sections 850 through 868 were amended to conform the state’s testing regulations to the CAASPP System. Permanent CAASPP regulations were approved by the Office of Administrative Law (OAL) on August 27, 2014. The first operational administration of the CAASPP took place in the spring of 2015.

Following the first operational administration of the CAASPP, it became necessary to amend the regulations to reflect changes in CAASPP testing. Amendments to the CAASPP regulations were approved by the OAL on an emergency basis in the fall of 2015 and permanent amendments to the regulations were approved on May 18, 2016. The second operational administration of the CAASPP took place in spring 2016 based on the revisions to the CAASPP regulations.

Following the second operational administration of the CAASPP, it became evident that a few specific changes needed to be implemented to ensure testing for the 2016–17 school year would be valid and reliable and consistent with state and federal laws. At its January 2017 meeting, the State Board of Education (SBE) adopted amended regulations on an emergency basis which included “locking down” pupils’ grade levels for purposes of CAASPP testing, including specific beginning and ending dates for the testing window, approving the use of a few new accessibility supports, and adding a new section regarding the testing of pupils with the most significant cognitive disabilities in order to conform to the new federal Every Student Succeeds Act (ESSA).

Pursuant to EC Section 60640, the CDE has prepared to update the CAASPP System to include three new assessments: the California Science Test (CAST) aligned with the
California Next Generation Science Standards (CA NGSS), the California Alternate Assessment (CAA for Science) for science, and the successor to the California Standards-based Tests in Spanish (STS), the California Spanish Assessment (CSA) aligned with the Common Core State Standards in Español. These new assessments require the addition of testing procedures and policies consistent with those assessments in addition to the need to define the pupil population eligible to take the new assessments. Also, the assessment consortium of which California is a member, Smarter Balanced Assessment Consortium (Consortium), recently made changes in some of its policies; changes with which the CAASPP regulations must conform by state law in order to ensure that test results are valid and reliable.

The amendments also include changes proposed to the SBE in January 2017 in the emergency regulations, which contain specific dates for CAASPP testing window, grade lock down procedures for reporting purposes, and a few new definitions for added clarity to prevent delays and errors in reporting. Additionally, a new section was needed to align to the requirements of the new ESSA law related to reporting requirements for the testing of pupils with the most significant cognitive disabilities. Finally, minor revisions were needed to ensure consistency of terms, and the deletion of tests that are no longer in use.

RECOMMENDATION

The CDE recommends that the SBE take the following actions:

- Approve the Notice of Proposed Rulemaking.
- Approve the Initial Statement of Reasons (ISOR).
- Approve the proposed amendments to the regulations.
- Direct the CDE to commence the rulemaking process.
- Authorize the CDE to take any necessary ministerial action to respond to any direction or concern expressed by the OAL during its review of the Notice, ISOR and proposed regulations.

BRIEF HISTORY OF KEY ISSUES

On October 2, 2013, Governor Brown signed Assembly Bill (AB) 484 (Chapter 489, Statutes of 2013), which amended EC sections 60601 through 60649, 99300, and 99301 and established the CAASPP System. The CAASPP System replaces the Standardized Testing and Reporting Program and provides for the designation or development of statewide assessments and the administration of those assessments. The provisions of AB 484 took effect on January 1, 2014.
Pursuant to EC Section 60640(q), 5 CCR sections 850 to 868 were revised by the SBE to conform to the statutory changes made in AB 484. These amendments revised definitions, requirements, responsibilities, and guidelines for the administration; and test security, reporting, and apportionments related to the CAASPP System. The amendments were approved initially as emergency regulations and later approved by the OAL as permanent regulations on August 27, 2014.

Under these regulations, the first operational assessments took place March 9, 2015 through July 31, 2015, and included the new computer-based assessments provided by the Consortium.

The CDE, at the direction of the SBE and in collaboration with its CAASPP testing contractor, conducted evaluations of the first operational CAASPP test administration and identified required amendments to be made to the regulations for the second operational administration, including the addition of accessibility supports in alignment with Consortium policy, the addition of a testing window for the new CAAs for English language arts/literacy and mathematics, clarifications to language needed for the new online tests (not necessary for the paper-pencil tests), and minor format and language clarifications. These amendments were adopted by the OAL on an emergency basis to allow for the timely preparation and administration of the second operational administration of the CAASPP assessments; they were also adopted through the regular rulemaking process and approved by OAL on May 18, 2016. The CDE successfully administered the 2015–16 administration of the online CAASPP assessments March 10, 2016 through July 31, 2016.

As preparations for the third operational administration of the CAASPP assessments are under way for the 2016–17 school year, the regulations must again be revised to substitute three new tests, the CAST, the CAA for Science, and the CSA, for tests aligned to former state-adopted standards; to add the necessary procedures and accessibility supports for these assessments; to update the list of existing accessibility supports to conform to changes in Consortium policy; to reorganize some sections for clarity and ease of use; and to add and revise definitions and terms to accommodate improvements in test administration procedures and reporting.

Specifically, the proposed amendments to the CAASPP regulations include, but are not limited to, the following:

- Recognizing the CAST as the new science test pursuant to EC Section 60640(b)(2)(B); the CSA as the successor primary language assessment to the STS, when operational, pursuant to EC sections 60640((b)(5) and 60640(j)); and the CAA for Science as the successor alternate assessment to the California Alternate Performance Assessment (CAPA) for Science pursuant to EC Section 60640(b)(3)
- Adding to Section 850 definitions for “California Spanish Assessment,” “California Science Test,” “operational,” and “pupils with the most significant cognitive disabilities”
• Revising Section 850 definitions for “recently arrived English learner,” “alternate assessments, and "primary language assessment”

• Revising Section 851 to specify when a pupil’s grade is locked for scoring and reporting procedures

• Adding to Section 851.5 for clarification on eligibility criteria for the primary language assessment (PLA), CAA for Science, CAST, and a revision to eligibility criteria for the optional STS

• Reordering the list of tests in Section 851.5

• Adding reorganized sections 854.1 to 854.9, (replacing sections 853.5–853.8) to address the Use of Universal Tools, Designated Supports and Accommodations on each of the CAASPP tests, including any new changes to existing accessibility supports and additional supports for the new CAST and PLA

• Adding Section 856 to require local educational agencies (LEAs) to inform the CDE if they plan to exceed the alternate assessment 1.0 percent cap as required by the ESSA Section 111(b)(2)(D)

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At its January 2017 meeting, the SBE approved the Finding of Emergency and Emergency Regulations to allow the timely preparations for the administration and reporting of the spring 2017 CAASPP administration. http://www.cde.ca.gov/be/ag/ag/yr17/documents/jan17item08a4.pdf

At its May 2016 meeting, the SBE approved the revised Finding of Emergency and approved readoption of the Emergency CAASPP regulations so that the CAASPP regulations would continue to be in place pending OAL’s approval of the revised permanent regulations. http://www.cde.ca.gov/be/ag/ag/yr16/documents/may16item10.doc

At its March 2016 SBE meeting, the SBE approved changes to the proposed permanent regulations and directed that the amended regulations be circulated for a 15-day public comment period, March 10–25, 2016, and directed the CDE, assuming no relevant comments to the proposed changes were received, to deem the proposed permanent regulations adopted (no relevant comments were received and the revised permanent regulations were approved by the OAL on May 16, 2016). http://www.cde.ca.gov/be/ag/ag/yr16/documents/mar16item04.doc

At its November 2015 meeting, the SBE adopted the proposed amendments to the CAASPP regulations as emergency regulations. The emergency regulations were approved by the OAL and became effective on November 23, 2015. Additionally, the SBE approved commencement of the regular rulemaking process for permanent
amendments to the CAASPP regulations.
http://www.cde.ca.gov/be/ag/ag/yr15/documents/nov15item05-revised.doc
http://www.cde.ca.gov/be/ag/ag/yr15/documents/nov15item06-revised.doc

At its July 2014 meeting, the SBE readopted the emergency regulations for CAASPP. The emergency re-adoption rulemaking file was submitted to the OAL on July 16, 2014. The re-adoption of the emergency regulations was approved by the OAL on July 23, 2014. Additionally, the SBE adopted the permanent rulemaking file at its July 2014 meeting. The rulemaking file was submitted to the OAL on July 16, 2014, and permanent regulations for CAASPP were approved and became effective on August 27, 2014.
http://www.cde.ca.gov/be/ag/ag/yr14/documents/jul14item08.doc
http://www.cde.ca.gov/be/ag/ag/yr14/documents/jul14item09.doc

At its January 2014 meeting, the SBE for the first-time adopted proposed emergency regulations for CAASPP. The emergency regulations were approved by the OAL and became effective on February 3, 2014. Additionally, the SBE approved commencement of the regular rulemaking process for the permanent regulations.
http://www.cde.ca.gov/be/ag/ag/yr14/documents/jan14item06.doc
http://www.cde.ca.gov/be/ag/ag/yr14/documents/jan14item05.doc

FISCAL ANALYSIS (AS APPROPRIATE)

An Economic and Fiscal Impact Statement, Attachment 4, will be provided as an Addendum.

ATTACHMENT(S)

Attachment 1: Notice of Proposed Rulemaking (6 pages)
Attachment 2: Initial Statement of Reasons (14 pages)
Attachment 3: Text of Proposed Regulations (39 pages)
Attachment 4: Economic and Fiscal Impact Statement (STD. 399) (5 pages). This attachment will be provided as an Item Addendum.
NOTICE OF PROPOSED RULEMAKING

AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5, REGARDING CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS (CAASPP)

[Notice published March 24, 2017]

NOTICE IS HEREBY GIVEN that the State Board of Education (SBE) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

California Department of Education (CDE) staff, on behalf of the SBE, will hold a public hearing at 9:30 a.m. on May 8, 2017, at 1430 N Street, Room 1801, Sacramento, California. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The SBE requests, but does not require, that persons who make oral comments at the public hearing also submit a written summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to:

Patricia Alverson, Regulations Coordinator
Administrative Support and Regulations Adoption Unit
California Department of Education
1430 N Street, Room 5319
Sacramento, CA 95814

Comments may also be submitted by facsimile (FAX) at 916-319-0155 or by e-mail to regcomments@cde.ca.gov.
Comments must be received by the Regulations Coordinator prior to 5:00 p.m. on May 8, 2017. All written comments received by CDE staff during the public comment period are subject to disclosure under the Public Records Act.

**AVAILABILITY OF CHANGED OR MODIFIED TEXT** Following the public hearing and considering all timely and relevant comments received, the SBE may adopt the proposed regulations substantially as described in this Notice or may modify the proposed regulations if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified regulation will be available for 15 days prior to its adoption from the Regulations Coordinator and will be mailed to those persons who submit written comments related to this regulation, or who provide oral testimony at the public hearing, or who have requested notification of any changes to the proposed regulations.

**AUTHORITY AND REFERENCE**

Authority: Sections 33031, 60605 and 60640, Education Code.

Reference: Sections 306, 37670, 47605, 47605.8, 47651, 48645.1, 56034, 60602.5, 60603, 60604, 60605, 60611, 60615, 60640, 60641, 60642.5 and 60642.6, Education Code; 5 CCR 11967.6; 20 U.S.C. Sections 1412(a)(16), 6311(b)(2)(D)(ii)(II), and 6311(b)(1)(E); and 34 C.F.R. Sections 200.1 and 300.160.

**INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Assembly Bill 484 (Chapter 489, Statutes of 2013) authorized a new statewide testing program, the California Assessment of Student Performance and Progress (CAASPP) System. Provisions of AB 484 took effect in January 2014. Pursuant to California Education Code (EC) 60640, the CDE has prepared to update the CAASPP System to include three new assessments: the new California Science Test (CAST) aligned with the California Next Generation Science, the Standards (CA NGSS); the new California Alternate Assessment for Science (CAA for Science); and the California Spanish Assessment (CSA), aligned with the Common Core State Standards in Español. This requires the addition of testing procedures and policies consistent with those assessments. Additionally, the assessment consortium of which California is a member, Smarter Balanced Assessment Consortium (Consortium), recently made changes in some of its policies; changes with which the CAASPP regulations must conform by state law in order to ensure that test results are valid and reliable. Finally, the new Every Student Succeeds Act (ESSA) introduced additional requirements to the CAASPP System related to the testing of the most significantly cognitive disabled pupils. As required by EC Section 60640(q), Title 5 of the California Code of Regulations (5 CCR) sections 850 through 859 were amended to conform the state’s testing regulations to the CAASPP System.
CAASPP test results are used to improve teaching and learning by schools and districts in California. The CAASPP tests are also developed, administered, and reported in accordance with federal requirements. The proposed amendments are designed to assure that the tests within the CAASPP are administered fairly and consistently throughout the state so that valid and reliable results are available for accountability determinations and to provide schools and educators with accurate information to improve student learning, and in so doing, prevent harm to the public peace, health, safety, and general welfare and progress of California pupils.

Anticipated Benefits of the Proposed Regulation

The benefit of enacting the proposed amendments are the promotion of an optimal and fair test administration for eligible students. The clarification of terminology and supports introduced by the addition of the new CAASPP tests will aid local educational agencies (LEAs) and educators in selecting and activating accessibility resources to students who can benefit from them, including supports for English learners (ELs). Additionally, the proposed amendments support increased local control, and strengthen validity, reliability and accuracy of statewide achievement scores used for the purposes for guiding instruction, gauging students' readiness for career and college, and for meeting state and federal accountability requirements.

Determination of Inconsistency/Incompatibility with Existing State Regulations

The CDE reviewed all state regulations relating to the CAASPP System and found that none exist that are inconsistent or incompatible with these proposed regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION/ FISCAL IMPACT

The SBE has made the following initial determinations:

There are no other matters as are prescribed by statute applicable to the specific state agency or to any specific regulations or class of regulations.

The proposed regulations do not require a report to be made.

Mandate on local agencies and school districts: None

Cost or savings to any state agency: None

Costs to any local agencies or school districts for which reimbursement would be required pursuant to Part 7 (commencing with section 17500) of division 4 of the Government Code: None
Other non-discretionary costs or savings imposed on LEAs: None

Costs or savings in federal funding to the state: None

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None

Cost impacts on a representative private person or businesses: The SBE is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on housing costs: None

Effect on small businesses: The proposed regulations would not have an effect on any small business because the proposed amendments only affect LEAs and would have no impact on the private sector.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The SBE concludes that it is unlikely that these proposed regulations will: 1) create or eliminate jobs within California; 2) create new businesses or eliminate existing businesses within California; or 3) affect the expansion of businesses currently doing business within California.

Benefits of the Proposed Action: The proposed regulations ensure the standard, efficient and effective implementation of a successful statewide assessment for California’s public school children. Administering assessments that align with Consortium policies for accessibility are critical to ensuring valid and reliable test measures against which to gauge student progress. Clear and consistent procedures are also critical to ensuring that the statewide assessments are administered using standardized procedures that also support accurate, fair, valid, and reliable measures. The proposed changes will help to provide better information about student performance to teachers, parents, and administrators, to ultimately improve teaching and student learning, thus enhancing the general welfare, promoting fairness and social equity and increasing openness and transparency in government.

CONSIDERATION OF ALTERNATIVES

The SBE must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the SBE, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.
The SBE invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

**CONTACT PERSONS**

Inquiries concerning the content of this regulation should be directed to:

Shobhana Rishi, Education Program Consultant  
Assessment Development & Administration Division  
California Department of Education  
1430 N Street, Room 4401  
Sacramento, CA 95814  
Telephone: 916-319-0201

Inquiries concerning the regulatory process may be directed to the Regulations Coordinator or the backup contact person, Hillary Wirick, Regulations Analyst, at 916-319-0860.

**INITIAL STATEMENT OF REASONS AND INFORMATION**

The SBE has prepared an Initial Statement of Reasons for the proposed regulations and has available all the information upon which the proposal is based.

**TEXT OF PROPOSED REGULATION AND CORRESPONDING DOCUMENTS**

Copies of the exact language of the proposed regulations, the Initial Statement of Reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Regulations Coordinator. These documents may also be viewed and downloaded from the CDE’s Web site at http://www.cde.ca.gov/re/lr/rr/.

**AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the Regulations Coordinator.

You may obtain a copy of the Final Statement of Reasons, once it has been finalized, by making a written request to the Regulations Coordinator.
REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the Unruh Civil Rights Act, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Shobhana Rishi, Assessment Development & Administration Division, 1430 N Street, Room 4401, Sacramento, CA, 95814; telephone, 916-319-0201. It is recommended that assistance be requested at least two weeks prior to the hearing.
INITIAL STATEMENT OF REASONS
CALIFORNIA ASSESSMENT OF STUDENT
PERFORMANCE AND PROGRESS (CAASPP)

INTRODUCTION

Pursuant to California Education Code (EC) 60640, the California Department of Education (CDE) has prepared to update the California Assessment of Student Performance and Progress (CAASPP) System to include three new assessments: the new California Science Test (CAST) aligned with the California Next Generation Science Standards (CA NGSS); the new California Alternate Assessment for Science (CAA for Science); and the California Spanish Assessment (CSA), aligned with the Common Core State Standards in Español. This requires the addition of testing procedures and policies consistent with those assessments. Additionally, the assessment consortium of which California is a member, Smarter Balanced Assessment Consortium (Consortium), recently made changes in some of its policies; changes with which the CAASPP regulations must conform by state law in order to ensure that test results are valid and reliable. Finally, the new Every Student Succeeds Act (ESSA) introduced additional requirements to the CAASPP System related to the testing of the most significantly cognitive disabled pupils. As required by EC Section 60640(q), Title 5 of the California Code of Regulations sections 850 through 859 were amended to conform the state’s testing regulations to the CAASPP System.

CAASPP test results are used to improve teaching and learning by schools and districts in California. The CAASPP tests are also developed, administered, and reported in accordance with federal requirements. The proposed amendments are designed to assure that the tests within the CAASPP are administered fairly and consistently throughout the state so that valid and reliable results are available for accountability determinations and to provide schools and educators with accurate information to improve student learning, and in so doing, prevent harm to the public peace, health, safety, and general welfare and progress of California pupils.

PROBLEM AGENCY INTENDS TO ADDRESS

The existing regulations are not fully aligned to changes as a result of the development of three new CAASPP assessments: the CAST, the CAA for Science, and the CSA. Additionally, procedures and guidance for test administration and reporting procedures need to be updated to address the findings by the CDE and its testing contractor for areas that needed improvement in order to increase efficiency and safeguard against delays and/or errors in reporting. The regulations must again be revised to accommodate the addition of the new tests (their eligibility criteria and the accessibility supports for these assessments); to add definitions for clarity; to make changes to the list of the approved resources resulting from the Consortium’s annual review process;
and to address the requirements introduced by the ESSA to the CAASPP System.

The purpose of the proposed amendments is to ensure the correct, efficient, and standard administration of the CAASPP online assessments through added clarity and consistency in the procedures and requirements for their development, administration, and reporting. The proposed amendments will thereby maintain accuracy, reliability, and validity of measures.

**BENEFITS ANTICIPATED FROM REGULATORY ACTION**

The benefits of enacting the proposed amendments are the promotion of an optimal and fair test administration for eligible pupils. The clarification of terminology and supports introduced by the addition of the new CAASPP tests will aid local educational agencies (LEAs) and educators in selecting and activating accessibility resources to pupils who can benefit from them, including supports for English learners (ELs). Additionally, the proposed amendments support increased local control and maintain validity, reliability, and accuracy of statewide achievement scores used for the purposes for guiding instruction, gauging pupils’ readiness for career and college, and for meeting state and federal accountability requirements.

**SPECIFIC PURPOSE OF EACH SECTION – GOV. CODE SECTION 11346.2(b)(1)**

The specific purpose of each adoption or amendment, and the rationale for the determination that each adoption or amendment is reasonably necessary to carry out the purpose of which it is proposed, together with a description of the public problem, administrative requirement, or other condition or circumstance that each adoption or amendment is intended to address, is as follows:

General changes are made to the regulations to include grammatical edits, and renumbering and/or relettering to reflect deletions or additions. For consistency throughout the regulations, “student” has been replaced with “pupil” and “CAASPP assessment system” with “CAASPP System.”

**SECTION 850**

Section 850(d) is amended to align with the new Every Student Succeeds Act language. The word “most” is added to the description of pupils who are eligible to take the alternate assessments in accordance with the new ESSA law as “most significant cognitive disabilities.”

Proposed section 850(g), former Section 850(h) is amended to add “and science,” and “most” to qualify “significant cognitive disabilities.” The additions are necessary in order to add the new California Alternate Assessment for science and to bring
description of the pupils who are eligible for taking it in alignment with the new ESSA law terminology.

**Former section 850(i)** deletes the definition for “California Alternate Performance Assessment for Science (CAPA Science).” The deletion is necessary because the CAPA Science is no longer administered.

**Former section 850(j)** deletes the definition for the “California Modified Assessment for Science (CMA Science).” The deletion is necessary because the CMA Science is no longer administered.

**Former section 850(k)** deletes the definition for “California Standards Test for Science (CST Science).” The deletion is necessary because the CST Science is no longer administered.

**Proposed section 850(h)** adds the definition for “California Spanish Assessment (CSA).” The definition is necessary to ensure consistent terminology because the CSA will be the new primary language assessment for Spanish to replace the STS.

**Proposed section 850(i)** adds the definition for “California Science Test (CAST).” The definition is necessary because the CAST is the new CAASPP test that is aligned to the state-adopted content standards for science, the California Next Generation Science Standards (NGSS). Eligibility criteria, accessibility supports and testing procedures must be added for the new test which is currently in development.

**Proposed section 850(r)** adds the definition for “operational.” The definition is necessary because the term clarifies that reporting and testing procedures and requirements apply to operational tests only, and not to pilot or field tests.

**Section 850(s), former section 850(t)** is amended to delete “a successor test” and replace it with “the CSA.” The amendments are necessary to clarify that the CSA (the California Spanish Assessment) will be the new primary language assessment for Spanish. It is also amended to delete “available” and replace with “operational”. This is necessary to clarify that the STS will be available until CSA pilot and field testing is completed. Finally, this section is also amended to add language indicating that the accessibility supports in section 854.4 do not apply to the STS. This is necessary for clarification.

**Proposed section 850(u)** adds the definition for “pupils with most significant cognitive disabilities” as referenced in the new Every Student Succeeds Act law. The definition includes specific description of pupils who are eligible to take the alternate assessments for added clarity.
Section 850(v) is amended to delete “on or.” The amendment is necessary to align with dates used for accountability calculations for English learners. Instead of “on or after April 15th,” it now states: “after April 15th.”

Section 850(x) is amended to correct the reference to section 853.8 to 854.9. This revision is necessary because section 853.8, regarding unlisted resources, has been deleted and incorporated into proposed section 854.9.

Section 850(aa) is amended to change “test” to “assessment” for the primary language assessment. This change is necessary in order to align with terminology used in California Education Code.

Proposed section 850(aj), former section 850(ai) is amended to correct the reference to section 854.5. This revision is necessary because the former section 853.6, regarding alternate assessment supports, has been deleted and incorporated into the proposed section 854.5.

SECTION 851

Section 851(a) is amended to replace the term "test" with “assessment.” This amendment is necessary in order to bring regulation terminology related to the primary language assessment in alignment with the Education Code.

Section 851(b) is amended to specify when the pupil’s grade will be “locked down” for use in scoring and reporting procedures. This amendment is necessary as inconsistencies related to pupil’s tested grade level and enrolled grade level contribute to inaccurate information about pupils’ progress to pupils themselves, their parents, their teachers, and for accountability purposes. These errors have occurred with sufficient frequency to warrant a change in procedures to ensure test results match grade level tested.

SECTION 851.5

Proposed section 851.5(c), former section 851.5(d) is amended to specify content areas for California Alternate Assessments (CAAs). “ELA and mathematics” are added to designate the specific content areas for the CAAs, for clarity, in light of the introduction of CAA for science.

Proposed section 851.5(d), former section 851.5(g) is amended to include the new California Science Assessment (CAST), which is aligned to the state-adopted California Next Generation Science Standards (NGSS). The amendments are necessary to incorporate the new CAST and set forth eligibility requirements for its administration.
Section 851.5(e) is amended to replace the CAPA with the California Alternate Assessment for science (CAA for science), the successor alternate assessment to the CAPA for science. The amendments are necessary to clarify the eligibility criteria for pupils taking the CAA for science.

Former Section 851.5(f) is deleted because the California Modified Assessment Science (CMA Science) is no longer administered.

Proposed section 851.5(f) is added to specify which pupils are eligible to take the new primary language assessment. The addition is necessary to provide guidance to local educational agencies (LEAs) and to define which pupils are eligible to take this test.

Proposed section 851.5(g), former section 851.5(c) is amended to show the grade levels for eligible pupils for the optional Standards-based Test in Spanish (STS). The amendment replaces “a pupil in grades 3 through 8 and 11” with “a pupil in grades 2 through 11.” The amendment is necessary in order to bring the eligibility criteria in line with the grades for which the test is available as an optional assessment.

Section 851.5(h) is amended to add the word, “operational.” This amendment is necessary to clarify that pupil score reports are required to be issued for only the operational assessments.

SECTION 853.5

NOTE Regarding Former Sections 853.5(a) through (g): Former section 853.5 has been deleted. The deletion is necessary to allow for the reorganization of the information regarding which embedded and non-embedded accessibility resources are available for each of the CAASPP assessments. The purpose for this reorganization is to facilitate accurate and easy use of the information. The list of available embedded and non-embedded universal tools, designated supports, and accommodations included in former 853.5 will be reorganized and added under the new sections 854.1 through 854.4 with only minor changes for grammatical and organizational consistency. Any substantive changes made to any of the information contained in the deleted sections will be noted specifically for sections 854.1 through 854.4 below, by subsection.

Former Section 853.5(a) is deleted. The deletion is necessary to allow for the reorganization of the available embedded universal tools in a way which will increase clarity and ease of use. The list of embedded universal tools as they are relevant for each of the CAASPP tests is now incorporated under the following proposed sections which are dedicated to specific CAASPP tests as follows: section 854.1(a) for ELA; section 854.2(a) for mathematics; section 854.3(a) for CAST; and section 854.4(a) for primary language assessment.
Former Section 853.5(b) is deleted. The deletion is necessary to allow for the reorganization of the available non-embedded universal tools in a way which will increase clarity and ease of use. The list of non-embedded universal tools as they are relevant for each of the CAASPP tests is now incorporated under the following proposed sections which are dedicated to specific CAASPP tests as follows: section 854.1(b) for ELA; section 854.2(b) for mathematics; section 854.3(b) for CAST; and section 854.4(b) for primary language assessment.

Former Section 853.5(c) is deleted. The deletion is necessary to allow for the reorganization of the available embedded designated supports in a way which will increase clarity and ease of use. The list of embedded designated supports as they are relevant for each of the CAASPP tests is now incorporated under the following proposed sections which are dedicated to specific CAASPP tests as follows: section 854.1(c) for ELA; section 854.2(c) for mathematics; section 854.3(c) for CAST; and section 854.4(c) for primary language assessment.

Former Section 853.5(d) is deleted. The deletion is necessary to allow for the reorganization of the available non-embedded designated supports in a way which will increase clarity and ease of use. The list of non-embedded designated supports as they are relevant for each of the CAASPP tests is now incorporated under the following proposed sections which are dedicated to specific CAASPP tests as follows: section 854.1(d) for ELA; section 854.2(d) for mathematics; section 854.3(d) for CAST; and section 854.4(d) for primary language assessment.

Former Section 853.5(e) is deleted. The deletion is necessary to allow for the reorganization of the available embedded accommodations in a way which will increase clarity and ease of use. The list of embedded accommodations as they are relevant for each of the CAASPP tests is now incorporated under the following proposed sections which are dedicated to specific CAASPP tests as follows: section 854.1(e) for ELA; section 854.2(e) for mathematics; section 854.3(e) for CAST; and section 854.4(e) for primary language assessment.

Former Section 853.5(f) is deleted. The deletion is necessary to allow for the reorganization of the available non-embedded accommodations in a way which will increase clarity and ease of use. The list of non-embedded accommodations as they are relevant for each of the CAASPP tests is now incorporated under the following proposed sections which are dedicated to specific CAASPP tests as follows: section 854.1(f) for ELA; section 854.2(f) for mathematics; section 854.3(f) for CAST; and section 854.4(f) for primary language assessment.

Former Section 853.5(g) is deleted. The deletion is necessary to allow for the reorganization of the information about available accessibility resources for the CAASPP assessments in a way that increases clarity and ease of use. Former Section 853.5 (g) is now incorporated under the relevant subsections for the CAASPP tests as
follows: proposed section 854.1(g) for ELA; and proposed section 854.2(g) for mathematics.

SECTION 853.6

Former Section 853.6 has been deleted. The deletion is necessary in order to reorganize the information related to CAASPP accessibility supports for each of the CAASPP tests individually. Accessibility supports for the California Alternate Assessments (CAAs) that were provided under the former section 853.6 are now shown in the proposed section 854.5.

SECTION 853.7

Former Section 853.7(a) is deleted. The amendment is necessary in order to most efficiently and clearly indicate the availability of language supports for English learners that are included in the accessibility resources for CAASPP assessments. The original intent of listing designated supports under a separate section (section 853.7) for English learners is preserved through revision of the introductory paragraphs for the embedded and non-embedded designated supports for each of the CAASPP tests; these now specifically state that language supports which may benefit both English learners and reclassified fluent English proficient pupils are included in the list of designated supports. This revision applies to the following proposed sections: 854.1(d); 854.2(c) and (d); 854.3 (c) and (d); and 854.4(d).

SECTION 853.8

Section 853.8 is deleted because it is no longer necessary since the information contained in it about unlisted resources is now incorporated in the proposed section 854.9.

SECTION 854.1

NOTE Regarding Sections 854.1 (a) through (g): Proposed section 854.1 lists the universal tools, designated supports, and accommodations for ELA that were included under former section 853.5 (a) through (g). Minor changes for grammatical and organizational consistency have been made. Additional changes to any of the information or lists of supports contained in the deleted sections are noted specifically under each particular subsection. The purpose for this reorganization is to facilitate clear and easy use of the information by local education agencies and other users.
Proposed Section 854.1(a) adds the list of approved embedded universal tools for the CAASPP ELA assessment. This addition is necessary in order to reinsert into regulations the information which was formerly included in the deleted section 853.5(a).

Proposed Section 854.1(b) adds the list of approved non-embedded universal tools for the CAASPP ELA. This addition is necessary because it reinserts into regulations this information which was formerly included in the deleted section 853.5(b).

Proposed section 854.1(c) adds the list of approved embedded designated supports for the CAASPP ELA assessment. This addition is necessary in order to reinsert into regulations the information which was formerly included in the deleted section 853.5(c).

Proposed Section 854.1(d) adds the list of approved non-embedded designated supports for the CAASPP ELA assessment. This addition is necessary in order to reinsert into regulations the information which was formerly included in the deleted section 853.5(d). Also added to the proposed section (not included previously) is new language informing users about the availability of non-embedded designated supports for the ELA assessment that may benefit English learners and reclassified fluent English proficient pupils. Additionally, a new support, simplified test directions, is added to conform to changes in Consortium policy per former section 853.5(g) and proposed section 854.1(g) and the current support of “bilingual dictionary” was amended to indicate its use specifically for “ELA performance task(s) - full write, not short paragraph responses, and writing” for clarity.

Proposed Section 854.1(e) adds the list of approved embedded accommodations for the CAASPP ELA assessment. This addition is necessary because it reinserts into regulations the information which is formerly included in the former section 853.5(e).

Proposed Section 854.1(f) adds the list of approved non-embedded accommodations for the CAASPP ELA assessment. This addition is necessary because it reinserts into regulations the information which was formerly included in the former section 853.5(f).

Proposed Section 854.1(g) adds back the text from former section 853.5 (g) that is deleted for reorganization and clarity purposes.

SECTION 854.2

NOTE Regarding Section 854.2 (a) through (g): The lists of available embedded and non-embedded universal tools, designated supports, and accommodations included in former section 853.5 for the CAASPP mathematics assessment have been reorganized and added under the new sections 854.2 (a) through (g).

Proposed section 854.2 now lists the universal tools, designated supports, and accommodations for mathematics that were included under former subsections 853.5(a)
through (g). Minor changes for grammatical and organizational consistency have been made. Additional changes to any of the information or lists of supports contained in the deleted sections are noted specifically under each particular subsection. The purpose for this reorganization is to facilitate clear and easy use of the information.

**Proposed Section 854.2(a)** adds the list of approved embedded universal tools for the CAASPP mathematics assessment. This addition is necessary because it reinserts into regulations the information for the mathematics assessment which was formerly included in the deleted section 853.5(a).

**Proposed Section 854.2(b)** adds the list of approved non-embedded universal tools for the CAASPP mathematics assessment. This addition is necessary because it reinserts into regulations the information for the mathematics assessment which was formerly included in the deleted section 853.5(b).

**Proposed Section 854.2(c)** adds the list of approved embedded designated supports for the CAASPP mathematics assessment. This addition is necessary because it reinserts into regulations the information for the mathematics assessment which was formerly included in the former section 853.5(c). Also included in the proposed section is new language informing users about the availability of embedded language supports for mathematics that may benefit English learners and reclassified fluent English proficient pupils which was previously included in the former section 853.7.

**Proposed Section 854.2 (d)** adds the list of approved non-embedded designated supports for the CAASPP mathematics assessment. This addition is necessary because it reinserts into regulations the information for the mathematics assessment which was formerly included in the deleted section 853.5(d). Also added to the proposed section is new language informing users about the availability of non-embedded designated supports for mathematics that may benefit English learners and reclassified fluent English proficient pupils. This information was previously included in the former section 853.7 which was deleted for organizational clarity. Additionally, a new support, simplified test directions, is added to conform to changes in Consortium policy per former section 853.5(g) and proposed section 854.2(g).

**Proposed Section 854.2(e)** adds the list of approved embedded accommodations for the CAASPP mathematics assessment. This addition is necessary because it reinserts into regulations the information for the mathematics assessment which was formerly included in the deleted section 853.5(e).

**Proposed Section 854.2(f)** adds the list of approved non-embedded accommodations for the CAASPP mathematics assessment. This addition is necessary because it reinserts into regulations the information for the mathematics assessment which was formerly included in the deleted section 853.5(f), with the addition of a new non-
embedded accommodation, 100 numbers table, to conform to changes in Consortium policy per former section 853.5(g) and proposed section 854.2(g).

**Proposed Section 854.2(g)** adds back the text from former section 853.5(g) that was deleted for reorganization and clarity purposes.

**SECTION 854.3**

**NOTE Regarding Proposed Sections 854.3(a) through (f):** The lists of available embedded and non-embedded universal tools, designated supports, and accommodations for the new CAASPP assessment for science, California Science Test (CAST) that is aligned to the California Next Generation Science Standards, are listed in proposed subsections 854.3(a) through (f). These lists do not incorporate the accessibility resources previously shown for the former CAASPP science tests but are new lists that have been established for the new computer-based assessment.

**Proposed Section 854.3(a)** adds the list of approved embedded universal tools for the new California Science Test, CAST.

**Proposed Section 854.3(b)** adds the list of approved non-embedded universal tools for the new California Science Test, CAST.

**Proposed Section 854.3(c)** adds the list of approved embedded designated supports for the new California Science Test, CAST. This subsection also includes language to indicate that English learners and reclassified fluent English proficient pupils may benefit from the language supports listed in this subsection to maintain the importance of providing supports to English learners as needed per intention of the former section 853.7.

**Proposed Section 854.3(d)** adds the list of approved non-embedded designated supports for the new California Science Test, CAST. This subsection includes language to indicate that English learners and reclassified fluent English proficient pupils may benefit from the language supports listed in this subsection to maintain the importance of providing supports to English learners as needed per intention of the former section 853.7.

**Proposed Section 854.3(e)** adds the list of approved embedded accommodations for the new California Science Test, CAST.

**Proposed Section 854.3(f)** adds the list of approved non-embedded accommodations for the new California Science Test, CAST.

**SECTION 854.4**
NOTE Regarding Section Proposed Sections 854.4(a) through (f): The lists of available embedded and non-embedded universal tools, designated supports, and accommodations for the new CAASPP primary language assessment (PLA) are listed in proposed subsections 854.4(a) through (f). These lists do not incorporate the accessibility resources previously shown for the former CAASPP PLA, which is the Standards Test in Spanish (STS), but are new lists that have been established for the new computer-based PLA.

Proposed Section 854.4(a) adds the list of approved embedded universal tools for the CAASPP primary language assessment. This addition is necessary to add the accessibility supports for the new primary language assessment in Spanish, the California Spanish Assessment (CSA), which is currently under development, as well as for any other primary language assessments that may be developed.

Proposed Section 854.4(b) adds the list of approved non-embedded universal tools for the CAASPP primary language assessment. This addition is necessary to add the accessibility supports for the new primary language assessment in Spanish, the California Spanish Assessment (CSA), which is currently under development, as well as for any other primary language assessments that may be developed.

Proposed Section 854.4(c) adds the list of approved embedded designated supports for the CAASPP primary language assessment. This addition is necessary to add the accessibility supports for the new primary language assessment in Spanish, the California Spanish Assessment (CSA), which is currently under development, as well as for any other primary language assessments that may be developed.

Proposed Section 854.4(d) adds the list of approved non-embedded designated supports for the CAASPP primary language assessment. This addition is necessary to add the accessibility supports for the new primary language assessment in Spanish, the California Spanish Assessment (CSA), which is currently under development, as well as for any other primary language assessments that may be developed.

Proposed Section 854.4(e) adds the list of approved embedded accommodations for the CAASPP primary language assessment. This addition is necessary to add the accessibility supports for the new primary language assessment in Spanish, the California Spanish Assessment (CSA), which is currently under development.

Proposed Section 854.4(f) adds the list of approved non-embedded accommodations for the CAASPP primary language assessment. This addition is necessary to add the accessibility supports for the new primary language assessment in Spanish, the California Spanish Assessment (CSA), which is currently under development.

SECTION 854.5
Proposed Section 854.5 adds the administration requirements and availability of accessibility supports for the California alternate assessments (CAAs) for ELA, mathematics, and science. This addition is necessary because it reinserts into regulations information which was formerly included in the deleted section 853.6 with an addition of provisions applicable for CAA for science.

SECTION 854.9 (Note: sections 854.6-.8 reserved for future assessments that may be developed)

Proposed Section 854.9 is added in order to reinsert into regulations the information about unlisted resources and the procedures for requesting them which were formerly included in the deleted section 853.8. It is also amended to make changes to the list of resources that will not be permitted. Additions to the list of prohibited resources in subsection 854.9(e) include the following: the addition of non-embedded supports, 100s number table in grade 3 for mathematics; and American Sign Language or Signed Exact English for ELA, mathematics, CAST, and PLA. Also included is the deletion from the list of calculator for CAST. These changes are made to maintain alignment with Consortium policies and ensure validity and reliability with respect to the new CAASPP test for science, the CAST, in light of the content being tested.

SECTION 855

Section 855(a) is amended to add the word “operational” before “achievement tests.” The amendment is necessary to ensure that there is no confusion about when certain procedures apply since new test development involves the administration of pilot and field tests which do not follow same guidelines and requirements as the operational tests.

Section 855(a)(1) is amended to add “but not earlier than the second Tuesday in January of each year.” And also adds a specific ending date for the testing window of July 15th or the next weekday following the 15th. The amendment is necessary to ensure that local education agencies complete all their testing to enable the various steps in the scoring and reporting procedures to be completed in a timely manner.

Former section 855(a)(2) is deleted. The deletion is necessary because the tests referenced are no longer administered.

Former section 855(a)(3) is deleted. This deletion is necessary because the CAA for ELA and mathematics will now utilize the testing window set forth in Section 855(a)(1), which is used for all other CAASPP assessments besides CAA for science.

Proposed Section 855(a)(2) is added to specify the testing window for the CAA for science, which has a different start date than other CAASPP assessments. The start
date for the new CAA for science is in September on a date to be determined by the California Department of Education (CDE).

SECTION 856

Former Section 856 is deleted because it was repealed.

Proposed Section 856 is added to address the requirements for notification by state agencies per new ESSA law if they expect to exceed the one percent cap on administration of the alternate assessments. This section requests local educational agencies to annually provide the information required by federal regulations in a timely manner to the California Department of Education (CDE). The specific dates and form on which the information is to be submitted will be provided by the CDE.

SECTION 859

Sections 859(b)(6) and (d)(10) are amended to delete “CAPA Science.” The amendment is necessary because this test is no longer administered.

ECONOMIC IMPACT ASSESSMENT PER GOV. CODE SECTION 11346.3(b)

The CDE has determined that only LEAs, as defined by Education Code section 60603(o), are impacted by these amended regulations in order to comply with the provisions of 20 U.S.C. 6311 of the Every Student Succeeds Act, requiring the annual assessment of “all students and children in the State.”

Therefore, the amendment and adoption of these regulations will not 1) create or eliminate jobs within California; 2) create new businesses or eliminate existing businesses within California; or 3) affect the expansion of businesses currently doing business within California.

OTHER REQUIRED SHOWINGS

Studies, Reports Or Documents Relied Upon – Gov. Code. Section 11346.2(b)(3):

The SBE relied on the following documents in drafting of these regulations:

2015–16 English learner students by language by grade report— from DataQuest at http://dq.cde.ca.gov/dataquest/SpringData/StudentsByLanguage.aspx?Level=State&TheYear=2015-16&SubGroup=All&ShortYear=1516&GenderGroup=B&CDSCode=00000000000000&RecordType=EL

Reasonable Alternatives Considered or Agency’s Reasons for Rejecting Those Alternatives – Gov. Code Section 11346.2(b)(5)(A):

No other alternatives were presented to or considered by the SBE.

Reasonable Alternatives that Would Lessen the Impact on Small Businesses – Gov. Code Section 11346.2(b)(5)(B):

The SBE has not identified any alternatives that would lessen any adverse impact on small business.

Evidence Relied Upon to Support the Initial Determination that the Regulations Will Not Have A Significant Adverse Economic Impact on Business – Gov. Code Section 11346.2(b)(5)(A):

The proposed regulations would not have a significant adverse economic impact on any business. The activities specified in the regulations affect only state and local governments.

Analysis of Whether the Regulations are an Efficient and Effective Means of Implementing the Law in the Least Burdensome Manner – Gov. Code Section 11346.3(e):

The proposed regulations have been determined to be the most efficient and effective means of implementing the law in the least burdensome manner.

02-09-17 [California Department of Education]
• The State Board of Education has illustrated changes to the original text in the following manner: text originally proposed to be added is underlined; text proposed to be deleted is displayed in strikeout.

Title 5. EDUCATION

Division 1. California Department of Education

Chapter 2. Pupils

Subchapter 3.75. California Assessment of Student Performance and Progress (CAASPP)

Article 1. General

§ 850. Definitions.

For the purposes of these regulations, the following terms shall have the following meanings:

(a) “Accommodations” means resources documented in a pupil's individualized education program (IEP) or Section 504 Plan which the pupil regularly uses in the classroom for instruction and/or assessments(s) and that are either utilized in the assessment environment or consist of changes in procedures or materials that increase equitable access during the assessment. Accommodations cannot fundamentally alter the comparability of achievement test scores.

(b) “Achievement tests” means any summative standardized test that measures the level of performance that a pupil has achieved on state-adopted content standards.

(c) “Adaptive engine” refers to the mechanism utilized in a computer-adaptive assessment that selects the difficulty of grade-level test questions throughout an assessment based on student responses.

(d) “Alternate assessments” means any CAASPP achievement tests as provided in Education Code section 60640(k) and the test materials developed to measure the level of performance for pupils with the most significant cognitive disabilities who are unable to take the consortium summative assessments in English language arts (ELA) and mathematics pursuant to Education Code section 60640(b)(1) or are unable to take an assessment of science pursuant to Education Code section 60640(b)(2), even with resources.
(e) “Assessment management system” means the test operations management system which is a set of web applications that manage the registration of pupils for tests, machine or hand scoring of test items, integration of item scores into an overall test score, and delivery of scores to the data warehouse.

(g) “Assessment technology platform” means the underlying computer systems on which CAASPP applications run. It is comprised of two components, the assessment management system and the test delivery system.

(h) “California Alternate Assessments (CAAs)” are the alternate assessments and corresponding test materials in ELA, mathematics, and science as provided for in Education Code section 60640(k) for pupils with the most significant cognitive disabilities. The CAAs are the successor alternate assessments for ELA, mathematics, and science as identified in Education Code section 60640(b)(3).

(i) “California Alternate Performance Assessment for Science (CAPA Science)” is the alternate assessment and corresponding test materials for science as provided for in Education Code section 60640(k) for pupils with significant cognitive disabilities.

(j) “California Modified Assessment for Science (CMA Science)” is the alternate assessment and corresponding test materials for science based on modified achievement standards.

(k) “California Standards Test for Science (CST Science)” is the assessment and corresponding test materials for science that measure the degree to which pupils are achieving the state content standards in science pursuant to Education Code section 60605.

(h) “California Spanish Assessment (CSA)” is the primary language assessment and corresponding test materials in Spanish for Reading Language Arts/Literacy that will replace the Standards-based Tests in Spanish (STS). When operational, the CSA will be the successor to the STS pursuant to Education Code section 60640(b)(5)(A) and (i).

(i) “California Science Test (CAST)” is the assessment and corresponding test materials for science pursuant to Education Code section 60640(b)(2)(B) that measures
the degree to which pupils are achieving the state-adopted standards in science pursuant to former Education Code section 60605.85.

(j) “Change of construct” means a modification of the concept or skills being tested that fundamentally alters the meaning and comparability of achievement test scores.

(k) “Data Warehouse” means a comprehensive storehouse of test registrations and results and a system to generate reports on, or extracts of, that data.

(l) “Designated supports” are resources which the pupil regularly uses in the classroom for instruction and/or assessment(s) and that are available for use by any pupil for whom the need has been indicated, prior to the assessment administration, by an educator or a team of educators (with parent/guardian and pupil input as appropriate) or specified in the pupil's IEP or Section 504 Plan.

(m) “Embedded” means a resource, whether a universal tool, designated support, or accommodation, that is part of the test delivery system for the computer-based CAASPP tests.

(n) “Instructional supports” are all supports, including those supports documented in a pupil's IEP or Section 504 Plan, that may be used in daily instruction and for assessment(s), including language and physical supports.

(o) “Local educational agency (LEA)” means a county office of education, school district, state special school, or direct-funded charter school as described in Education Code section 47651. LEA superintendent, for purposes of these regulations, includes an administrator of a direct-funded charter school.

(p) “Non-embedded” means a resource, whether a universal tool, designated support, or accommodation, that may be provided by the LEA and is not part of the test delivery system for the computer-based CAASPP tests.

(q) “Nonpublic schools (NPS)” are nonpublic, nonsectarian schools as set forth in Education Code section 56034.

(r) “Operational” means a test administration that produces valid and reliable results which are used for public reporting purposes and for which pupil score reports are
required to be issued. Operational tests do not include tests still under development, such as pilot or field tests.

(c) "Primary language test assessment" means a test as provided in Education Code section 60640(b) and (j) and its corresponding test materials in each primary language for which a test is available. The primary language test is the Standards-based Test(s) in Spanish (STS) is the primary language assessment, until a successor the CSA test becomes available operational. The accessibility supports designated in section 854.4 do not apply to the STS.

(u) "Pupil" refers to a student enrolled in a California public school.

(u) "Pupils with the most significant cognitive disabilities" means pupils with a disability or disabilities as defined under section 602(3) of the Individuals with Disabilities Education Act (IDEA) that significantly impact(s) cognitive functioning and adaptive behavior and who require extensive, direct individualized instruction and substantial supports to achieve measurement on academic standards, provided that:

(1) The identification of a pupil as having a particular disability as defined in IDEA shall not determine whether or not a pupil is a pupil with the most significant cognitive disabilities; and

(2) A pupil with the most significant cognitive disabilities must not be identified as such based solely on the pupil’s previous low academic achievement or the pupil’s previous need for accommodations to participate in general statewide or local assessments.

(3) For purposes of this definition, “adaptive behavior” means behavior essential for someone to live independently and to function safely across three domains of daily life skills: conceptual (e.g., language, functional academics, self-direction, money management, and time concepts); social (e.g., interpersonal skills, responsibility, self-esteem, wariness/ naïveté, follow rules, etiquette, and social problem solving); and practical (e.g., activities of daily living, occupational skills, safety, healthcare, and travel).
(v) “Recently arrived English learner” means a pupil designated as an English Learner (EL) who is in his or her first 12 months of attending a school in the United States as specified in Education Code section 60603(v), as determined on or after April 15th of the previous school year.

(w) “Registration system” means the mechanism that provides administrators with the tools to manage users and pupils participating in CAASPP computer-based assessments. The system uses a role-specific design to restrict access to certain tasks based on the user's designated role as well as manage pupils' default test settings, designated supports, and accommodations.

(x) “Resource(s)” refers to a universal tool, designated support, accommodation or an unlisted resource approved pursuant to section 853.8854.9. Resources (including approved unlisted resources) do not change the construct of the assessment.

(y) “Scribe” is an employee of the LEA or a person assigned by an NPS to implement a pupil's IEP who has signed a CAASPP Test Security Affidavit and has received training to transcribe a pupil's responses to the format required by the test. A pupil's parent, guardian, or sibling is not eligible to be the pupil's scribe.

(z) “Significant medical emergency” is a significant injury, trauma, or illness (mental or physical) that precludes a pupil from taking the achievement tests. An injury, trauma, or illness is significant if the pupil has been determined by a licensed physician to be unable to participate in the tests.

(aa) “Standards-based Tests in Spanish (STS)” are the achievement tests and corresponding test materials that are administered at the option of the LEA as the primary language assessment as provided in Education Code sections 60640(b) and (j).

(ab) “Streamlining” means an accommodation on a computer-based assessment that provides an alternate display of an item, stacked into instructions, stimuli, and response choices.

(ac) “Test Administration Manuals (TAM)” means the instructions provided by the CAASPP contractor or consortium for the purpose of training and administration of the
respective CAASPP tests and which must be adhered to in order to ensure the security of valid and reliable tests and the reporting of accurate results.

(ad) “Test administrator” is an employee or contractor of an LEA or an NPS who has signed a CAASPP Test Security Affidavit and has received training to administer the CAASPP achievement tests.

(f)(ae) “Test delivery system” consists of the electronic systems used to display test items through an adaptive engine; accept and store item responses; score items; and restrict access to outside sources. The test delivery system includes technology required to administer computer-based tests.

(ae)(af) “Test examiner” is an employee or contractor of an LEA or an NPS who has signed a CAASPP Test Security Affidavit and has received training to administer the CAA tests. A test examiner must be a certificated or licensed LEA staff member.

(af)(ag) “Test materials” include, but are not limited to, administration manuals, administrative materials, assessment management system, practice tests, scratch paper, and test answer documents.

(ah)(ai) “Test proctor” is an employee of an LEA, or a person assigned by an NPS, to implement a pupil's IEP or Section 504 Plan, who has signed a CAASPP Test Security Affidavit and has received training designed to prepare him or her to assist the test examiner in the administration of tests.

(ai)(aj) “Track” is a type of attendance or instructional schedule for schools with year-round education programs pursuant to Education Code section 37670.

(ai)(ak) “Translator” is a person who has been assigned to translate the test directions into the pupil's primary language pursuant to section 853.6854.5, who has signed a CAASPP Test Security Affidavit as identified in section 859(d), and who has received training specifically designed to prepare him or her to assist the test administrator or test examiner in the administration of the assessments pursuant to Education Code section 60640. A pupil's parent, guardian, or sibling is not eligible to be the pupil's translator. A translator must be:

(1) an employee of an LEA;
(2) an employee of the NPS; or
(3) a person supervised by an employee of an LEA or an employee of the NPS.

(a)(ak) “Universal tools” are resources of the CAASPP tests that are available to all pupils.

(ak)(al) “Unlisted resource(s)” means an instructional support that a pupil regularly uses in daily instruction and/or assessment that has not been previously identified as a universal tool, designated support or accommodation. Because an unlisted resource has not been previously identified as a universal tool, designated support or accommodation, it may or may not change the construct of the assessment.

NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference: Sections 306, 37670, 47605, 47605.8, 47651, 56034, 60603, 60604, 60605, 60615, 60640, 60642.5 and 60642.6, Education Code; 5 CCR 11967.6; 20 U.S.C. 6311(b)(1)(E); and 34 C.F.R. Sections 200.1(d) 200.1(e), 200.1(f) and 300.160; and 5 CCR 11967.6.

Article 2. Achievement Tests and Any Primary Language Test Assessment

§ 851. Pupil Testing

(a) With the exception of pupils exempt pursuant to section 852, LEAs shall administer the achievement tests, and may administer the primary language test, to each eligible pupil as defined in section 851.5 who is enrolled in an LEA during the school's or track's selected testing period (excluding any extension period pursuant to section 855(b)(4)).

(b) The testing conducted shall be consistent with the pupil's grade of enrollment as noted in CALPADS on the first day that the pupil started testing in any component of the achievement test. Testing shall be conducted within the school's or track's available testing window pursuant to section 855.

(c) No later than start of the 2014-2015 school year, for the purposes of the CAASPP assessment system, a charter school which is not an LEA as defined in Education Code section 60603(o) shall test with, dependent on, the LEA that granted
the charter or was designated the oversight agency by the State Board of Education (SBE).

(d) LEAs shall make arrangements for the testing of all eligible pupils in alternative education programs or programs conducted off campus, including, but not limited to, non-classroom based programs, continuation schools, independent study, community day schools, county community schools, juvenile court schools, or NPSs.

(e) No test may be administered in a home or hospital except by a test administrator or test examiner. No test shall be administered to a pupil by the parent, guardian, or sibling of that pupil. This subdivision does not prevent classroom aides from assisting in the administration of the test under the supervision of a test administrator or test examiner, provided that the classroom aide does not assist his or her own child, and that the classroom aide signs a CAASPP Test Security Affidavit.


§ 851.5. Eligible Pupil

For purposes of these regulations, an “eligible pupil” is as follows:

(a) For CAASPP achievement tests in ELA, a pupil in grades 3 through 8 and grade 11 who is not taking the CAA or is not a recently arrived EL pursuant to section 850(v). However, a recently arrived EL may be an eligible pupil upon request by the parent/guardian.

(b) For CAASPP achievement tests in mathematics, a pupil in grades 3 through 8 and grade 11 who is not taking the CAA.

(d)(c) For the CAAs for ELA and mathematics, a pupil in grades 3 through 8 and grade 11 who has an IEP that designates the use of alternate assessments.

(g)(d) For the CSTCAST Science, a pupil in grades 5, 8 and any one grade of 10, 11, or 12 in which a pupil is receiving science instruction, who:

(1) has not previously completed a CAASPP high school achievement test for science; and
(2) does not have an IEP that designates the use of an alternate or modified assessment in science.

(e) For CAPA the CAA for Science, a pupil in grades 5, 8 and any one grade of 10, 11, or 12 in which a pupil is receiving science instruction, who:

(1) has not previously completed a CAASPP high school achievement test for science; and

(2) who has an IEP that designates the use of alternate assessments.

(f) For the CMA Science, a pupil in grades 5, 8 and 10 who has an IEP that designates the use of the modified assessment in science.

(f) For the Primary Language Assessment (PLA), a pupil in grades 3 through 8 and high school:

(1) who is receiving instruction in the language of the assessment; and/or

(2) who is seeking a measure of his or her primary language achievement (reading, writing, and listening).

(g) For the STS, a pupil in grades 3 through 8 and 11:

(1) whose primary language is Spanish and who is receiving instruction in Spanish; or

(2) who is enrolled in a dual language immersion program that includes Spanish; or

(3) who is a recently arrived EL and whose primary language is Spanish.

(h) Pupil score reports will be provided for all eligible pupils who are tested.


§ 853. Administration

(a) The CAASPP tests pursuant to Education Code section 60640 shall be administered, scored, transmitted, and/or returned by LEAs in accordance with the corresponding TAMs or other instructions provided by the contractor or the California
Department of Education (CDE) for administering, scoring, transmitting, and/or returning the tests, unless specifically provided otherwise in this subchapter, including instructions for administering the test with universal tools, designated supports, accommodations, unlisted resources or instructional supports, where appropriate, as specified in sections 853.5 through 853.8. The procedures shall include, but are not limited to, those designed to ensure the uniform and standardized administration, and scoring of the tests to pupils, the security and integrity of the test content and test items, and the timely provision of all required pupil and school level information.

(b) The primary mode of administration of a CAASPP achievement test shall be via a computing device, the use of an assessment technology platform, and the adaptive engine.

(c) If available, an LEA may utilize a paper-pencil version of any computer-based assessment (CBA) of the CAASPP assessment system, in accordance with Education Code section 60640(e), and if the LEA identifies the pupils that are unable to access the CBA version of the test.

(d) Interim assessments and formative assessment tools shall be made available to LEA(s) for their use. Use of interim assessments and formative assessment tools shall not be considered advance preparation for a CAASPP achievement test as defined in Education Code section 60611. LEAs that use interim assessments and/or formative assessment tools shall abide by the consortium/contractor(s) administration and use requirements. Any scoring of any performance tasks for an interim assessment is the responsibility of the LEA.


§ 853.5. Use of Universal Tools, Designated Supports, and Accommodations

(a) All pupils shall be permitted the following embedded universal tools on the CAASPP achievement tests for ELA (including the components of reading, writing, and listening) and mathematics as specified below:
(1) breaks for reading, writing, listening, and mathematics;
(2) calculator for specific mathematics items only in grades 6 through 8 and 11;
(3) digital notepad for reading, writing, listening, and mathematics;
(4) English dictionary for writing (ELA-performance task—full write not short paragraph responses);
(5) English glossary for reading, writing, listening, and mathematics;
(6) expandable passages for reading, writing, listening, and mathematics;
(7) global notes for writing (ELA-performance task—full write not short paragraph responses);
(8) highlighter for reading, writing, listening, and mathematics;
(9) keyboard navigation for reading, writing, listening, and mathematics;
(10) mark for review for reading, writing, listening, and mathematics;
(11) mathematics tools (i.e., embedded ruler and embedded protractor) for specific mathematics items;
(12) spell check for specific writing items;
(13) strikethrough for reading, writing, listening, and mathematics;
(14) writing tools for specific pupil generated responses; or
(15) zoom for reading, writing, listening, and mathematics.

(b) All pupils shall be permitted the following non-embedded universal tools on the CAASPP tests for ELA (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

(1) breaks;
(2) English dictionary for ELA performance task—full write not short paragraph responses;
(3) scratch paper;
(4) thesaurus for ELA performance task—full write not short paragraph responses;
(5) color overlay for science and primary language test;
(c) All pupils shall be permitted the following embedded designated supports when determined for use by an educator or a team of educators (with parent/guardian and
pupil input as appropriate) or specified in the pupil’s IEP or Section 504 Plan on the
CAASPP achievement tests for ELA (including the components of reading, writing, and
listening) and mathematics as specified below:

(1) color contrast for reading, writing, listening, and mathematics;
(2) masking for reading, writing, listening, and mathematics;
(3) text-to-speech for writing, listening, mathematics, and reading items but not
reading passages;
(4) translations (glossary) for mathematics;
(5) Spanish translations (stacked) and translated test directions for mathematics; or
(6) turn off any universal tool for reading, writing, listening, and mathematics.

(d) All pupils shall be permitted the following non-embedded designated supports
when determined for use by an educator or a team of educators (with parent/guardian
and pupil input as appropriate) or specified in the pupil’s IEP or Section 504 Plan on the
CAASPP achievement tests for ELA (including the components of reading, writing, and
listening), mathematics, science, and primary language as specified below:

(1) translated directions for ELA, mathematics, science and primary language test;
(2) bilingual dictionary for writing;
(3) access to translation glossaries/word lists for science and primary language test;
(4) color contrast for reading, writing, listening, and mathematics;
(5) color overlay for reading, writing, listening, and mathematics;
(6) magnification;
(7) read-aloud for writing, listening, mathematics, and reading items but not reading
passages;
(8) scribe for reading, listening, and mathematics;
(9) separate setting including most beneficial time of day, special lighting or
acoustics, and/or special or adaptive furniture;
(10) translations (glossary) for mathematics (only consortium-provided glossaries for
paper-pencil tests);
(11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
(12) translations (glossary) for science and primary language test; or
(13) read aloud for Spanish stacked translation in mathematics.
(14) simplified test directions for ELA and mathematics.
(e) The following embedded accommodations shall be provided on the CAASPP achievement tests for ELA (including the components of reading, writing, and listening) and mathematics when specified in a pupil's IEP or Section 504 Plan:
(1) American Sign Language for listening and mathematics;
(2) braille for reading, writing, listening, and mathematics;
(3) closed-captioning for listening;
(4) text-to-speech for reading passages; or
(5) streamlining for reading, writing, listening, and mathematics.
(f) The following non-embedded accommodations shall be provided on the CAASPP achievement tests for ELA (including the components of reading, writing, and listening), mathematics, science, and primary language when specified in a pupil's IEP or Section 504 Plan:
(1) read aloud;
(2) American Sign Language for science;
(3) braille for paper-pencil tests;
(4) abacus for mathematics and science;
(5) alternate response options for reading, writing, listening, and mathematics;
(6) calculator for calculator-allowed mathematics items only in grades 6 through 8, and 11;
(7) multiplication table for mathematics beginning in grade 4;
(8) print on demand for reading, writing, listening, and mathematics;
(9) read aloud for reading passages;
(10) scribe for writing, science, and primary language test;
(11) speech-to-text; or
(12) large-print version of a paper-pencil test.
(13) 100s number table for mathematics beginning in grade 4.
(g) If a consortium (in which California is a participant) amends or approves of a
universal tool(s), designated support(s), and/or accommodation(s) not listed in
subdivisions (a) through (f), the CDE shall approve its use.

NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
Sections 60605 and 60640, Education Code; and 34 C.F.R. Sections 200.1 and
300.160(b).

§ 853.6. Instructional Supports and Resources on California Alternate
Assessments (CAA).
(a) Administration of the CAA to eligible pupils shall be one-on-one (test examiner to
pupil).
(b) Depending upon the pupil's disability or needs, the CAA may or may not include
the student's independent use of the testing interface.
(c) With the exception of inappropriate test practices listed in the TAMs, eligible
pupils may have instructional supports, including the language of instruction and
physical supports, in addition to resources documented in the pupil's IEP or Section 504
Plan.

NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
Sections 60605 and 60640, Education Code; and 34 C.F.R. Sections 200.1 and
300.160(b).

§ 853.7. Use of Designated Supports for English Learners.
(a) An EL shall be permitted the following-embedded-designated supports, when
determined for use by an educator or a team of educators (with parent/guardian and
pupil input as appropriate) or specified in the pupil's IEP or Section 504 Plan on the
CAASPP achievement tests for ELA (including the components of reading, writing, and listening) and mathematics as specified below:

1. color contrast for reading, writing, listening, and mathematics;
2. masking for reading, writing, listening, and mathematics;
3. text-to-speech for writing, listening, mathematics and reading items, but not passages;
4. translations (glossary) for mathematics;
5. Spanish translations (stacked) and translated test directions for mathematics; or
6. turn off any universal tool for reading, writing, listening, and mathematics.

(b) An EL shall be permitted the following non-embedded designated supports when determined for use by an educator or a team of educators (with parent/guardian and pupil input as appropriate) or specified in the pupil's IEP or Section 504 Plan on the CAASPP achievement tests for ELA (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

1. translated test directions for ELA mathematics, science and primary language test;
2. bilingual dictionary for writing;
3. access to translation glossaries/word lists for science and primary language test;
4. color contrast for reading, writing, listening, and mathematics;
5. color overlay for reading, writing, listening, and mathematics;
6. magnification;
7. read-aloud for writing, listening, mathematics, and reading items but not reading passages;
8. scribe for reading, listening, and mathematics;
9. separate setting including most beneficial time of day, special lighting or acoustics, and/or special or adaptive furniture;
10. translations (glossary) for mathematics (only consortium-provided glossaries for paper-pencil tests);
(11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
(12) translations (glossary) for science and primary language test; or
(13) read aloud for Spanish stacked translation in mathematics.
(14) simplified test directions for ELA and mathematics.
(c) If a consortium (in which California is a participant) amends or approves of a designated support(s) not listed in subdivisions (a) and/or (b), the CDE shall approve its use.

§ 853.8. Unlisted Resources
(a) An LEA may submit, on behalf of a pupil who has an IEP or Section 504 Plan, a request through the assessment management system to the CDE, prior to the administration of a CAASPP achievement test, to allow the use and approval of an unlisted resource. The LEA CAASPP coordinator or the CAASPP test site coordinator shall make the request on behalf of the LEA ten business days prior to the pupil's first day of CAASPP testing. The CDE shall respond to the request within four business days from the date of the electronic transmission. Transmissions must include:
(1) LEA name and county/district/school (CDS) code;
(2) school/test site and school code;
(3) LEA CAASPP coordinator name, phone number, and email address;
(4) CAASPP test site coordinator name, phone number, and email address;
(5) school/test site selected testing period;
(6) SSID(s) for the pupil(s) for which the unlisted resource(s) is/are being requested;
(7) CAASPP test and grade;
(8) if the pupil has an IEP, include the primary disability code and/or designated Section 504 Plan; and
(9) description of the unlisted resource being requested.
(b) The use and approval of an unlisted resource must be requested annually by an LEA.

c) The use of an unlisted resource by a pupil will not be allowed if the CDE determines its use threatens the security of the test.

d) In addition to determining whether the unlisted resource may be used, the CDE will determine whether the unlisted resource changes the construct being measured by the CAASPP achievement test.

1) If the CDE determines the unlisted resource changes the construct being measured, the unlisted resource will not be approved but may still be used by the pupil and the pupil will receive an individual score report. The pupil will not be counted as participating in statewide testing, which will impact the accountability participation rate indicator for the LEA.

2) If CDE determines the unlisted resource does not change the construct being measured, the unlisted resource will be approved. The pupil will receive an individual score report and the pupil will be counted as participating in statewide testing.

e) The following non-embedded unlisted resources have already been determined to change the construct being measured on the CAASPP achievement tests for English language arts (including the components for reading, writing, and listening), mathematics, science, and primary language and will not be approved:

1) English dictionary for reading, listening, mathematics, science, and primary language;

2) translated word list for ELA;

3) calculator on mathematics items in grades 3 through 5;

4) thesaurus for reading, listening, mathematics, science and primary language;

5) bilingual dictionary for ELA, mathematics, science and primary language;

6) translations (glossary) for reading, writing, listening, and mathematics when not provided by the consortium;

7) calculator for non-specified mathematics items or science;

8) math tools (i.e., ruler, protractor) for mathematics items; and
§ 854.1. Use of Universal Tools, Designated Supports, and Accommodations for

English Language Arts (ELA).

(a) All pupils shall be permitted the following embedded universal tools, delivered through an online platform, for all CAASPP achievement tests for ELA (including the components of reading, writing, and listening) as specified below:

(1) breaks for reading, writing, and listening;
(2) digital notepad for reading, writing, and listening;
(3) English dictionary for writing (ELA-performance task – full write not short paragraph responses);
(4) English glossary for reading, writing, and listening;
(5) expandable passages for reading, writing, and listening;
(6) global notes for writing (ELA-performance task(s) – full write not short paragraph responses);
(7) highlighter for reading, writing, and listening;
(8) keyboard navigation for reading, writing, and listening;
(9) mark for review for reading, writing, and listening;
(10) spell check for specific writing items for ELA;
(11) strikethrough for reading, writing, and listening;
(12) writing tools for specific pupil generated responses for ELA; or
(13) zoom for reading, writing, and listening.

(b) All pupils shall be permitted the following non-embedded universal tools on all CAASPP achievement tests for ELA (including the components of reading, writing, and listening) as specified below:

(1) breaks for reading, writing, and listening;
(2) English dictionary for ELA performance task(s) – full write not short paragraph responses;
(3) scratch paper for reading, writing, and listening; or
(4) thesaurus for ELA performance task(s) – full write not short paragraph responses.

(c) All pupils shall be permitted the following embedded designated supports, delivered through an online platform, when determined for use by an educator or a team of educators (with parent/guardian and pupil input as appropriate) or specified in the pupil’s IEP or Section 504 Plan on all CAASPP achievement tests for ELA (including the components of reading, writing, and listening) as specified below:

(1) color contrast for reading, writing, and listening;
(2) masking for reading, writing, and listening;
(3) text-to-speech for writing, listening, and reading items but not reading passages; or
(4) turn off any universal tool for reading, writing, and listening.

(d) All pupils shall be permitted the following non-embedded designated supports when determined for use by an educator or a team of educators (with parent/guardian and pupil input as appropriate) or as specified in the pupil’s IEP or Section 504 Plan on the CAASPP achievement tests for ELA as specified below. Included on the following list of non-embedded designated supports are language support(s) that may be appropriate for English learners or reclassified fluent English proficient pupils:

(1) bilingual dictionary for ELA performance task(s) – full write not short paragraph responses, and writing;
(2) color contrast for reading, writing, and listening;
(3) color overlay for reading, writing, and listening;
(4) magnification for reading, writing, and listening;
(5) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones) for reading, writing, and listening;
(6) read aloud for writing, listening, and reading items but not reading passages;
(7) scribe for reading and listening;
(8) separate setting for reading, writing, and listening, including most beneficial time of day, special lighting or acoustics, and/or special or adaptive furniture;
(9) simplified test directions for reading, writing, and listening; or
(10) translated test directions for reading, writing, and listening.

(e) The following embedded accommodations, delivered through an online platform, shall be provided when specified in the pupil’s IEP or Section 504 Plan on all CAASPP achievement tests for ELA (including the components of reading, writing, and listening) as specified below:

   (1) American Sign Language for listening;
   (2) Braille for reading, writing, and listening;
   (3) closed captioning for listening;
   (4) streamline for reading, writing, and listening; or
   (5) text-to-speech for ELA reading passages.

(f) The following non-embedded accommodations shall be provided, when specified in the pupil’s IEP or Section 504 Plan on all CAASPP achievement tests for ELA (including the components of reading, writing, and listening) as specified below:

   (1) alternate response options for reading, writing, and listening;
   (2) Braille for paper-pencil tests;
   (3) large-print version of a paper-pencil test, as available;
   (4) print on demand for reading, writing, and listening;
   (5) read aloud for ELA reading passages;
   (6) scribe for writing; or
   (7) speech-to-text.

(g) If a consortium (in which California is a participant) amends or approves of a universal tool(s), designated support(s), and/or accommodation(s) not listed in subdivisions (a) through (f), the CDE shall approve its use.

NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference: Sections 60605 and 60640, Education Code; and 34 C.F.R. Sections 200.1 and
§ 854.2. Use of Universal Tools, Designated Supports, and Accommodations for Mathematics.

(a) All pupils shall be permitted the following embedded universal tools, delivered through an online platform, for all CAASPP achievement tests for mathematics as specified below:

1. breaks;
2. calculator for specific mathematics items only in grades 6 through 8 and grade 11;
3. digital notepad;
4. English glossary;
5. expandable passages;
6. highlighter;
7. keyboard navigation;
8. mark for review;
9. mathematics tools (i.e., embedded ruler and embedded protractor) for specific mathematics items;
10. strikethrough;
11. writing tools for specific pupil generated responses; or
12. zoom.

(b) All pupils shall be permitted the following non-embedded universal tools on all CAASPP achievement tests for mathematics as specified below:

1. breaks; or
2. scratch paper.

(c) All pupils shall be permitted the following embedded designated supports, delivered through an online platform, when determined for use by an educator or a team of educators (with parent/guardian and pupil input as appropriate) or as specified in the pupil’s IEP or Section 504 Plan on all CAASPP achievement tests for mathematics as
specified below. Included on the following list of embedded designated supports are language support(s) that may be appropriate for English learners or reclassified fluent English proficient pupils:

(1) color contrast;
(2) masking;
(3) text-to-speech for stimuli and items;
(4) translations (glossary);
(5) Spanish translations (stacked) and translated test directions; or
(6) turn off any universal tool.

(d) All pupils shall be permitted the following non-embedded designated supports, when determined for use by an educator or a team of educators (with parent/guardian and pupil input as appropriate) or as specified in the pupil’s IEP or Section 504 Plan on the CAASPP achievement tests for mathematics as specified below. Included on the following list of non-embedded designated supports are language support(s) that may be appropriate for English learners or reclassified fluent English proficient students:

(1) color contrast;
(2) color overlay;
(3) magnification;
(4) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
(5) read aloud for stimuli and items;
(6) read aloud for Spanish stacked translation;
(7) scribe;
(8) separate setting, including most beneficial time of day, special lighting or acoustics, and/or special or adaptive furniture;
(9) simplified test directions;
(10) translated test directions; or
(11) translations (glossary) for mathematics (only consortium-provided glossaries for paper-pencil tests).
(e) The following embedded accommodations, delivered through an online platform, shall be provided, when specified in the pupil’s IEP or Section 504 Plan on all CAASPP achievement tests for mathematics as specified below:

1. American Sign Language;
2. Braille; or
3. Streamline.

(f) The following non-embedded accommodations shall be provided when specified in the pupil’s IEP or Section 504 Plan on all CAASPP achievement tests for mathematics as specified below:

1. 100s number table for mathematics beginning in grade 4;
2. Abacus;
3. Alternate response options;
4. Braille for paper-pencil tests;
5. Calculator for calculator-allowed mathematics items only in grades 6 through 8, and grade 11;
6. Large-print version of a paper-pencil test, as available;
7. Multiplication table for mathematics beginning in grade 4;
8. Print on demand; or
9. Speech-to-text.

(g) If a consortium (in which California is a participant) amends or approves of a universal tool(s), designated support(s), and/or accommodation(s) not listed in subdivisions (a) through (f), the CDE shall approve its use.


§ 854.3. Use of Universal Tools, Designated Supports, and Accommodations for Science.

(a) All pupils shall be permitted the following embedded universal tools, delivered
through an online platform, for the CASTs as specified below:

1. breaks;
2. calculator (four function for grade 5 and scientific for grade 8 and high school);
3. digital notepad;
4. English glossary;
5. expandable passages;
6. global notes for writing;
7. highlighter;
8. keyboard navigation;
9. mark for review;
10. mathematics tools (e.g., ruler, protractor);
11. science charts (i.e., calendar, Periodic Table of the Elements, and conversion charts);
12. science tools (e.g., interactive laboratory equipment, stop watch, static hardness key or tool, etc.);
13. strikethrough;
14. writing tools for specific pupil generated responses; or
15. zoom.

(b) All pupils shall be permitted the following non-embedded universal tools on all CAASPP achievement tests for science as specified below:

1. breaks; or
2. scratch paper.

(c) All pupils shall be permitted the following embedded designated supports, delivered through an online platform, when determined for use by an educator or a team of educators (with parent/guardian and pupil input as appropriate) or specified in the pupil’s IEP or Section 504 Plan on all CAASPP achievement tests for science as specified below. Included on the following list of embedded designated supports are language support(s) that may be appropriate for English learners or reclassified fluent English proficient pupils:
(1) color contrast;

(2) masking;

(3) Spanish translations (stacked);

(4) text-to-speech for stimuli and items;

(5) translations (glossary) for the following languages, when available: Arabic, Cantonese, Hmong, Korean, Mandarin, Punjabi, Russian, Spanish, Tagalog, and Vietnamese;

(6) turn off any universal tool(s).

(d) All pupils shall be permitted the following non-embedded designated supports, when determined for use by an educator or a team of educators (with parent/guardian and pupil input as appropriate) or specified in the pupil’s IEP or Section 504 Plan on all CAASPP achievement tests for science. Included on the following list of non-embedded designated supports are language support(s) that may be appropriate for English learners or reclassified fluent English proficient students:

(1) 100s number table;

(2) calculator (four-function for grade 5 and scientific for grade 8 and high school);

(3) color contrast;

(4) color overlay;

(5) magnification;

(6) multiplication table;

(7) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);

(8) read aloud for stimuli and items;

(9) science charts (state approved only, i.e., calendar, Periodic Table of the Elements, and conversion charts);

(10) scribe;

(11) separate setting, including most beneficial time of day, special lighting or acoustics, and/or special or adaptive furniture;

(12) simplified test directions; or
(13) translated test directions for the following languages, when available: Arabic, Armenian, Cambodian, Cantonese, Farsi, Hindi, Hmong, Japanese, Korean, Mandarin, Mixteco, Portuguese, Punjabi, Russian, Spanish, Tagalog, Urdu, and Vietnamese.

(e) The following embedded accommodations, delivered through an online platform, shall be provided, when specified in the pupil’s IEP or Section 504 Plan on all CAASPP achievement tests for science as specified below:

(1) American Sign Language;
(2) Braille;
(3) closed captioning; or
(4) streamline.

(f) The following non-embedded accommodations shall be provided when specified in the pupil’s IEP or Section 504 Plan on all CAASPP achievement tests for science as specified below:

(1) abacus for specific science items;
(2) alternate response options;
(3) print on demand; or
(4) speech-to-text.


§ 854.4. Use of Universal Tools, Designated Supports, and Accommodations for Primary Language Assessment (PLA).

(a) All pupils shall be permitted the following embedded universal tools, delivered through an online platform, for all CAASPP achievement tests for PLA (including the components of reading, writing, and listening) as specified below:

(1) breaks for reading, writing, and listening;
(2) digital notepad for reading, writing, and listening;
(3) dictionary in the language of the assessment for writing (PLA-performance task –
full write not short paragraph responses) when available;

(4) expandable passages for reading, writing, and listening;

(5) global notes for writing (PLA-performance task(s) – full write not short paragraph responses) – when available;

(6) highlighter for reading, writing, and listening;

(7) keyboard navigation for reading, writing, and listening;

(8) mark for review for reading, writing, and listening;

(9) spell check for specific writing items for PLA;

(10) strikethrough for reading, writing, and listening;

(11) writing tools for specific pupil generated responses for PLA; or

(12) zoom for reading, writing, and listening.

(b) All pupils shall be permitted the following non-embedded universal tools on all CAASPP achievement tests for PLA (including the components of reading, writing, and listening) as specified below:

(1) breaks for reading, writing, and listening;

(2) dictionary in the language of the assessment for PLA performance task(s) – full write not short paragraph responses – when available;

(3) scratch paper for reading, writing, and listening; or

(4) thesaurus in the language of the assessment for PLA performance task(s) – full write not short paragraph responses – when available.

(c) All pupils shall be permitted the following embedded designated supports, delivered through an online platform, when determined for use by an educator or a team of educators (with parent/guardian and pupil input as appropriate) or specified in the pupil’s IEP or Section 504 Plan on all CAASPP achievement tests for PLA (including the components of reading, writing, and listening) as specified below:

(1) color contrast for reading, writing, and listening;

(2) masking for reading, writing, and listening;

(3) text-to-speech for writing, listening, and reading items but not reading passages; or
(d) All pupils shall be permitted the following non-embedded designated supports when determined for use by an educator or a team of educators (with parent/guardian and pupil input as appropriate) or as specified in the pupil’s IEP or Section 504 Plan on the CAASPP achievement tests for PLA as specified below. Included on the following list of non-embedded designated supports are language support(s) that may be appropriate for any pupil who can benefit from their use:

1. bilingual dictionary for PLA performance task(s) – full write not short paragraph responses, and writing – when available;
2. color contrast for reading, writing, and listening;
3. color overlay for reading, writing, and listening;
4. magnification for reading, writing, and listening;
5. noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones) for reading, writing, and listening;
6. read aloud for writing, listening, and reading items but not reading passages;
7. scribe for reading and listening;
8. separate setting for reading, writing, and listening, including most beneficial time of day, special lighting or acoustics, and/or special or adaptive furniture;
9. simplified test directions for reading, writing, and listening; or
10. translated test directions for reading, writing, and listening.

(e) The following embedded accommodations, delivered through an online platform, shall be provided when specified in the pupil’s IEP or Section 504 Plan on all CAASPP achievement tests for PLA (including the components of reading, writing, and listening) as specified below:

1. Braille for reading, writing, and listening;
2. streamline for reading, writing, and listening; or
3. text-to-speech for PLA reading passages.

(f) The following non-embedded accommodations shall be provided, when specified in the pupil’s IEP or Section 504 Plan on all CAASPP achievement tests for PLA.
(including the components of reading, writing, and listening) as specified below:

1. alternate response options for reading, writing, and listening;
2. print on demand for reading, writing, and listening;
3. read aloud for PLA reading passages; or
4. scribe for writing.

NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
Sections 60605 and 60640, Education Code; and 34 C.F.R. Sections 200.1 and 300.160.

§ 854.5. Administration, Resources, and Instructional Supports for the California Alternate Assessments (CAAs) for English Language Arts, Mathematics, and Science.

(a) Administration of the CAAs to eligible pupils shall be one-on-one (test examiner to pupil).

(b) Depending upon the pupil's disability or needs, the CAAs may or may not include the pupil's independent use of the testing interface, or, for science, student's independent response(s) to the embedded performance task(s).

(c) With the exception of inappropriate test practices listed in the TAM, eligible pupils may have instructional supports, including the language of instruction by a translator and physical supports, in addition to resources documented in the pupil's IEP or Section 504 Plan.


§ 854.9. Unlisted Resources.

(a) An LEA may submit, on behalf of a pupil who has an IEP or Section 504 Plan, a request through the assessment management system to the CDE, prior to the administration of a CAASPP achievement test, to allow the use and approval of an
unlisted resource. The LEA CAASPP coordinator or the CAASPP test site coordinator shall make the request on behalf of the LEA ten business days prior to the pupil’s first day of CAASPP testing. The CDE shall respond to the request within four business days from the date of the electronic transmission. Transmissions must include:

1. LEA name and county/district/school (CDS) code;
2. school/test site and school code;
3. LEA CAASPP coordinator name, phone number, and email address;
4. CAASPP test site coordinator name, phone number, and email address;
5. school/test site selected testing period;
6. SSID(s) for the pupil(s) for which the unlisted resource(s) is/are being requested;
7. CAASPP test and grade;
8. if the pupil has an IEP, include the primary disability code and/or designated Section 504 Plan; and
9. description of the unlisted resource being requested.

(b) The use and approval of an unlisted resource must be requested annually by an LEA.

(c) The use of an unlisted resource by a pupil will not be allowed if the CDE determines its use threatens the security of the test.

(d) In addition to determining whether the unlisted resource may be used, the CDE will determine whether the unlisted resource changes the construct being measured by the CAASPP achievement test.

1. If the CDE determines the unlisted resource changes the construct being measured, the unlisted resource will not be approved but may still be used by the pupil and the pupil will receive an individual score report. The pupil will not be counted as participating in statewide testing, which will impact the accountability participation rate indicator for the LEA.

2. If CDE determines the unlisted resource does not change the construct being measured, the unlisted resource will be approved. The pupil will receive an individual score report and the pupil will be counted as participating in statewide testing.
The following non-embedded unlisted resources have already been determined to change the construct being measured on the CAASPP achievement tests for English language arts (including the components for reading, writing, and listening), mathematics, science, and primary language and will not be approved:

1. 100s number table for mathematics in grade 3;
2. American sign language or signed exact English for reading, writing, listening, mathematics, science, and primary language;
3. Bilingual dictionary for reading, mathematics, science and primary language;
4. Calculator for non-specified mathematics items;
5. Calculator on mathematics items in grades 3 through 5;
6. English dictionary for reading, mathematics, science, and primary language;
7. Math tools (i.e., ruler, protractor) for mathematics items; and
9. Thesaurus for reading, listening, mathematics, science and primary language
10. Translations (glossary) for reading, writing, listening, and mathematics when not provided by the consortium;
11. Translated word list for reading, writing, listening, mathematics, science, and primary language assessments;


§ 855. Available Testing Window and Selected Testing Period(s).
(a) Beginning in the 2015-16 school year, the CAASPP operational achievement tests pursuant to Education Code section 60640(b) shall be administered to each pupil at some time during the following available testing windows:
(1) Unless otherwise stated in these regulations, the available testing window shall begin on the day in which 66 percent of the school's or track's annual instructional days have been completed, but no earlier than the second Tuesday in January of each year,
and testing may continue up to and including the last day of instruction for the regular
school's or track's annual calendar, but in no case later than July 15 or the next
weekday following the 15th if the 15th is not a weekday.

(2) The CST Science, CMA Science, and CAPA Science in grades 5, 8, and 10 shall
be administered to each pupil during an available testing window of 25 instructional
days that includes 12 instructional days before and after completion of 85 percent of the
school's or track's annual instructional days. If an LEA elects to administer the primary
language test, it shall do so during the same available window.

(3) The CAA for 2015-16 school year shall be administered during the available
testing window of April 11 through June 17, 2016. Beginning in the 2016-17 school year,
the CAA shall be administered to each eligible pupil during the available testing
windows set forth in subdivisions (a)(1) and (2) above.

(2) The CAA for science shall be administered annually beginning on a date in
September as determined by the CDE through the last day of instruction for the regular
school's or track's annual calendar, but in no case later than July 15 or the next
weekday following the 15th if the 15th is not a weekday.

(b) An LEA may designate one selected testing period for each school or track within
the available testing window set forth in subdivision (a) above, subject to the following
conditions:

(1) If a school has multiple tracks, a selected testing period may be designated for
each track. (i.e., a year-round school with three tracks may select three different
selected testing periods);

(2) An LEA shall not exceed 6 selected testing periods within the available testing
window;

(3) A selected testing period shall be no fewer than 25 consecutive instructional
days; and

(4) An LEA may extend a selected testing period up to an additional 10 consecutive
instructional days if still within the available testing window set forth in subdivision (a)
above.
(c) If an LEA does not designate a selected testing period for a school or track, then the available testing window, pursuant to subdivisions (a)(1) and (2) above, shall be the selected testing period for that school or track.

(d) The CDE, with the approval of the SBE President or designee, may require LEAs to more fully utilize the testing window and may also limit the usage of the interim assessments in instances where the CDE determines that it is necessary to do so to ensure that the capacity of the California K-12 High Speed Network (K12HSN) is not exceeded.


§ 856. Sales and Use Tax. [Repealed]

Note: Authority cited: Sections 33031 and 60605(g) and (h), Education Code. Reference: Section 60640, Education Code; and Sections 6051 et seq. and 6201 et seq., Revenue and Tax Code.

§ 856. Justification for Exceeding One Percent Cap on Use of Alternate Assessments

(a) On or before a date to be specified by the State Superintendent of Public Instruction, an LEA shall annually notify the CDE in writing if in any CAASPP achievement test administration it intends to test more than one percent of the total number of pupils who are assessed using an alternate assessment aligned with alternate achievement standards based on state-adopted content standards. The following information shall be included in such notice:

(1) The county, district, and school (CDS) code(s), name(s), and representative contact information for the LEA; and

(2) Justification as to why the LEA needs to exceed the one percent cap on the use of an alternate assessment.

NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
Section 60640, Education Code; and 20 U.S.C. Section 6311(b)(2)(D)(ii)(II).

§ 859. CAASPP Test Security Agreement and Test Security Affidavit

(a) All LEA CAASPP coordinators and CAASPP test site coordinators shall sign the CAASPP Test Security Agreement, set forth in subdivision (b), before receiving any CAASPP achievement tests administered pursuant to Education Code section 60640 and corresponding test materials.

(b) The CAASPP Test Security Agreement shall be as follows:

CAASPP TEST SECURITY AGREEMENT

I acknowledge by my signature on this form that the California Assessment of Student Performance and Progress (CAASPP) achievement tests pursuant to Education Code section 60640 are secure tests and agree to each of the following conditions to ensure test security:

(1) I will take all necessary precautions to safeguard all achievement tests and corresponding test materials, whether paper-based or computer-based assessments, by limiting access to only persons within the LEA who are responsible for, and have professional interest in, the tests' security.

(2) I will keep on file the names of all persons who have been trained in the administration of CAASPP achievement tests and all persons with access to achievement tests and corresponding test materials, whether paper-based or computer-based assessments. I have and shall have all other persons having access to the achievement tests and corresponding test materials read and sign the CAASPP Test Security Affidavit that will be kept on file in the LEA office.

(3) Except during the administration of the tests, I will keep the paper-pencil tests, and corresponding test materials in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.

(4) I will securely destroy all print-on-demand papers, scratch paper, and other documents as prescribed within the contractor's(s') or consortium's administrative manuals and documentation.
(5) With the exception of subdivision (6) below, I will deliver achievement tests and corresponding test materials or allow electronic access thereto, only on actual testing dates and only to those persons who have executed CAASPP Test Security Affidavits.

(6) For an alternate assessment (CAA and CAPA Science), I will keep all tests and testing materials in the manner set forth above in subdivisions (b)(3) and (5) except during actual testing administration or when being used by test examiners to prepare for and to administer the assessment. I will adhere to the contractor's directions for the distribution of the corresponding test materials to test examiners.

By signing my name to this document, I am assuring that I have completely read and will abide by the above conditions.

Signed: __________________________________________________
Print Name: ______________________________________________
Title: ___________________________________________________
LEA: _____________________________________________________
Date: ____________________________________________________

(c) All test administrators, test examiners, proctors, translators, scribes, LEA CAASPP coordinators, CAASPP test site coordinators, and any other persons having access to any of the CAASPP achievement tests and corresponding test materials, assessment technology platform, or tests administered pursuant to Education Code section 60640, shall acknowledge the limited purpose of their access to the achievement tests by signing the CAASPP Test Security Affidavit set forth in subdivision (d).

(d) The CAASPP Test Security Affidavit shall be as follows:

CAASPP TEST SECURITY AFFIDAVIT

I acknowledge that I will have access to one or more of the California Assessment of Student Performance and Progress (CAASPP) achievement tests pursuant to Education Code section 60640, for the purpose of administering the test(s). I understand that these materials are highly secure and may be under copyright restrictions and it is my professional responsibility to protect their security as follows:
(1) I will not divulge the contents of the CAASPP achievement tests and corresponding test materials to any other person through verbal, written, or any other means of communication. This includes, but is not limited to, sharing or posting test content via the Internet or by email without the prior express written permission of the CDE.

(2) I will not copy or take a photo of any part of the achievement test(s) or corresponding test materials. This includes, but is not limited to, photocopying (including enlarging) and recording without the prior expressed written permission of the CDE.

(3) Except during the actual testing administrations or as otherwise provided for by law, I will keep the achievement test(s) and corresponding test materials secure until the test(s) are actually distributed to pupils when tests and testing materials are checked in and out by the CAASPP test site coordinator. Keeping materials secure means that test materials are required to be kept in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.

(4) I will limit access to the achievement test(s) and corresponding test materials by test examinees to the actual testing periods when they are taking the test(s). I understand that only pupils who are testing and LEA staff participating in the test administration who have signed a CAASPP Test Security Affidavit may be in the room when and where an achievement test is being administered.

(A) I will keep all assigned, generated, or created usernames, passwords, and logins secure and not divulge pupil personal information to anyone other than the pupil to whom the information pertains for the purpose of logging on to the test delivery system.

(B) I will not allow anyone other than the assigned pupils to log into their assigned test. I may assist pupils with using their information to log into their assigned test.

(C) I will not use a pupil's information to log in as a pupil or allow a pupil to log in using another pupil's information.

(5) I will not allow pupils to access electronic devices that allow them to access outside information, communicate with other pupils, or photograph or copy test content.
This includes, but is not limited to, cell phones, personal digital assistants (PDAs), tablets, laptops, cameras, and electronic translation devices.

(6) I will collect and account for all achievement test materials following each testing session and will not permit pupils to remove any test materials by any means from the room(s) where testing takes place. After each testing session, I will count all test booklets and answer documents before allowing any pupil to leave the testing room and/or ensure that all pupils have properly logged off the test delivery system.

(7) I will not review any achievement test questions, passages, performance tasks, or other test items independently or with pupils or any other person at any time, including before, during, or following testing. I understand that this includes any discussion between LEA staff for training or professional development whether one-on-one or in a staff meeting.

(8) I will not, for any achievement test, develop scoring keys, review any pupil responses, or prepare answer documents. I understand that this includes coaching pupils or providing any other type of assistance to pupils that may affect their responses. This includes, but is not limited to, both verbal cues (e.g., interpreting, explaining, or paraphrasing the test items or prompts) and nonverbal cues (e.g., voice inflection, pointing, or nodding head) to the correct answer (anything that may indicate correct or incorrect answers), or completing or changing pupils' answers.

(9) I will return all achievement tests and correspondent test materials to the designated CAASPP test site coordinator each day upon completion of testing. I understand that all test booklets, answer documents, and scratch paper shall be returned to the CAASPP test site coordinator each day immediately after testing has been completed for storage or confidential destruction.

(10) If I administer and/or observe the administration of an alternate assessment (CAA and/or CAPA Science), which means that I am a certificated or a licensed LEA employee and a trained examiner, I will keep all the alternate assessment materials in a securely locked room, and, when possible, in a locked storage cabinet within that room.
except when I am preparing for the administration, administering, or observing the
administration of the assessment to pupils.

(11) I will actively supervise pupils throughout the paper-pencil testing session to
ensure that they are working on the correct test section or part, marking their answers in
the correct section of their answer documents, following instructions, and are accessing
only authorized materials (non-embedded universal tools, designated supports,
accommodations, instructional supports for alternate assessments or unlisted
resources) needed for the test being administered.

(12) I will actively supervise pupils throughout the testing session and verify that
pupils have selected the appropriate assessment for the testing session and have
completed any necessary preceding test sections and/or classroom activities.

(13) I will administer the achievement test(s) in accordance with the directions for
test administration and test administration manuals prepared by the CAASPP testing
contractor(s), or any additional guidance provided by the CAASPP test contractor(s). I
understand that the unauthorized copying, sharing, or reusing of any test booklet, test
question, performance task, or answer document by any means is prohibited. This
includes, but is not limited to, photocopying, recording, emailing, messaging (instant,
text, or multimedia messaging service, or digital application), using a camera/camera
phone, and sharing or posting test content via the Internet without the express prior
written permission of the CDE.

(14) I have been trained to administer the achievement tests. By signing my name to
this document, I am assuring that I have completely read this affidavit and will abide by
the above conditions.

Signed: __________________________________________________
Print Name: ______________________________________________
Position: ________________________________________________
School: __________________________________________________
LEA: _____________________________________________________
Date: ____________________________________________________

3/8/2017 8:22 AM
(e) To maintain the security of the CAASPP assessment system, all LEA CAASPP coordinators and CAASPP test site coordinators shall immediately, within 24 hours, notify the CDE of any security breaches or testing irregularities occurring either before, during, or after the test administration(s).


02-10-17 [California Department of Education]
This is the official scanned version of Item 10 Attachment 4 Addendum from the California State Board of Education (SBE) Meeting Agenda for March 2017 posted at
http://www.cde.ca.gov/be/ag/ag/yr17/agenda201703.asp

An accessible version of the contents of this document is located at http://www.cde.ca.gov/be/ag/ag/yr17/mar17item10a4aav.asp

The scanned document starts following this initial page.
A. ESTIMATED PRIVATE SECTOR COST IMPACTS  Include calculations and assumptions in the rulemaking record.

1. Check the appropriate box(es) below to indicate whether this regulation:
   - a. Impacts business and/or employees
   - b. Impacts small businesses
   - c. Impacts jobs or occupations
   - d. Impacts California competitiveness
   - e. Imposes reporting requirements
   - f. Imposes prescriptive instead of performance
   - g. Impacts individuals
   - h. None of the above (Explain below):

   The regs align to test guidelines and would not impose add'l private sector costs

   If any box in Items 1 a through g is checked, complete this Economic Impact Statement.
   If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.

2. The ___________________________ (Agency/Department) estimates that the economic impact of this regulation (which includes the fiscal impact) is:
   - Below $10 million
   - Between $10 and $25 million
   - Between $25 and $50 million
   - Over $50 million (If the economic impact is over $50 million, agencies are required to submit a Standardized Regulatory Impact Assessment as specified in Government Code Section 11346.3(c))

3. Enter the total number of businesses impacted:

   Describe the types of businesses (Include nonprofits):

4. Enter the number of businesses that will be created: ___________________________ eliminated: ___________________________

   Explain: __________________________________________________________________________

5. Indicate the geographic extent of impacts: □ Statewide
   □ Local or regional (List areas):

6. Enter the number of jobs created: ___________________________ and eliminated: ___________________________

   Describe the types of jobs or occupations impacted:

7. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here? □ YES □ NO

   If YES, explain briefly: ____________________________________________________________________________

02/28/2017, 8:07 a.m.
B. ESTIMATED COSTS  Include calculations and assumptions in the rulemaking record.

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? $ ______________
   a. Initial costs for a small business: $ ______________  Annual ongoing costs: $ ______________  Years: ______________
   b. Initial costs for a typical business: $ ______________  Annual ongoing costs: $ ______________  Years: ______________
   c. Initial costs for an individual: $ ______________  Annual ongoing costs: $ ______________  Years: ______________
   d. Describe other economic costs that may occur: ____________________________________________________________________________________________________________________________________________

2. If multiple industries are impacted, enter the share of total costs for each industry:

3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted. $ ______________

4. Will this regulation directly impact housing costs? □ YES  □ NO
   If YES, enter the annual dollar cost per housing unit: $ ______________
   Number of units: ______________

5. Are there comparable Federal regulations? □ YES  □ NO
   Explain the need for State regulation given the existence or absence of Federal regulations: ____________________________________________________________________________________________________________________________________________
   Enter any additional costs to businesses and/or individuals that may be due to State-Federal differences: $ ______________

C. ESTIMATED BENEFITS  Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State’s environment: ____________________________________________________________________________________________________________________________________________

2. Are the benefits the result of: □ specific statutory requirements, or □ goals developed by the agency based on broad statutory authority?
   Explain: ________________________________________________________________________________________________________________________________________________________________

3. What are the total statewide benefits from this regulation over its lifetime? $ ______________

4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: ____________________________________________________________________________________________________________________________________________

D. ALTERNATIVES TO THE REGULATION  Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: ________________________________________________________________________________________________________________________________________________________________________________________________________________________________
2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Benefit: $</th>
<th>Cost: $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternative 1</td>
<td>Benefit: $</td>
<td>Cost: $</td>
</tr>
<tr>
<td>Alternative 2</td>
<td>Benefit: $</td>
<td>Cost: $</td>
</tr>
</tbody>
</table>

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives:


4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs?  

   □ YES □ NO

   Explain:

E. MAJOR REGULATIONS  Include calculations and assumptions in the rulemaking record.

California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.

1. Will the estimated costs of this regulation to California business enterprises exceed $10 million?  

   □ YES □ NO

   If YES, complete E2 and E3

   If NO, skip to E4

2. Briefly describe each alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

   Alternative 1: 

   Alternative 2: 

   (Attach additional pages for other alternatives)

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

   Regulation: Total Cost $  Cost-effectiveness ratio: $ 

   Alternative 1: Total Cost $  Cost-effectiveness ratio: $ 

   Alternative 2: Total Cost $  Cost-effectiveness ratio: $ 

4. Will the regulation subject to OAL review have an estimated economic impact to business enterprises and individuals located in or doing business in California exceeding $50 million in any 12-month period between the date the major regulation is estimated to be filed with the Secretary of State through 12 months after the major regulation is estimated to be fully implemented?  

   □ YES □ NO

   If YES, agencies are required to submit a Standardized Regulatory Impact Assessment (SRIA) as specified in Government Code Section 11346.3(e) and to include the SRIA in the Initial Statement of Reasons.

5. Briefly describe the following:

   The increase or decrease of investment in the State:

   The incentive for innovation in products, materials or processes:

The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state’s environment and quality of life, among any other benefits identified by the agency:

02/28/2017, 8:07 a.m.
FISCAL IMPACT STATEMENT

A. FISCAL EFFECT ON LOCAL GOVERNMENT  Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.

☐ 1. Additional expenditures in the current State Fiscal Year which are reimbursable by the State. (Approximate)
   (Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

   $ ____________________________________________

   a. Funding provided in

   Budget Act of __________________ or Chapter __________, Statutes of ____________

   b. Funding will be requested in the Governor's Budget Act of

   ____________________________ Fiscal Year: ____________________

☐ 2. Additional expenditures in the current State Fiscal Year which are NOT reimbursable by the State. (Approximate)
   (Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

   $ ____________________________________________

   Check reason(s) this regulation is not reimbursable and provide the appropriate information:

   a. Implements the Federal mandate contained in

   ____________________________________________________________

   b. Implements the court mandate set forth by the

   ____________________________________________________________ Court.

   Case of: ____________________________________________ vs. ____________________________________________

   Date of Election: __________________________________________

   d. Issued only in response to a specific request from affected local entity(s).

   Local entity(s) affected:

   ____________________________________________________________

   ____________________________________________________________

   e. Will be fully financed from the fees, revenue, etc. from:

   ____________________________________________________________

   Authorized by Section: ____________________ of the ____________ Code;

   f. Provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each;

   g. Creates, eliminates, or changes the penalty for a new crime or infraction contained in

☐ 3. Annual Savings. (approximate)

   $ ____________________________________________

☐ 4. No additional costs or savings. This regulation makes only technical, non-substantive or clarifying changes to current law regulations.

☐ 5. No fiscal impact exists. This regulation does not affect any local entity or program.

☐ 6. Other. Explain

   ____________________________________________________________
B. FISCAL EFFECT ON STATE GOVERNMENT

Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.

☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

$ _________________

It is anticipated that State agencies will:

☐ a. Absorb these additional costs within their existing budgets and resources.

☐ b. Increase the currently authorized budget level for the _________________ Fiscal Year

☐ 2. Savings in the current State Fiscal Year. (Approximate)

$ _________________

☐ 3. No fiscal impact exists. This regulation does not affect any State agency or program.

☒ 4. Other. Explain The regulations do not impose any additional costs as they provide clarity and address issues with the existing regulations for the California Assessment of Student Performance and Progress tests.

C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS

Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.

☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

$ _________________

☐ 2. Savings in the current State Fiscal Year. (Approximate)

$ _________________

☒ 3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.

☐ 4. Other. Explain

FISCAL OFFICER SIGNATURE

[Signature]

DATE
February 23, 2017

The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.

AGENCY SECRETARY

[Signature]

DATE
2/27/17

Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER
Economic and Fiscal Impact Statement

Department Name: California Department of Education

Contact Person: Amy Tang-Paterno

E-mail Address: atangpaterno@cde.ca.gov

Telephone Number: 916-322-6630

Descriptive Title From Notice Register Or From 400: California Assessment of Student Performance and Progress (dated February 10, 2017)

Notice File Number: Z

Economic Impact Statement

Section A. ESTIMATED PRIVATE SECTOR COST IMPACTS (Include calculations and assumptions in the rulemaking record.)

Section A.1. Check the appropriate box(es) below to indicate whether this regulation:

- Selected option is H: None of the above.
- Option H explanation: The regulations align to test guidelines and would not impose additional private sector costs.

If any box in Items 1a through g is checked, complete this Economic Impact Statement. If box in Item 1h is checked, complete the Fiscal Impact Statement as appropriate.

Fiscal Impact Statement

Section A. FISCAL EFFECT ON LOCAL GOVERNMENT (Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)

- Selected option is 5: No fiscal impact exists. This regulation does not affect any local entity or program.

Section B. FISCAL EFFECT ON STATE GOVERNMENT (Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)

- Selected option is 4: Other. Explain. The regulations do not impose any additional costs as they provide clarity and address issues with the existing regulations for the California Assessment of Student Performance and Progress tests.
Section C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS (Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)

- Selected option is 3: No fiscal impact exists. *This regulation does not affect any federally funded State agency or program.*

__Fiscal Officer Signature:__ Signed by Amy Tang-Paterno dated February 23, 2017

*The signature attests that the agency has completed the STD. 399 according to the instructions in the State Administrative Manual (SAM) sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or department not under an Agency Secretary must have the form signed by the highest ranking official in the organization.*

__Agency Secretary:__ Contains signature dated February 27, 2017

*Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.*

__Department of Finance Program Budget Manager:__ No signature.
SUBJECT

Approval of 2016–17 Consolidated Applications.

SUMMARY OF THE ISSUE(S)

Each local educational agency (LEA) must submit a complete and accurate Consolidated Application (ConApp) for each fiscal year in order for the California Department of Education (CDE) to send funding to LEAs that are eligible to receive federal categorical funds as designated in the ConApp. The ConApp is the annual fiscal companion to the LEA Plan as required by the federal Elementary and Secondary Education Act (ESEA) of 1965. The State Board of Education (SBE) is asked to annually approve ConApps for approximately 1,700 school districts, county offices of education, and direct-funded charter schools.

RECOMMENDATION

The CDE recommends that the SBE approve the 2016–17 ConApps submitted by LEAs in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

Each year, the CDE, in compliance with California Code of Regulations, Title 5, Section 3920, recommends that the SBE approve applications for funding Consolidated Categorical Aid Programs submitted by LEAs. Prior to receiving funding, the LEA must also have an SBE-approved LEA Plan that satisfies SBE and CDE criteria for utilizing federal categorical funds.

Approximately $2 billion of federal funding is distributed annually through the ConApp process. The 2016–17 ConApp consists of six federal-funded programs. The funding sources include:
Title I, Part A Basic Grant (Low Income);
Title I, Part D (Delinquent);
Title II, Part A (Teacher Quality);
Title III, Part A (Immigrant);
Title III, Part A (English Learner Students); and
Title VI, Part B (Rural, Low-Income).

ConApp data is collected twice a year. The Spring Release, which occurs from May to June, collects new fiscal year application data, end-of-school-year program participation student count, and program expenditure data. The Winter Release, which occurs from January to February, collects LEA reservations and allocations, and program expenditure data.

The CDE provides the SBE with two levels of approval recommendations. Regular approval is recommended when an LEA has submitted a correct and complete ConApp, Spring Release, and has no outstanding non-compliant issues or is making satisfactory progress toward resolving one or two non-compliant issues that is/are fewer than 365 days non-compliant. Conditional approval is recommended when an LEA has submitted a correct and complete ConApp, Spring Release, but has one or more non-compliant issues that is/are unresolved for over 365 days. Conditional approval by the SBE provides authority to the LEA to spend its categorical funds under the condition that it will resolve or make significant progress toward resolving non-compliant issues. In extreme cases, conditional approval may include the withholding of funds.

Attachment 1 identifies the LEAs that have no outstanding non-compliant issues or are making satisfactory progress toward resolving one or two non-compliant issues that is/are fewer than 365 days non-compliant. The CDE recommends regular approval of the 2016–17 ConApp for these five LEAs. Fiscal data are absent if an LEA is new or is a charter school applying for direct funding for the first time. Attachment 1 includes ConApp entitlement figures from school year 2015–16 because the figures for 2016–17 cannot be determined until all applications and LEA Plans have been completed.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

For fiscal year 2016–17, the SBE has approved ConApps for 1,659 LEAs. Attachment 1 represents the fourth set of 2016–17 ConApps presented to the SBE for approval.

FISCAL ANALYSIS (AS APPROPRIATE)

The CDE provides resources to track the SBE approval status of the ConApps for approximately 1,700 LEAs. The cost to track the non-compliant status of LEAs related to programs within the ConApp is covered through a cost pool of federal funds. CDE staff communicate with LEA staff on an ongoing basis to determine the evidence needed to resolve issues, review the evidence provided by LEA staff, and maintain a tracking system to document the resolution process.
Attachment 1: Consolidated Applications List (2016–17) – Regular Approvals (1 page)
Consolidated Applications List (2016–17) – Regular Approvals

The following five local educational agencies (LEAs) have submitted a correct and complete Consolidated Application (ConApp), Spring Release, and have no outstanding noncompliance issues or are making satisfactory progress toward resolving one or two non-compliant issues that are fewer than 365 days non-compliant. The California Department of Education recommends regular approval of these applications.

<table>
<thead>
<tr>
<th>Number</th>
<th>County-District-School Code</th>
<th>LEA Name</th>
<th>Total 2015–16 ConApp Entitlement</th>
<th>Total 2015–16 Entitlement Per Student</th>
<th>Total 2015–16 Title I Entitlement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>19647330134023</td>
<td>Animo Florence-Firestone Charter Middle</td>
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<td>0</td>
<td>0</td>
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<td>48705810134262</td>
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<td>19734370134338</td>
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<td>0</td>
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<td>0</td>
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<td>5</td>
<td>37769010134429</td>
<td>Thrive Public</td>
<td>0</td>
<td>0</td>
<td>0</td>
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</table>

Total 2015–16 ConApp entitlement funds for above districts receiving regular approval: $0
## SUBJECT

Elementary and Secondary Education Act: No Child Left Behind: Approval of Local Educational Agency Plans, Title I, Section 1112.

<table>
<thead>
<tr>
<th>Action</th>
<th>Information</th>
<th>Public Hearing</th>
</tr>
</thead>
</table>

## SUMMARY OF THE ISSUE(S)

The Elementary and Secondary Education Act (ESEA) provides federal funding that may be available to local educational agencies (LEAs) (defined as districts, county offices of education, and direct-funded charter schools) for a variety of programs. Currently, 24 direct-funded charter schools submitted an LEA Plan as part of the application for ESEA federal funding. California Department of Education (CDE) program staff review LEA Plans for compliance with the requirements of ESEA before recommending approval to the State Board of Education (SBE).

CDE program staff continue to work with one additional direct-funded charter school whose LEA Plan is currently under review by the CDE, and therefore, is not yet ready for recommendation to the SBE for final approval.

While the ESEA has been reauthorized as the Every Student Succeeds Act (ESSA) and signed into law by President Barack Obama on December 10, 2015, most of the provisions of the ESSA will not take effect until the 2017–18 school year.

## RECOMMENDATION

The CDE recommends that the SBE approve the 24 direct-funded charter school LEA Plans listed in Attachment 1.

The CDE recommends that the SBE provisionally approve one additional direct-funded charter school LEA Plan that is currently under review by the CDE. The review process is on-going and will be finalized by March 24, 2017. After this date, any LEA with an incomplete LEA Plan will not be eligible to receive ESEA federal funding until it receives SBE approval at a later date. The LEA with its plan under review is listed in Attachment 2.
BRIEF HISTORY OF KEY ISSUES

The federal ESEA Section 1112(e)(2) states that the state educational agency (SEA) shall approve an LEA Plan if the SEA determines that the LEA Plan is designed to enable the LEA’s schools to substantially help children meet the academic standards expected for all children. As a requirement for receiving federal funding sub-grants for ESEA programs, the local governing board and the SBE must approve the original LEA Plan. Subsequent approval of revisions to LEA Plans is made by the local governing board and kept on file with the original LEA Plan. The LEA Plan includes specific descriptions and assurances as outlined in the provisions included in the ESEA.

The purpose of the LEA Plan is to develop an integrated, coordinated set of actions that LEAs will take to meet certain programmatic requirements, including student academic services designed to increase student achievement and performance, coordination of services, needs assessments, consultations, services to homeless students, and others as required.

CDE program staff review LEA Plans for compliance with the requirements of the ESEA including evaluation of goals and activities designed to improve student performance in reading and mathematics; improve programs for English learner students; and promote efforts regarding graduation rates, dropout prevention, and advanced placement. If an LEA Plan lacks the required information, CDE program staff work with the LEA to ensure the necessary information is included in the LEA Plan before recommending approval.

Following initial CDE review and SBE approval, all LEAs are expected to annually review their LEA Plan and update the LEA Plan as necessary. Any changes to an LEA Plan must be approved by the LEA’s local governing board.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Since the current LEA Plan process was developed in July 2003, as a requirement of the ESEA, the SBE has approved 1,882 LEA Plans.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact to state operations.

ATTACHMENT(S)

Attachment 1: Direct-Funded Charter Schools Recommended for State Board of Education Approval (2 Pages)

Attachment 2: Direct-Funded Charter School Recommended for State Board of Education Provisional Approval (1 Page)
## Direct-Funded Charter Schools Recommended for State Board of Education Approval

<table>
<thead>
<tr>
<th>Local Educational Agency Name</th>
<th>County-District-School Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspire Benjamin Holt Middle</td>
<td>39 68585 0133678</td>
</tr>
<tr>
<td>Aspire East Palo Alto Charter</td>
<td>41 68999 0134197</td>
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<tr>
<td>Ballington Academy for the Arts and Sciences – San Bernardino</td>
<td>36 67876 0133892</td>
</tr>
<tr>
<td>Baypoint Preparatory Academy</td>
<td>33 76943 0132522</td>
</tr>
<tr>
<td>California Collegiate Charter</td>
<td>19 64733 0133884</td>
</tr>
<tr>
<td>Celerity Achernar Charter</td>
<td>19 73437 0134338</td>
</tr>
<tr>
<td>Center for Learning and Educational Success</td>
<td>36 67876 0128405</td>
</tr>
<tr>
<td>Downtown College Preparatory Middle</td>
<td>43 69666 0129718</td>
</tr>
<tr>
<td>Ingenuity Charter</td>
<td>37 68338 0131979</td>
</tr>
<tr>
<td>LA’s Promise Charter Middle #1</td>
<td>19 10199 0134361</td>
</tr>
<tr>
<td>Lodestar: A Lighthouse Community Charter Public</td>
<td>01 61259 0134015</td>
</tr>
<tr>
<td>New Los Angeles Charter Elementary School</td>
<td>19 64733 0133702</td>
</tr>
<tr>
<td>Northern Summit Academy</td>
<td>45 70169 0129957</td>
</tr>
<tr>
<td>Oakland Unity Middle</td>
<td>01 10017 0131581</td>
</tr>
<tr>
<td>Ocean Charter</td>
<td>19 64733 0102335</td>
</tr>
<tr>
<td>Local Educational Agency Name</td>
<td>County-District-School Code</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>Olive Grove Charter</td>
<td>42 76950 0132894</td>
</tr>
<tr>
<td>Rise Kohyang High</td>
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<tr>
<td>River Islands Technology Academy II</td>
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<tr>
<td>San Diego Cooperative Charter School 2</td>
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<tr>
<td>Summit Public School: Denali</td>
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<tr>
<td>Sycamore Valley Academy</td>
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<td>Summit Public School: Shasta</td>
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<tr>
<td>Union Street Charter</td>
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<tr>
<td>Valor Academy Elementary</td>
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</tbody>
</table>
Direct-Funded Charter School Recommended for State Board of Education Provisional Approval

<table>
<thead>
<tr>
<th>Local Educational Agency Name</th>
<th>County-District-School Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arts in Action Community Middle</td>
<td>19 64733 0134205</td>
</tr>
</tbody>
</table>
CALIFORNIA STATE BOARD OF EDUCATION

MARCH 2017 AGENDA

SUBJECT
Approval of the Career Technical Education Incentive Grant: Renewal Grantee List.

SUMMARY OF THE ISSUE(S)

Before the California Department of Education (CDE) can make annual grant awards for the Career Technical Education Incentive Grant (CTEIG), the California Education Code (EC) Section 53074 requires that the CDE submit a list of recommended new and renewal grant recipients to the State Board of Education (SBE) for review and approval. The CDE brought a list of grantees to the January and March 2016 SBE meetings to be funded in the 2015–16 fiscal year. In September 2016, the CDE brought a list of eligible new grantees to be funded in the 2016–17 fiscal year. These grantees did not apply for, or were not awarded, funding from the 2015–16 fiscal year. Current grantees from the 2015–16 fiscal year have provided the CDE with a progress report and renewal application. The CDE is now providing a list of 362 eligible renewal grantees for the 2016–17 fiscal year.

RECOMMENDATION

The CDE recommends that the SBE approve the list of 362 renewal grantees listed in Attachment 1 for the grant term of July 1, 2016, through June 30, 2019.

BRIEF HISTORY OF KEY ISSUES

The CTEIG program was established as part of the 2015–16 California State Budget. The CTEIG was created as a state education, economic, and workforce development initiative with the goal of providing pupils in kindergarten through grade twelve, inclusive, with the knowledge and skills necessary to transition to employment and postsecondary education. The purpose of the CTEIG is to encourage the development of new career technical education (CTE) programs and enhance and maintain current
CTE programs during implementation of the school district and charter school local control funding formula (LCFF).

A grant recipient under EC Section 53072 may consist of one or more, or any combination, of the following:

a. School Districts  
b. County Offices of Education  
c. Charter Schools with an active charter number  
d. Regional Occupational Centers or Programs operated by joint powers authorities, provided that the application has the written consent of each participating local educational agency (LEA)

The focus of the grant is the delivery and sustainability of high quality CTE programs. Grant recipients of these funds are expected to implement and maintain a CTE program meeting the elements of a high quality CTE program pursuant to EC Section 53071(c):

(1) Offers high quality curriculum and instruction aligned with the California CTE Model Curriculum Standards, including, but not limited to, providing a coherent sequence of CTE courses that enable pupils to transition to postsecondary education programs that lead to a career pathway or attain employment upon graduation from high school.

(2) Provides pupils with quality career exploration and guidance.

(3) Provides pupil support services including counseling and leadership development.

(4) Provides for system alignment, coherence, and articulation, including ongoing and structural regional or local partnerships with postsecondary educational institutions, with documented formal written agreements.

(5) Forms ongoing and structural industry and labor partnerships, documented through formal written agreements and through participation on advisory committees.

(6) Provides opportunities for pupils to participate in after school; extended day; and out-of-school internships, competitions, and other work-based learning opportunities.

(7) Reflects regional or local labor market demands and focuses on current or emerging high-skill, high-wage, or high-demand occupations.

(8) Leads to an industry-recognized credential, certificate, or appropriate postsecondary training/employment.
(9) Is staffed by skilled teachers or faculty and provides professional development opportunities for those teachers or faculty members.

(10) Reports data, as a program participation requirement, to allow for an evaluation of the program.

In addition to meeting the minimum requirements as outlined, the CTEIG requires a proportional dollar-for-dollar match as follows:

a. For the first funding term, $1.00 for every $1.00 received from this program. For the 2015–16 application matching funds may be based on local match expenditures starting July 2015 through June 2017.

b. For the second funding term, funds expended from the grant dollars must be matched $1.50 for every $1.00 received from this program, and must be expended by June 30, 2018.

c. For the third funding term, funds expended from the grant dollars must be matched $2.00 for every $1.00 received from this program, and must be expended by June 30, 2019.

The local match may include funding from school district/charter school LCFF apportionments pursuant to EC Section 42238.02, the federal Carl D. Perkins Career and Technical Education Improvement Act of 2006, the California Partnership Academies, the Agricultural Incentive Grant, or any other source except from the California Career Pathways Trust.

Per EC Section 53070(b), the grant amounts are appropriated as follows, “...unless otherwise determined by the Superintendent in collaboration with the executive director of the state board”:

a) For applicants with average daily attendance (ADA) of less than or equal to 140, 4 percent is designated

b) For applicants with ADA of more than 140 and less than or equal to 550, 8 percent is designated

c) For applicants with ADA of more than 550, 88 percent is designated

LEA allocations are determined using the following formula:

- A base amount calculated on an LEA’s proportional share of the total 2015–16 ADA in grades seven through twelve

- A supplemental allocation calculated on each of the following:
Grant applicants were required to validate how the applicant met, or will over the course of the first grant period meet, the minimum eligibility criteria which includes:

- the demonstration of high-quality CTE programs,
- how the applicant would match the dollars received from the CTEIG, and
- the sustainability of CTE programs for three years past the cessation of the grant.

Applicants unable to demonstrate high-quality programs and/or sustainability were not recommended for funding.

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The SBE received information regarding the CTEIG in December 2015. The SBE received items for CTEIG Grantee Approval in January, March, and September 2016.

**FISCAL ANALYSIS (AS APPROPRIATE)**

Funds from the CTEIG are appropriated to the CDE from the General Fund for the CTEIG in the following amounts:

1. For the 2015–16 fiscal year, $400 million
2. For the 2016–17 fiscal year, $300 million
3. For the 2017–18 fiscal year, $200 million

**ATTACHMENT(S)**

Attachment 1: March 2017 Recommended Renewal Grantee List for the Career Technical Education Incentive Grant (13 pages)
## March 2017 Recommended Renewal Grantee List for the Career Technical Education Incentive Grant

<table>
<thead>
<tr>
<th>CDS Code</th>
<th>LEA Name</th>
<th>Preliminary Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>19642120000000</td>
<td>ABC Unified</td>
<td>$1,320,923</td>
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<tr>
<td>19769680109926</td>
<td>Academia Advance Charter</td>
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<td>19642460126003</td>
<td>Academies of the Antelope Valley</td>
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<td>01611190000000</td>
<td>Alameda Unified</td>
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<td>19757130000000</td>
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<td>36750770000000</td>
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<td>19642610000000</td>
<td>Arcadia Unified</td>
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<td>01612590115238</td>
<td>ARISE High</td>
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<td>19647331931047</td>
<td>Birmingham Community Charter High</td>
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<td>Bishop Unified</td>
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<td>Brawley Union High</td>
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<tr>
<td>30664490000000</td>
<td>Brea-Olinda Unified</td>
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</table>
### March 2017 Recommended Renewal Grantee List for the Career Technical Education Incentive Grant

<table>
<thead>
<tr>
<th>CDS Code</th>
<th>LEA Name</th>
<th>Preliminary Allocation</th>
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<tbody>
<tr>
<td>05615560000000</td>
<td>Bret Harte Union High</td>
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<tr>
<td>19643870000000</td>
<td>Burbank Unified</td>
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<td>04100410000000</td>
<td>Butte County Office of Education</td>
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<tr>
<td>47738640000000</td>
<td>Butte Valley Unified</td>
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<td>41688900000000</td>
<td>Cabrillo Unified</td>
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Career Technical Education Incentive Grant

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## March 2017 Recommended Renewal Grantee List for the Career Technical Education Incentive Grant

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**March 2017 Recommended Renewal Grantee List for the Career Technical Education Incentive Grant**

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Career Technical Education Incentive Grant

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<td>51714640000000</td>
<td>Yuba City Unified</td>
<td>$897,159</td>
</tr>
<tr>
<td>58105875830112</td>
<td>Yuba County Career Preparatory Charter</td>
<td>$80,000</td>
</tr>
<tr>
<td><strong>Total Grant Award</strong></td>
<td></td>
<td><strong>$290,871,792</strong></td>
</tr>
</tbody>
</table>
CALIFORNIA STATE BOARD OF EDUCATION
MARCH 2017 AGENDA

SUBJECT
Approval of the Schedule of Significant Events (Timeline) and the Application to Serve on the Review Panel (Application) for the 2018 Science Instructional Materials Adoption.

SUMMARY OF THE ISSUE(S)

Education Code (EC) sections 60200 and 60212 authorize the State Board of Education (SBE) to adopt instructional materials for kindergarten and grades one through eight (K–8), inclusive, in science and to charge publishers a fee for their participation in that adoption.

In accordance with statute and regulations, and as recommended by the Instructional Quality Commission (IQC), SBE approval of the draft Timeline and the draft Application is required.

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE approve the draft Timeline (Attachment 1) and the draft online Application (Attachment 2) that will be used to recruit applicants to serve as reviewers during the 2018 Science Instructional Materials Adoption (Science Adoption).

BRIEF HISTORY OF KEY ISSUES

The dates on the Timeline are largely dictated by the requirements in statute and the California Code of Regulations, Title 5 (5 CCR). Specific citations are included on the Timeline. If the Timeline is approved by the SBE, the recruitment of reviewers will take place during the summer, with the IQC recommending reviewers to the SBE in September 2017 and SBE action to appoint them at its November 2017 meeting. Contingent on the SBE’s approval of the Timeline, the IQC will recommend and CDE anticipates that the SBE will approve the materials that will be used to train those reviewers at the same meetings. The reviewers would be trained in Sacramento in April.
2018 and would then review the submitted instructional materials for several months before reconvening in panels in Sacramento in July 2018.

After multiple opportunities for public feedback and comment, the IQC would make its own recommendations on the submitted programs at its September 2018 meeting. The SBE, which has final authority and responsibility to adopt materials, would be expected to take action on the Science Adoption at its November 2018 meeting.

The item also includes an Application for two categories of reviewers: Instructional Materials Reviewers (IMRs) and Content Review Experts (CREs). IMRs are typically classroom teachers (5 CCR requires that teachers comprise a majority of the reviewers) but also include administrators, teachers on non-classroom assignment, and interested members of the public. CREs are required to have a doctoral degree in a science discipline or a related field and serve as a resource to the panel in their discipline. IMRs and CREs serve together on the panels assigned to review submitted instructional materials programs and jointly prepare a Report of Findings to the IQC.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

November 3, 2016: The SBE approved the evaluation criteria for the 2018 Science Adoption as part of its adoption of the Science Framework for California Public Schools.

FISCAL ANALYSIS (AS APPROPRIATE)

EC Section 60212 requires the CDE, prior to conducting the Science Adoption, to provide public notice to all publishers and manufacturers that they will be assessed a fee to offset the cost of conducting the adoption process. The CDE estimates that the cost of the upcoming Science Adoption will be $400,000, exclusive of staff costs.

In January 2018, the CDE plans to collect letters of intent to participate from publishers and manufacturers of science instructional materials. Thereafter, the CDE will assess fees that will be payable by these entities based upon the number of programs and grade levels that they indicate will be submitted. Following receipt of the assessed fees, the CDE will begin the process of associating costs via its approved accounting systems process.

ATTACHMENT(S)

Attachment 1: 2018 Science Instructional Materials Adoption, Draft: Schedule of Significant Events (1 page)

Attachment 2: 2018 Science Instructional Materials Adoption, Draft: Instructional Materials Reviewer and Content Review Expert Online Application (8 pages)
# 2018 Science Instructional Materials Adoption

**Draft: Schedule of Significant Events**

(Pending approval by SBE at March 8–9, 2017, Meeting)

<table>
<thead>
<tr>
<th>Event</th>
<th>Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Board of Education (SBE) Adoption of Science Framework/Evaluation Criteria</td>
<td>November 3, 2016</td>
</tr>
<tr>
<td>Instructional Quality Commission (IQC) approves Schedule of Significant Events (Timeline) and online reviewer application¹</td>
<td>January 19–20, 2017</td>
</tr>
<tr>
<td>SBE approves Timeline and online reviewer application (per <em>California Code of Regulations</em>, Title 5 [5 CCR §9513])</td>
<td>March 8–9, 2017</td>
</tr>
<tr>
<td>Recruitment of reviewers (at least 90 days per 5 CCR §9513)</td>
<td>April 21–July 21, 2017</td>
</tr>
<tr>
<td>IQC recommends reviewers to SBE</td>
<td>September 21–22, 2017</td>
</tr>
<tr>
<td>Small publisher fee reduction requests due</td>
<td>November 2, 2017</td>
</tr>
<tr>
<td>SBE appoints reviewers</td>
<td>November 8–9, 2017</td>
</tr>
<tr>
<td>IQC approves training materials (5 CCR §9512[h])</td>
<td>November 16–17, 2017</td>
</tr>
<tr>
<td>Invitation to Submit meeting</td>
<td>January 17, 2018</td>
</tr>
<tr>
<td>SBE approves training materials (5 CCR §9512[h]) and small publisher fee reduction requests (5 CCR §9517.3)</td>
<td>January 18–19, 2018</td>
</tr>
<tr>
<td>Intent to Submit forms due from publishers (5 CCR §9517.3)</td>
<td>February 1, 2018</td>
</tr>
<tr>
<td>Submission List information for programs and deadline for payment of publisher participation fees due (5 CCR §9517.3)</td>
<td>March 8, 2018</td>
</tr>
<tr>
<td>Reviewer Training</td>
<td>April 16–20, 2018</td>
</tr>
<tr>
<td>Instructional Materials Samples Due</td>
<td>April 27, 2018</td>
</tr>
<tr>
<td>Independent Review</td>
<td>April–July 2018</td>
</tr>
<tr>
<td>Reviewer Deliberations</td>
<td>July 16–20, 2018</td>
</tr>
<tr>
<td>IQC holds public meeting to receive comment (5 CCR §9524[a])</td>
<td>August 2018</td>
</tr>
<tr>
<td>IQC makes recommendation</td>
<td>September 2018</td>
</tr>
<tr>
<td>SBE holds public hearing to receive comment (<em>Education Code</em> 60203 and 5 CCR §9524[b])</td>
<td>November 2018</td>
</tr>
<tr>
<td>SBE takes action on recommendation</td>
<td>November 2018</td>
</tr>
</tbody>
</table>

¹ All IQC dates beyond 2018 and SBE dates beyond November 2017 are estimates; those meetings have not yet been scheduled.
2018 Science Instructional Materials Adoption

Draft: Instructional Materials Reviewer and Content Review Expert Online Application

Applications must be received by 3 p.m. Friday, July 21, 2017.

The California Constitution, Article 9, Section 7.5, and the California Education Code Section 60200 authorize the State Board of Education (SBE) to adopt instructional materials for kindergarten through grade eight. The SBE and the State Superintendent of Public Instruction are seeking candidates to serve on review panels for the 2018 Science Instructional Materials Adoption. Review panel members will evaluate instructional materials for use in kindergarten through grade eight, inclusive, that are aligned with the California Next Generation Science Content Standards for California Public Schools (CA NGSS).

Each panel will consist of multiple Instructional Materials Reviewers (IMRs) and at least one Content Review Expert (CRE). IMRs and CREs serve as advisors to the Instructional Quality Commission (IQC) and the SBE in the review of instructional materials submitted for adoption. A majority of IMRs, as stated in regulation (California Code of Regulations, Title 5 [5 CCR] Section 9512), shall be teachers who teach students in kindergarten or grades one through twelve (K–12), have a professional credential under California law, and who have experience with, and expertise in, standards-based educational programs and practices in the content field under consideration. At least one such teacher shall have experience in providing instruction to English learners, and at least one such teacher shall have experience in providing instruction to students with disabilities. Other IMRs may be administrators, parents, local school board members, teachers not described above, and members of the public. CREs are required to hold a doctorate degree in science or a related discipline. Please note that a doctorate degree in science education (Ed.D.) is not sufficient to serve as a CRE, but such applicants are invited to apply as IMRs.

Panel members will attend a four-day training in Sacramento on April 17–20, 2018. They will review instructional materials independently at home and will then reconvene in panels for up to four days of deliberations with the preparation of a report to the IQC on July 17–20, 2018. IMRs and CREs will be reimbursed for their actual and necessary travel expenses for attending the training and deliberation session activities. CREs are eligible to receive an honorarium for each day of training and deliberations that they attend. The amount of the honorarium will be subject to budgetary constraints.

Educator Qualification

- I meet the definition of an “Educator” outlined in California Education Code Section 44013(a)
- I do not meet the definition of an “Educator” outlined in California Education Code Section 44013(a)
Instructions:

- Answer all questions. An asterisk (*) denotes a required field.
- After answering all the questions on a page, select the “Next” button.
- You must submit a résumé with your application on the last page.
- On the last page of the application, select the “Preview” button.
- On the next screen, review all the responses, then, if accurate, select the “Submit” button on the bottom of the screen.
- After you have submitted the application, save your Confirmation ID provided on the next page. Select the “Print” button to obtain a hard copy. Select the “Download Application in pdf” button to download a pdf version of your application. Note that a copy of this application will be sent to your supervisor.

Personal Information
Salutations: (Mr. Ms. Mrs. Dr.—from dropdown)
First Name: 
Last Name: 
MI: 
Home Street Address: 
Home City: 
Home County: 
Home State: 
Home Zip Code: 
Home Phone: 
E-mail: 

Employer’s Business Name: 
Current Position Title: 
Business Street Address: 
Business City: 
Business State: 
Business Zip Code: 

Position on the Panel:
Check one.
  o Reviewer  
  o Content Review Expert (a doctorate degree in science or a related discipline)
Preference
Training Materials

- Print (Training materials will be provided in a 3” binder.)
- Digital (Training materials will be provided on a flash drive. Files will include Microsoft Word (97–2003 format), PDF, and JPG file formats. Reviewers will be responsible for providing their own laptop computer to use at the training.)

Technology
Technical Proficiency

- Expert
- Intermediate
- Novice

Do you have a broadband Internet connection?
- Yes
- No

Areas of Expertise:
Check the one that applies to your current position.

- Administrator

- Teacher in public school providing instruction to students in kindergarten or grades one through twelve

- Teacher in private school providing instruction to students in kindergarten or grades one through twelve

- Teacher not providing instruction to students in K–12 (e.g., mentor teacher or certificated teacher employed by a school district or county office of education who is not in a position that requires a service credential with a specialization in administrative services)

- Parent

- Community Member

- School Board Member

- College/University Instructor/Researcher

- Self-Employed

- Other Areas of Expertise
Describe Self-Employed Selection Above:

Describe Other Areas of Expertise:

Grade Levels of Expertise:
Check all that apply.

/MULTI CHOICE FOR {K,1-12, Other}
- Other Grade Levels (e.g., university, college):

Years Teaching:

Experience Teaching English Learners:
Have you provided instruction to English learners? □ No □ Yes
If yes, at what grade levels and for how many years? List any specialized credential, certificate, or training in this area.

Experience Teaching Students with Disabilities:
Have you provided instruction to Students with Disabilities? □ No □ Yes
If yes, at what grade levels and for how many years? List any specialized credential, certificate, or training in this area.

Highest Degrees/Certifications:
List your four highest academic degrees and/or certifications earned, including those specific to science education, and the awarding institution. List your highest achievement first.

Degree/Certification #1:
Institution #1:

Degree/Certification #2:
Institution #2:

Degree/Certification #3:
Institution #3:

Degree/Certification #4:
Institution #4:

Knowledge of CA NGSS:
Describe how the CA NGSS will affect instruction and student learning. (Use 2,000 characters or less.)

Standards-Based Instruction Experience:
Describe a CA NGSS phenomenon-based activity, lesson, or instructional unit that you have used or would use with a diverse student population, including students who are English learners at one level (emerging, expanding, or bridging) or students with special needs (either mild to moderate or moderate to severe). Explain how you would assess...
the effectiveness of the instructional example and provide the rationale for your choice. (Use 2,000 characters or less.)

**Areas of Expertise and Leadership:**
Describe how your education and experience prepare you to participate as a panel member. As part of your response, please describe your knowledge and familiarity with the CA NGSS and your experience providing effective instruction to all students, including English learners and special education students, developing curriculum or assessments, and serving as an instructional leader. (Use 2,000 characters or less.)

**Previous Committee Experience:** Have you ever served on a committee that was engaged in standards or curriculum development or the review of instructional materials? If yes, briefly detail your experience. (Use 1,000 characters or less.)

**Relationship with Publishers: Conflict of Interest Disclosure Statement**
Your answers below will serve as the disclosure of certain information as required by the “Statement of Activities that are Inconsistent, Incompatible, or in Conflict with Duties of a Member of an Educational Policy Advisory Commission or a Committee or Panel Thereof,” as amended January 1978, and 5 CCR Section 18600. Your answers will be the basis for an eligibility ruling in the event some activity appears to be inconsistent, incompatible, or in conflict with the duties assigned to the advisory framework committee.

For the questions below, “immediate family” is defined as your spouse and dependent children (*California Government Code* Section 82029).

[Add Yes/No/Uncertain radio buttons for questions 1–5]

**Question 1:**
Do you or a member of your immediate family have, or have you had, a business relationship at any time over the last 12 months with a publisher that produces instructional materials for California? If YES, list the company(-ies) that you have dealt with and the amount (if any) of remuneration received. (Use 1,000 characters or less.)

**Question 2:**
Are you currently employed by or under contract to any person, firm, or organization which will do business with, or submit instructional materials to, the California Department of Education (CDE)? If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

**Question 3:**
Have you ever been employed by or had any other kind of contractual relationship with any person, firm, or organization doing business with, or submitting instructional materials to, the CDE? If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
Question 4:
Do you expect to receive any royalty payments during your period of service on the review panel? If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

Question 5:
Were you or any member of your immediate family an author, contributor, or editor of (or consultant on) any textbook, other curriculum material, or project proposal that is likely to be submitted to the CDE? If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

Question 6:
Have you received compensation, do you expect to receive compensation, or do you have any other kind of contractual relationship with any organization that is either a subsidiary, parent organization, or "sister organization" of any entity which will do business with your advisory body or will submit materials to your advisory body? If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

Languages in which you are fluent (other than English)

Language 1:
Skill for Language 1:
- Speak
- Read
- Write

Language 2:
Skill for Language 2:
- Speak
- Read
- Write

Gender:
- Male
- Female
- Decline to state

Ethnicity (optional):
Please select all that apply from below:
- Hispanic/Latino
- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White
o Decline to state
o Other ____________

Applicant Acknowledgement/Certification

o I understand that this application becomes public information when submitted. The answers to the questions under Relationship to Publisher: Conflict of Interest Disclosure Statement are true and correct to the best of my knowledge and belief. I and my supervisor are aware that while travel and per diem costs will be reimbursed at standard state rates, no stipend is provided to IMRs. I have discussed this application with my supervisor and have received approval for release time to participate in all related activities.

Supervisor/Employer Information

First Name:
Last Name:
Position Title:
Phone:
E-mail: (generates e-mail message to employer)
When you submit your application form, a message will be automatically sent to the employer’s e-mail address you enter above.

[Sent from ScienceAdoption@cde.ca.gov]

Dear <First Name> <Last Name>,

This message is being sent to notify you that <First Name> <Last Name> (<e-mail address>), a member of your staff, has submitted an application to participate as a panel member for the 2018 Science Adoption of Instructional Materials. If appointed by the State Board of Education, the candidate is committing to attend a sequence of meetings and to perform a review of the materials as part of the adoption. Panel members will first participate in a four-day training session in April 2018 in Sacramento, then spend up to three months independently reviewing materials, returning to Sacramento in July 2018 for up to four days of deliberations. Travel and per diem costs are reimbursed at standard state rates.

Professional References
Please provide the names and contact information for at least one and up to three professional references.

First Name:
Last Name:
Position Title:
Institution:
Street Address:
Upload a Résumé

Note: Please attach a current résumé as it relates to your educational background and experience in science education in K–12 and/or higher education. If you are a classroom teacher, list the classes you are currently teaching, and the grade level(s). Please limit your résumé to two or three pages and include your name on each page.

Please limit the size of the file to under 5 MB. This document will replace any previously uploaded résumé.
California State Board of Education

March 2017 Agenda

Subject


Summary of the Issue(s)

The State Board of Education (SBE), Instructional Quality Commission (IQC), and California Department of Education (CDE) have begun the 2019 revision of the Health Education Framework for California Public Schools, Kindergarten Through Grade Twelve (Health Education Framework). The California Code of Regulations, Title 5 (5 CCR), Section 9511 allows the SBE to establish a Curriculum Framework and Evaluation Criteria Committee (CFCC) to assist in the development of curriculum frameworks and evaluation criteria and lists the requirements regarding the recruitment process and qualifications for members of the CFCC. This item is the second in what will be a series of items regarding the 2019 revision of the Health Education Framework.

Recommendation

The CDE recommends that the SBE (1) approve the Curriculum Framework and Evaluation Criteria Committee Guidelines for the 2019 Revision of the Health Education Framework for California Public Schools, Kindergarten Through Grade Twelve (HE CFCC Guidelines), as recommended by the IQC; and (2) appoint 20 members to the Health Education CFCC, including Applicants 322 and 346 as Co-Chairs of the Health Education CFCC, as recommended by the IQC.

Brief History of Key Issues

The revision of the Health Education Framework is a multi-step process. It involves educators, content experts, and other stakeholders participating in the focus group meetings and as members of the CFCC. Throughout the revision process, there are opportunities for public input at focus group, CFCC, IQC, and SBE meetings and during two 60-day public review periods.

Health Education Focus Group Report
In November 2016, the CDE convened four public focus group meetings to gather input from educators and the public regarding what guidance and information should be included in the revised framework to support implementation of the Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve. The Health Education Focus Group Report is a summary of oral comments made at the focus group meetings and a compilation of the written comments received in November and December 2016 regarding the revision of the Health Education Framework. The report can be found on the CDE Health Education Curriculum Frameworks Web page at http://www.cde.ca.gov/ci/he/cf. Because the report is provided as information, no SBE action on the report is required. The comments in the report informed the development of guidelines for the Health Education CFCC.

Guidelines for the Health Education CFCC

On January 20, 2017, the IQC acted to recommend to the SBE guidelines to direct the work of the Health Education CFCC. These guidelines are based on current statutory requirements, oral comments from the four focus group meetings held in November 2016, as well as written comments received in November and December 2016. The Curriculum Frameworks and Instructional Resources Division (CFIRD) staff developed the initial draft of the guidelines. The IQC modified and approved the draft HE CFCC Guidelines (Attachment 1) at its January 2017 meeting. Once approved by the SBE, the HE CFCC Guidelines direct the work of the Health Education CFCC and require the inclusion of specific content.

Appointment of Health Education CFCC Members

The 90-day application period for appointment to the Health Education CFCC ended on December 15, 2016. A total of 52 applications were received in response to outreach efforts to local educational agencies, institutes of higher education, stakeholder organizations, and individuals and organizations that had expressed interest in the revision of the Health Education Framework.

On January 20, 2017, the IQC took action to recommend to the SBE 20 applicants for appointment to the Health Education CFCC. The 5 CCR, section 9511, governs the appointment of Health Education CFCC members and sets a limit of between 9 and 20 members. The regulations require that

- a majority of the Health Education CFCC must be comprised of teachers who, at the time of their appointment, teach students in kindergarten through grade twelve and have a professional credential under state law;
- at least one of the teachers must have experience providing instruction to English learners;
- at least one of the teachers must have experience providing instruction to students with disabilities;
- at least one member of the Health Education CFCC is a Content Review Expert (CRE) (a CRE must hold a doctoral degree in health education or a related field);
• other members of the Health Education CFCC can be administrators, parents, local school board members, teachers who do not meet the requirements listed above, or community members;

• the SBE appoint Health Education CFCC members who are reflective of California’s diversity and its different regions and types of school districts.

The 20 IQC-recommended applicants meet the 5 CCR requirements. Eleven of the recommended applicants are currently classroom teachers. Of the recommended applicants who are currently classroom teachers, 10 indicated they have experience teaching English learners, and 9 indicated they have experience teaching students with disabilities. Three of the recommended applicants have doctorate degrees, each in a different field: health education, developmental psychology, and nursing science and health care leadership. Three of the recommended applicants have earned National Board Certification in Health Education. Two of the recommended applicants are Certified Health Education Specialists.

The applications and resumes of the IQC-recommended applicants (Attachment 2) provide information regarding each applicant.

IQC Recommendations for Health Education CFCC

The IQC recommends the following applicants to the SBE for appointment to the Health Education CFCC and recommends that the SBE appoint Applicant Numbers 322 and 346 to serve as Co-Chairs of the Health Education CFCC:

<table>
<thead>
<tr>
<th>Applicant Number</th>
<th>Name</th>
<th>Employer</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>318</td>
<td>David Rodgers</td>
<td>Visalia Unified School District</td>
<td>Teacher</td>
</tr>
<tr>
<td>322</td>
<td>Kimberley Walden</td>
<td>Twin Rivers School District</td>
<td>Teacher</td>
</tr>
<tr>
<td>325</td>
<td>Robyn Russon</td>
<td>Burbank Unified School District</td>
<td>Teacher</td>
</tr>
<tr>
<td>333</td>
<td>Diane Farthing</td>
<td>Pleasanton Unified School District</td>
<td>Teacher</td>
</tr>
<tr>
<td>334</td>
<td>Bridget Brownell</td>
<td>Los Angeles Unified School District</td>
<td>Teacher</td>
</tr>
<tr>
<td>341</td>
<td>Michael Riggs</td>
<td>Bonita Unified School District</td>
<td>Teacher</td>
</tr>
<tr>
<td>345</td>
<td>Kimberley Sinclair</td>
<td>Glendale Unified School District</td>
<td>Teacher</td>
</tr>
<tr>
<td>352</td>
<td>Matthew French</td>
<td>Los Angeles Unified School District</td>
<td>Teacher</td>
</tr>
<tr>
<td>Applicant Number</td>
<td>Name</td>
<td>Employer</td>
<td>Position</td>
</tr>
<tr>
<td>------------------</td>
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<td>-----------------------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>354</td>
<td>Shannon Bennett</td>
<td>Garden Grove Unified School District</td>
<td>Teacher</td>
</tr>
<tr>
<td>358</td>
<td>Aimee Sturges</td>
<td>Conejo Valley Unified School District</td>
<td>Teacher</td>
</tr>
<tr>
<td>363</td>
<td>Michelle Presley</td>
<td>San Marcos Unified School District</td>
<td>Teacher</td>
</tr>
</tbody>
</table>

Non-Teachers
<table>
<thead>
<tr>
<th>Applicant Number</th>
<th>Name</th>
<th>Employer</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>314</td>
<td>Darren McDonald</td>
<td>Morgan Hill Unified School District</td>
<td>Principal</td>
</tr>
<tr>
<td>317</td>
<td>Miguel Perez</td>
<td>Fresno State University</td>
<td>Professor</td>
</tr>
<tr>
<td>320</td>
<td>Robert LaChausse</td>
<td>California Baptist University</td>
<td>Department Chair</td>
</tr>
<tr>
<td>330</td>
<td>Amy Streavel</td>
<td>Planned Parenthood of Orange and San Bernardino Counties</td>
<td>Director Community Education and Outreach</td>
</tr>
<tr>
<td>340</td>
<td>Samantha Blackburn</td>
<td>California State University, Sacramento</td>
<td>Assistant Professor</td>
</tr>
<tr>
<td>346</td>
<td>Martha Adriasola-Martinez</td>
<td>San Francisco Unified School District</td>
<td>Teacher on Special Assignment</td>
</tr>
<tr>
<td>347</td>
<td>Jill Vandroff</td>
<td>San Mateo County Office of Education</td>
<td>School Nurse</td>
</tr>
<tr>
<td>349</td>
<td>Lidia Carlton</td>
<td>California Department of Public Health</td>
<td>Chief, Health Education Unit</td>
</tr>
<tr>
<td>364</td>
<td>Cynthia Dimon</td>
<td>Oakland Unified School District</td>
<td>Behavioral Health Program Manager</td>
</tr>
</tbody>
</table>

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The SBE adopted the *Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve*, in March 2008.

The SBE approved the Schedule of Significant Events for the 2019 revision of the *Health Education Framework* and the Application for Appointment to the Health Education Curriculum Framework and Evaluation Criteria Committee on September 9, 2016.

**FISCAL ANALYSIS (AS APPROPRIATE)**
The estimated cost for the *Health Education Framework* is $549,000 over three budget years, 2016–17, 2017–18, and 2018–19. This estimate includes expenses related to the focus group, CFCC, Health Subject Matter Committee, and IQC meetings; contracts with a primary health education writer and a sex trafficking and sexual abuse prevention education writing team; and indirect costs. Costs to revise the *Health Education Framework* will be paid with State General Fund dollars.

**ATTACHMENT(S)**

Attachment 1: Draft *Curriculum Framework and Evaluation Criteria Committee Guidelines for the 2019 Revision of the Health Education Framework for California Public Schools, Kindergarten Through Grade Twelve* (7 pages)

Attachment 2: Applications and Resumes of IQC-Recommended Health Education CFCC Applicants (164 pages)
DRAFT
Curriculum Framework and Evaluation Criteria Committee Guidelines for the 2019 Revision of the Health Education Framework for California Public Schools, Kindergarten through Grade Twelve

1. In general, the revised Health Education Framework for California Public Schools, Kindergarten through Grade Twelve (Health Education Framework) shall

   A. be aligned to the Health Education Content Standards for California Public Schools adopted by the SBE in March 2008;

   B. explain how the standards are organized, including the numbering system for identifying standards, and the essential connection between content knowledge and skills. The explanation should clarify the eight overarching standards and note their connections to skills in standards in other content areas;

   C. support implementation of standards-based health education with an emphasis on the behavioral and health-enhancing skills of the state-adopted health education standards;

   D. include accurate and current information and assist teachers with finding and utilizing accurate and current information, including but not limited to current research on electronic smoking devices, sleep research, dating violence and developing healthy relationships;

   E. offer guidance on instruction that is consistent with statutes on non-discrimination and affords all students an education free from discrimination and harassment regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes;

   F. reflect current health education statutes;

   G. be limited to 500 pages in order to be a useful resource to teachers and other educators;

   H. provide guidance for teachers without backgrounds in health education and teachers who have a health education background who may need support to implement standards-based health education consistent with current state statutes;
I. incorporate California’s approved Environmental Principles and Concepts (EP&Cs) pursuant to EC Section 71301, *Public Resources Code*;

J. discuss the connection between mental health and academics using current research;

K. discuss human tissue and organ donation as appropriate pursuant to EC Section 33542:

L. provide examples that are teacher-friendly, practical, jargon-free, and easy to read. Some of the examples should support interdisciplinary instruction through connections to state-adopted standards in other subject areas and the Environmental Principles and Concepts;

M. describe the components of an effective health education program, including the support of district and site administrators and the involvement of parents and the community;

N. emphasize the importance of standards-based health education and the desired outcomes of health literacy and improved health and health-related behaviors for all students;

O. discuss the role of health education in improving overall school climate and student achievement and attendance;

P. provide information about careers in health and the relevance of health education for future careers, and also mention the connection to the career technical education standards.

2. The CFCC shall develop a chapter on access and equity using recent frameworks as models, with adaptations for those elements that are unique to health instruction. The chapter on access and equity should

   A. reinforce that instruction must be free of bias and affirmatively support all students regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or living situation;

   B. address the instructional needs of English learners, students with disabilities, and students who are marginalized;

   C. support teachers in meeting the needs of students with diverse backgrounds and experiences and creating a safe and bias-free environment for instruction and discussion on health topics for all students;
D. provide suggestions for making academic vocabulary accessible to all students;

E. provide a variety of examples for differentiating instruction and explanations of Multi-Tiered Systems of Support as it relates to mental health;

F. examples of effective instructional strategies at various grade levels that include pre-teaching, a focus on good first instruction, rigor, and high expectations for all students and how the sharing of effective instructional strategies facilitates collaboration among educators across the curriculum and grades.

3. The CFCC shall develop a chapter on assessment. The chapter on assessment should

A. describe multiple measures, assessment tools, and techniques for assessing student learning;

B. include suggestions for moving beyond paper-and-pencil assessment of students’ content knowledge to assessing students’ acquisition and application of skills;

C. include research and suggestions for assessments for English learners, at-risk students, and students with disabilities;

D. guidance to teachers on how to develop student self-assessments and how to develop students’ abilities and metacognition in order to take responsibility for their own assessments, growth, and goals, and to organize ongoing information for students’ self-assessments;

E. provide guidance on how to use assessment data from formative and summative assessments to improve instruction;

F. include the latest scholarly research on effective assessment strategies;

G. describe effective assessment strategies and tools, such as the assessment tools provided by the Health Education Assessment Project (HEAP).

4. The CFCC shall develop new chapters by grade level and grade span to describe the course curriculum. The new material should

A. provide a brief overview of the standards at each grade level or grade span;
B. emphasize instruction that combines instruction in content with student opportunities to learn and practice the skills in the health education standards;

C. show links between the health education standards and standards in other subjects, such as mathematics, science, physical education, and English language arts/literacy, when there are authentic content links within the grade level or grade span and provide examples that support interdisciplinary instruction;

D. provide examples that are teacher-friendly, practical, jargon-free, and easy to read and offer suggestions for differentiation;

E. provide suggestions for engaging students and connecting health education to real-world situations;

F. connect learning from one grade level to another to grade level and show the progression of skills and knowledge;

G. support teachers in creating a bias-free and safe learning environment;

H. include suggestions for the use of technology in health education.

5. The CFCC shall develop a new chapter on supporting health education. The chapter on supporting health education should

A. include suggestions on making the school and the classroom a safe environment for all students to learn;

B. discuss strategies for administrators and teachers on how to make school and classroom environments safe for students with food allergies;

C. serve as a resource for administrators at the school and district levels and school board members;

D. provide examples of how administrators and school board members can support and improve health education and the benefits of supporting health education;

E. support for a collaborative teaching model that encourages teachers to work with colleagues across subject areas and grade levels;

F. offer suggestions on how to communicate with families regarding potentially controversial topics and support the teachers who teach those topics;
G. discuss the role of parents/families in health education as well as the role of the community and how to engage with community-based organizations to support health education;

H. include information on resources for medically accurate health education content;

I. provide guidance and resources on professional development;

J. provide information about how teachers and administrators can use the data from the California Healthy Kids Survey and local indicators to improve instruction.

6. The CFCC shall develop a chapter on instructional resources with evaluation criteria for the next health education instructional materials adoption. The criteria shall include the following:

A. Instructional materials must be aligned to the state-adopted health education content standards at each grade level or grade span.

B. Require instructional materials to be consistent with the revised health education framework.

C. Instructional materials must be appropriate for use with all students regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or living situation.

D. Instructional materials must provide suggestions for instructional support for English learners, at-risk students, and students with disabilities.

E. Request that publishers of instructional materials provide assessment practices (e.g., entry-level, diagnostic, formative, interim, skill-based, and summative) at each grade level necessary to prepare all students for success in higher health education instruction.

F. Images must be age-appropriate and depict students at the grade level of instruction, reflect the diversity of California’s students, and be affirmatively inclusive.

G. The standard(s) being taught must be clearly displayed in the teacher materials.
H. Instructional materials must provide teachers and other educators suggestions and resources for keeping current on health information and statistics.

I. Instructional materials must provide background information for teachers on the health education topics being taught.

J. Instructional materials must provide pacing guides or a scope and sequence.

K. Instructional materials must note the connections between topics and skills across the grade levels.

L. Instructional materials must provide suggestions for differentiated instruction in the teacher materials.

M. Instructional materials must show connections to state-adopted standards in other subjects in the teacher materials and provide examples of interdisciplinary instruction.

7. The CFCC must revise the Health Education Framework to reflect continuing statutes as well as changes in statute affecting the health curriculum and instructional materials that have been enacted since the last revision of the Health Education Framework. These statutes include, but are not limited to, the following California Education Code sections (ECS):

A. ECS 200–221—the state’s policy of equal rights and opportunities and non-discrimination in the state’s educational institutions

B. ECS 234.1—health and other curriculum materials that are inclusive of, and relevant to, lesbian, gay, bisexual, transgender, and questioning (LGBTQ) pupils

C. ECS 33542—organ procurement and tissue donation

D. ECS 33544—comprehensive information for grades 9 to 12 on sexual harassment and violence

E. ECS 33545—sexual abuse and sex trafficking prevention education

F. ECS 33546—comprehensive information for kindergarten and grades 1 to 8 on the development of healthy relationships, which shall be age and developmentally appropriate and consistent with the health education standards adopted by the state board
G. ECS 51202–in personal and public safety and accident prevention

H. ECS 51203–the nature of alcohol, narcotics, and dangerous substances and their effects on the human system and prenatal development

I. ECS 51210(f) –which requires health education in grades 1 through 6, including instruction in the principles and practices of individual, family, and community health

J. ECS 51210.4–nutrition education that focuses on pupils’ eating behaviors and based on theories and methods proven effective by published research

K. ECS 51225.36–sexual harassment and violence and the affirmative consent standard.

L. ECS 51240–parental right to excuse students from instruction that conflicts with religious training and beliefs

M. ECS 51284–the financial benefits of healthful living and disease prevention, human growth, human development, and human contribution to society, as well as financial preparedness

N. ECS 51900.5–mental health instruction to educate pupils about all aspects of mental health

O. ECS 51900.6–age-appropriate instruction for kindergarten and grades 1 to 12 in sexual abuse and sexual assault awareness and prevention

P. ECS 51930-51939–comprehensive sexual health education requirement for middle school and high school pupils (California Healthy Youth Act)

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Attachment 2: Applications and Resumes of IQC-Recommended Health Education CFCC Applicants

On January 20, 2017, the Instructional Quality Commission (IQC) took action to recommend to the State Board of Education (SBE) 20 applicants for appointment to the Health Education Curriculum Framework and Evaluation Criteria Committee (CFCC).

The applications and resumes for the 20 recommended applicants are provided in this attachment to the March 2017 SBE agenda item titled: Health Education Framework for California Public Schools, Kindergarten Through Grade Twelve, 2019 Revision: Approval of Curriculum Framework and Evaluation Criteria Committee Guidelines and Appointment of Members of the Curriculum Framework and Evaluation Criteria Committee.

Copyright California Department of Education, January 2017
Darren McDonald  
Principal  
Morgan Hill Unified School District

**Education**

- Master of Arts in Education  
  Fresno Pacific University
- Bachelor of Arts in Teacher Education  
  Bethany University

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**Experience Teaching English Learners**

Yes  
Grades 2-8, 14 years  
CLAD, ELAchieve

**Experience Teaching Students with Disabilities**

Yes  
Grades 2-8, 14 years

**Standards-Based Interdisciplinary Instructional Experience**

What's for Breakfast?  
Students:  
- Learn why a nutritious breakfast is part of a healthy diet  
- Create a healthy breakfast menu

*Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.*
Healthy Harry's is a local fast food restaurant looking to expand its menu to include breakfast. To make it appealing to teens, Healthy Harry's has hired you to design a mock-up for a website to promote its new breakfast menu. Figure out some healthy breakfast options that Harry's could serve. Then sketch what the main page of your site should look like. On your website, include the following items:
- Healthy Harry's new breakfast menu
- The reasons why Harry's is selling breakfast
- An explanation of what makes the breakfast options healthy

Using the nutrition facts provided online by most major fast food chains, compare breakfast foods in terms of information like calories, fat, sodium, vitamins, and minerals. Based on your comparison, select items to create the healthiest breakfast.

**Differentiated Instruction for a Diverse Student Population**

The "What's for Breakfast" lesson can be differentiated by having EL students make a picture book of what they had for breakfast, and then work with a partner or small group to plan a healthy breakfast. Vocabulary development on individual picture cards of words for a healthy breakfast. Collaboration with small groups to develop a breakfast together that echoes what the individual website could be.

**Areas of Expertise and Leadership**

Health Content Areas: Nutrition and Physical Activity, Growth, Development, and Sexual Health, Alcohol, Tobacco, and Other Drugs

Over the past 14 years, I have had the opportunity to teach mainly in the 6th grade. One main subject area for 6th grade is Growth, development, and sexual health. Each year, I put together a unit that helps the 6th graders realize and discover their growth and development. In addition, nutrition and physical activity is always focused on throughout the year. Physical education plays a key role in a student's success and their daily diet or intake of sugars greatly effects a student to learn.

**Previous Committee Experience**

Last year, I was a part of our District's exploration and decision for the new math adoption. I piloted in my classroom one of the potential math curriculum, CPM, then reported to the committee my findings. The committee met monthly throughout the school year and then presented the pros and cons for our committee to vote on math curriculum for the next 7 years for MHUSD.
Relationship with Publishers (Conflict of Interest Disclosure Statement)

Question 1
Do you or a member of your immediate family have, or have you had, a business relationship at any time over the last twelve months with a publisher that produces instructional materials for California?
If YES, list the company(-ies) that you have dealt with, and the amount (if any) of remuneration received. (Use 1,000 characters or less.)
No

Question 2
Are you currently employed by or under contract to any person, firm, or organization which will do business with or submit instructional material to the California Department of Education (CDE)?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

Question 3
Have you ever been employed by or had any other kind of contractual relationship with any person, firm, or organization doing business with, or submitting instructional materials to, the CDE?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

Question 4
Do you expect to receive any royalty payments during your period of service on the 2017 HSS Adoption of Instructional Materials Review Panel?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

Question 5
Were you or any member of your immediate family an author, contributor, or editor of (or consultant on) any textbook, other curriculum material, or project proposal that is likely to be submitted to the CDE?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
Question 6
Have you received compensation, do you expect to receive compensation, or do you have any other kind of contractual relationship with any organization that is either a subsidiary, parent organization, or "sister organization" of any entity which will do business with your advisory body or will submit materials to your advisory body? If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

References

- Steve Betando
  Superintendent
  Morgan Hill Unified School District

- Heather Nursement
  Principal
  Morgan Hill Unified School District

- Teresa Sermersheim
  Principal
  Morgan Hill Unified School District

Supervisor

Ramon Zavala
Assistant Superintendent of Educational Services

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
Darren J. McDonald

Professional Experience

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<tr>
<td>2016-present</td>
<td>Principal</td>
<td>El Toro Elementary School, Morgan Hill Unified School District</td>
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<tr>
<td>2014-2016</td>
<td>Classroom Teacher, LEAD Teacher, Grade 6</td>
<td>PA Walsh STEAM Academy, Morgan Hill Unified School District</td>
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<td>2013-2014</td>
<td>Classroom Teacher, Grade 6</td>
<td>Allen at Steinbeck, San Jose Unified School District</td>
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<td>2012-2013</td>
<td>Classroom Teacher, Grade 2</td>
<td>Graystone Elementary, San Jose Unified School District</td>
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<td>Interim Assistant Principal (Feb 2013 thru end of school year)</td>
<td>Graystone Elementary &amp; Los Alamitos Elementary</td>
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<td>2008-2012</td>
<td>Classroom Teacher, Grade 6</td>
<td>McAuliffe Elementary School, Panama-Buena Vista Union School District</td>
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<td>2008-2011</td>
<td>District Administrative Trainee Program</td>
<td>Panama-Buena Vista Union School District</td>
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<td>Summer 2009</td>
<td>7th Grade ELA Teacher</td>
<td>University Preparatory Academy, East Side Union School District</td>
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<td>2006-2008</td>
<td>Classroom Teacher, Grades 7-8</td>
<td>Tevis Junior High School, Panama-Buena Vista Union School District</td>
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<tr>
<td>Summer 2008</td>
<td>3rd Grade ELA Enrichment Teacher</td>
<td>Berkshire Elementary School, Panama-Buena Vista Un. Sch. District</td>
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<tr>
<td>Summer 2007</td>
<td>5th Grade ELD Teacher</td>
<td>Ascension Solorsano Middle School, Gilroy Unified School District</td>
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</table>
2005-2006 Classroom Teacher, Grade 3
Country Lane Elementary, Moreland School District

2004-2005 Classroom Teacher, Grades 6-8
Crossroads Christian School, Morgan Hill, CA

Education

Masters, Administrative Services, Fresno Pacific University, 2009
Teacher Education Program, Bethany University, 2004
B.A., Social Science, Bethany University 1994

Credentials

Certificate of Eligibility, Administrative Services
California Multiple Subject, Professional Clear, CLAD

Summary of Professional Experience

2014-present I was the initial applicant for PA Walsh to become an Innovative Academy with the San Jose Tech Museum. We were interviewed by the Tech and PA Walsh was 1 of 6 schools chosen from all over the Bay Area and we became the first MHUSD school site to partner with the Tech Museum, and I continue to be a key member in the professional development and lesson development of engineering for our staff. I was chosen to participate in the first ever STEAM Badge program with the Santa Clara County Office of Education, only 25 educators chosen in total out of 100’s that applied, and I completed all 4 badges. I directed a group of students to the Khan Academy/LearnStorm 2015 Finals, received a $15,000 grant for technology use at our site and received another $5,000 grant for technology in 2016, I am a Khan Academy Ambassador which trains and equips schools all over the Bay Area to participate in LearnStorm. Started America’s Battle of the Books for 2 school sites, PA Walsh and El Toro, and led a school to school battle for 2 years, now. I was awarded a MHigrant for student intervention call “Get STEAMified” that effected 3 grade levels and hundreds of Walsh students. I am a site leadership member, PBIS Coordinator, LEAD teacher, member of the district TAC team, run lunchtime intramural sports program for over 100 students, I am a grade level leader, led an introduction to a technology seminar for classified staff professional development, directed 4 after school drama plays and started a drama club called “S.T.A.R.S.”,
created a school wide program called “Give One, Feed One,” and collected over 1250 pounds of food donated to a local business, Cecilia’s Closet.

2012-2014
Selected to finish the school year as the interim Assistant Principal for 2 schools. Started America’s Battle of the Books, sports coordinator for lunchtime sports program, school site council, school leadership team, PBIS Coordinator and Coach, and site coordinator for CSET testing.

2008-2011
Selected to participate in district 3 year administrative trainee program and completed. Attended Professional Learning Community conferences in San Francisco and Las Vegas. Classroom teacher for all subjects for sixth graders. Boys Basketball coach, grade level leader, and site coordinator for History Day. Facilitated and directed all-school production of The Lion, the Witch, and the Wardrobe. Attended full-time at the Masters program for School Administration at Fresno Pacific University’s Bakersfield campus. Created school-wide fitness program called Run The Planet, where all students, teachers, and families run every Wednesday and as a school, we circumnavigate the globe.

2006-2008

2005-2006
Instituted district wide computer-driven report card program. Completed BTSA program in one year. Initiated, organized, and implemented school intramural program for grades 4 thru 5. Partnered with counselor on interventions for students and parents. Linked campus to outside agencies to provide additional educational opportunities for students.

2004-2005
Implemented and coordinated a school site science fair. Coached after school boys flag football and boys basketball teams. Conducted curriculum related in-service training at school site. Started school drama program, and video/audio technician classes for school and church. Additional classroom experiences available upon request.

References

Available upon request
Miguel Perez
Professor
Fresno State

Education

- Doctor of Philosophy
  Pennsylvania State University
- Master of Science
  Pennsylvania State University
- Bachelor of Arts in Research in Mental Health
  California State University, Dominguez Hills

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Experience Teaching English Learners

Yes
higher education over 20 years

Experience Teaching Students with Disabilities

Yes
higher education over 20 years

Standards-Based Interdisciplinary Instructional Experience

My teaching focuses on standards-based curricula and a member of the panel that drafted the original standards for the State of California, I have made it a life-long mission to teach my students by example incorporating national and state standards in each of the health education lessons I teach.

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
Differentiated Instruction for a Diverse Student Population

Diversity has many definitions and can be found in different "flavors" in our multicultural classroom. Health education needs to lead to health literacy, meaning that people must be able to apply their knowledge to every day situations. Addressing the differences found in the classroom is one of the key requirements for any health educator who wishes to serve as a resource person as required by the entry level competencies for health educators I regardless if those differences are found in learning styles, ethnic/racial backgrounds, sexual orientation, or developmental differences.

Areas of Expertise and Leadership

Health Content Areas: Growth, Development, and Sexual Health, Personal and Community Health

I have many years in teaching preparation programs, have served on national committees and organizations designed to advance health education at all grade levels. During that time I have also served as a consultant to many local, regional, state, national, and international programs designed to incorporate and develop healthy schools concepts.

Previous Committee Experience

Of significant importance was my involvement with the panel that drafted the current health education standards for the State of California.

Relationship with Publishers (Conflict of Interest Disclosure Statement)

Question 1
Do you or a member of your immediate family have, or have you had, a business relationship at any time over the last twelve months with a publisher that produces instructional materials for California?
If YES, list the company(-ies) that you have dealt with, and the amount (if any) of remuneration received. (Use 1,000 characters or less.)
I have published a textbook with Wiley Publishers. The textbook, however, is geared to a college audience.

Question 2
Are you currently employed by or under contract to any person, firm, or organization which will do business with or submit instructional material to the California Department of Education (CDE)?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
Not to the best of my knowledge.

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
**Question 3**
Have you ever been employed by or had any other kind of contractual relationship with any person, firm, or organization doing business with, or submitting instructional materials to, the CDE?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
**No.**

**Question 4**
Do you expect to receive any royalty payments during your period of service on the 2017 HSS Adoption of Instructional Materials Review Panel?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
**I receive royalties for two books published by Wiley Publishers.**

**Question 5**
Were you or any member of your immediate family an author, contributor, or editor of (or consultant on) any textbook, other curriculum material, or project proposal that is likely to be submitted to the CDE?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
**My publications are geared to an academic community at the college level rather than a K-12 education.**

**Question 6**
Have you received compensation, do you expect to receive compensation, or do you have any other kind of contractual relationship with any organization that is either a subsidiary, parent organization, or "sister organization" of any entity which will do business with your advisory body or will submit materials to your advisory body?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
**Not to the best of my knowledge.**

**References**
- Dr. William Dailey
  Instructor
  Fresno City College

*Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.*
• Martha Adriasola-Martinez
  Teacher

**Supervisor**

Kara Zograqfos
Department Chair
Miguel A. Perez, Ph.D., MCHES

EDUCATION

**Doctorate of Philosophy**  
*The Pennsylvania State University*  
1994

**Master of Science**  
*The Pennsylvania State University*  
Thesis: Migrant adolescents: Knowledge and attitudes regarding HIV/AIDS  
1993

**B.A Research in Mental Health (Honors)**  
*California State University, Dominguez Hills*  
1991

PUBLICATIONS

**Books**


**Edited Books**


**Publications: Book Chapters**


Publications: Peer Reviewed Articles


David Rodgers  
Teacher  
Visalia Unified School District-Golden West High School

**Education**

- Bachelor of Science in Health Science, Community Health Option  
  California State University, Fresno
- Bachelor of Arts in Communications Management/Journalism  
  California State University, Fresno
- Emergency Medical Technician Certification  
  College of the Sequoias

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**Experience Teaching English Learners**

No

High School Level  17 years  
CLAD Certificate from Cal Poly Pomona

**Experience Teaching Students with Disabilities**

No

**Standards-Based Interdisciplinary Instructional Experience**

Unit Statement: In this unit, the student will examine communicable diseases - their transmission, prevention, control, and the pathogens that cause them.

Essential Outcomes: (must be assessed)

*Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.*
1. The Student Will define infectious disease and pathogen.

2. TSW classify the ways infectious diseases are spread as through direct or indirect contact.

3. TSW describe behaviors that prevent the spread of disease.

4. TSW explain how a vaccine protects the body from disease and evaluate the effectiveness of vaccines.

5. TSW explain how the immune system protects the body from disease.

6. TSW distinguish between bacteria and viruses.

7. TSW describe the effects and treatment of common bacterial and viral diseases.

8. TSW distinguish between HIV and AIDS, and describe how they are transmitted and prevented.

9. TSW identify and describe common STDs, including their transmission rates, calculations, and prevention.

Suggested Activities/Assessment:

- Research a disease and present findings to the class.
- Demonstrate knowledge of vocabulary and concepts through a written exam.
- Create a table of available vaccines and the diseases they protect against.
- Use a diagram to compare and contrast the good and bad of bacteria.
- Research vaccination availability and requirements of the home and host countries. (Chapter 13, Section 2: Life Skills - Public Health Vaccinations worksheet)
- Write a story in which a pathogen is the narrator of its life.
- Chapter 13 Resources
  - Demonstration - Direct contact (LH Teacher Edition page 318)
  - Reteaching - Avoiding infection game (LH Teacher Edition page 328)
  - Using the Table - Symptom Flowchart (LH Teacher Edition page 332)
  - Section 1: Life Skills - Treating a Disease
  - Section 3: Concept Review worksheet
- Chapter 20 Resources
  - Decision-Making Activity: Public Health Campaign
  - Alternative Assessment
- Chapter 21 Resources

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
Differentiated Instruction for a Diverse Student Population

This lesson is gender neutral, but I need to make the content, lesson, environment, and assessment process to be one that work for all students. The lesson involves students distinguishing between various viruses and bacteria. A English learner, in my class, could put together a Google slides or Power point presentation to show me the concepts they have learned, even if in their native language. I am a very visual person, so students can read various passages, and use pictures or drawings to represent what they have learned. These are just some examples of how I differentiate.

Areas of Expertise and Leadership

Health Content Areas: Nutrition and Physical Activity, Growth, Development, and Sexual Health, Mental, Emotional, and Social Health, Personal and Community Health

I am a Certified Health Education Specialist (CHES), I have over 20 years of teaching middle school and high school health science. I am a EMT employed by two local ambulance companies, developed middle school health curriculum for my district, been on the California Health Kids Preview group that watches and provides input for purchasing videos for the state organization. I have been involved with the district sexual health committee, selecting lessons and providing input into the selection of materials. I have also presented at state health conferences on suicide and mental and emotional health.

Previous Committee Experience
I have served on various committees, at the district level, that develop curriculum for health education. I designed a middle school curriculum for our district back in the late 1990s. I have been on the California Health Kids Preview group that watches and provides input for purchasing videos for the state organization. I have been involved with the district sexual health committee, selecting lessons and providing input into the selection of materials.

Relationship with Publishers (Conflict of Interest Disclosure Statement)

Question 1
Do you or a member of your immediate family have, or have you had, a business relationship at any time over the last twelve months with a publisher that produces instructional materials for California?
If YES, list the company(-ies) that you have dealt with, and the amount (if any) of remuneration received. (Use 1,000 characters or less.)
NO

Question 2
Are you currently employed by or under contract to any person, firm, or organization which will do business with or submit instructional material to the California Department of Education (CDE)?

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If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

NO

Question 3
Have you ever been employed by or had any other kind of contractual relationship with any person, firm, or organization doing business with, or submitting instructional materials to, the CDE?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

NO, other than the California Health Kids Resource Center that paid me a few times to review materials. I think it was around $50, but it’s been so long I cannot remember. I have not, and I do not think that still have a position like that. It has been many years. I don’t know if they provided input to CDE.

Question 4
Do you expect to receive any royalty payments during your period of service on the 2017 HSS Adoption of Instructional Materials Review Panel?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

NO

Question 5
Were you or any member of your immediate family an author, contributor, or editor of (or consultant on) any textbook, other curriculum material, or project proposal that is likely to be submitted to the CDE?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

NO

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
Question 6
Have you received compensation, do you expect to receive compensation, or do you have any other kind of contractual relationship with any organization that is either a subsidiary, parent organization, or "sister organization" of any entity which will do business with your advisory body or will submit materials to your advisory body? If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

NO

References

- Stephani Callahan-Clark  
  Teacher  
  Mount Whitney High School

- Dave Roebuck  
  Teacher  
  Golden West High School

- Manny Santoyo  
  Paramedic  
  Porterville College & Imperial Ambulance

Supervisor

Jose Fregoso  
Principal, Golden West High School

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
DAVID W. RODGERS

EMPLOYMENT HISTORY

VISALIA UNIFIED SCHOOL DISTRICT, TEACHER, AUGUST 1994–PRESENT

AMERICAN MEDICAL RESPONSE (AMR), PART-TIME EMERGENCY MEDICAL TECHNICIAN, APRIL 2005–AUGUST 2016 (COMPANY LEFT COUNTY)

EXETER DISTRICT AMBULANCE, PER-DIEM EMERGENCY MEDICAL TECHNICIAN, JUNE 2016–PRESENT

MOBILE SOUND PRODUCTIONS, MOBILE DJ SERVICE, OWNER AND OPERATOR, JANUARY 1983–PRESENT

BUCK OWENS PRODUCTION, RADIO PERSONALITY @ KUZZ, OCTOBER 2014 TO PRESENT

PORTERVILLE COLLEGE, ADJUNCT EMT INSTRUCTOR/PROFESSIONAL EXPERT, AUGUST 2005 TO 2010

EDUCATION

ROOSEVELT HIGH SCHOOL, FRESNO, CA, 1985

Robert LaChausse  
**Department Chairman and Professor, Dept. of Public Health Sciences**  
California Baptist University  

**Education**

- Doctor of Philosophy in Developmental Psychology  
  Claremont Graduate University  

- Master of Arts in Health Education and Behavior  
  California State University, San Bernardino  

- Bachelor of Arts in Psychology  
  California State University, San Bernardino  

- Certified Health Education Specialist (CHES)  
  National Commission for Health Education Credentialing  

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**Experience Teaching English Learners**

No

**Experience Teaching Students with Disabilities**

No

**Standards-Based Interdisciplinary Instructional Experience**

This lesson is aligned with Expectation 5 in the CDE Health Framework: Students will understand and demonstrate how to promote positive health practices within the school and community, including how to cultivate positive relationships with their peers. Lesson wording, examples, and scenarios are inclusive of ethnic and gender diversity. Student materials are available in Spanish.

*Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.*
The lesson goal is to increase student confidence to use refusal skills in their everyday life to avoid risk situations that can lead to ATOD use. The lesson begins an icebreaker asking students about the effects of ATOD use and about different situations that can lead to alcohol, tobacco or other drug use. Next, the teacher provides a statement of the learning objective in student terms. Then, the teacher models the four steps in using refusal skills (this is shown on the screen as well): Make eye contact, Identify the Problem, State Consequences, State Alternative, Sell it and Move it. The teacher then models these steps in a role play with another student. Next, the teacher ask students the steps as a check for understanding. Next, students get an opportunity to practice these in groups of three (one providing peer pressure, one using the refusal skills, and one student evaluating how well the student did in using the refusal skills. The teacher goes around the room using a rubric to evaluate how well each student did. This is aligned with the Common Core State Standards and the Next Generation Science Standards is to move beyond content knowledge, i.e., to move from memorizing facts to “science literacy.” (Note: The concept of science literacy is similar to the concept of “health literacy” discussed in the health education framework.)

Differentiated Instruction for a Diverse Student Population

Lesson wording, examples, and scenarios are inclusive of ethnic and gender diversity. Student materials are available in Spanish. The role plays can be adapted by changing the names of the roles, having the student translate steps into their language. The teacher also asks students why it is difficult for some people to discuss these topics. Responses may include:
- These topics are personal or private.
- These topics are sometimes associated with being “normal” or “not normal.”

Areas of Expertise and Leadership

Health Content Areas: Nutrition and Physical Activity, Growth, Development, and Sexual Health, Alcohol, Tobacco, and Other Drugs, Mental, Emotional, and Social Health, Personal and Community Health

I have been involved as a health educator, consultant, and researcher in school health education for over 20 years. I participated in the July 2001 CDE Health Education Standards focus group for the Health Framework. I have been a professor in health education and behavior for 18 years. I have taught the School Health Programs and Policies course for pre-service teachers at two universities for the past 16 years. Additionally, I have teach courses in health education methods, health behavior change, child/adolescent development, and program implementation/curriculum development. My research focuses on the effectiveness of school-based health education and promotion programs in the areas of alcohol, tobacco and other drug prevention, HIV/STD/teen pregnancy prevention, and obesity prevention. I have worked with over 42 school districts throughout California as a consultant for various school-health programs. My research has been funded by the Dept. of Health and Human Services-

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Office of Adolescent Health, the National Institutes for Drug Abuse, and the Center for Disease Control and Prevention (CDC). Currently, I have a study examining the relationship between school health education programs and academic achievement (GPA, standardized test score, attendance). Additionally, I have been widely published looking at the effects of teacher training and implementation fidelity on school health outcomes. My research has been published in peer reviewed journals (Journal of School Health, American Journal of Health Promotion, Health Education and Behavior). I am familiar with CA Educational Codes surrounding health and safety as well as changes in educational organizations (i.e. Common Core, Local Control and Accountability Plan (LCAP), and LCFF funding) and how these might enhance or inhibit the health development and academic achievement in students k-12. I serve on school site council for a local school district and remain a strong advocate for school health education.

Previous Committee Experience
Yes. I participated in the July 2001 Health Education Standards focus group. Additionally, I was on the Project TEACH committee, funded by the California Department of Education in 2000, designed to improve preservice teacher training in health education.

Relationship with Publishers (Conflict of Interest Disclosure Statement)

Question 1
Do you or a member of your immediate family have, or have you had, a business relationship at any time over the last twelve months with a publisher that produces instructional materials for California?
If YES, list the company(-ies) that you have dealt with, and the amount (if any) of remuneration received. (Use 1,000 characters or less.)
No

Question 2
Are you currently employed by or under contract to any person, firm, or organization which will do business with or submit instructional material to the California Department of Education (CDE)?
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No

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Question 3
Have you ever been employed by or had any other kind of contractual relationship with any person, firm, or organization doing business with, or submitting instructional materials to, the CDE?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
Yes. I've served as an external evaluator for Positive Prevention PLUS from 2011-2015.

Question 4
Do you expect to receive any royalty payments during your period of service on the 2017 HSS Adoption of Instructional Materials Review Panel?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

Question 5
Were you or any member of your immediate family an author, contributor, or editor of (or consultant on) any textbook, other curriculum material, or project proposal that is likely to be submitted to the CDE?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

Question 6
Have you received compensation, do you expect to receive compensation, or do you have any other kind of contractual relationship with any organization that is either a subsidiary, parent organization, or "sister organization" of any entity which will do business with your advisory body or will submit materials to your advisory body?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

References

- Kim Clark
  Author
  Positive Prevention LLC

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
• Dale Folkens
  Principal
  San Bernardino County Superintendent of Schools

• Diana Walsh-Reuss
  Assistant Superintendent
  Riverside County Office of Education

**Supervisor**

David Pearson
Dean, College of Health Science
EDUCATION

Doctor of Philosophy in Psychology, January 2008
Claremont Graduate University
Concentration: Developmental Psychology; Cognate area: Health Behavior

Master of Arts in Health and Behavioral Science, June 1998
California State University, San Bernardino

Bachelor of Arts in Psychology, June 1994
California State University, San Bernardino

WORK EXPERIENCE

Department Chairman (Interim) and Associate Professor
Department of Public Health Sciences
California Baptist University
August 2014- Present

Responsible for leading the Department of Public Health Sciences including 12 fulltime, 6 adjunct faculty members, and 4 staff involving 8 degree programs. Responsible for teaching undergraduate and graduate in public health, research methods, behavioral sciences, program evaluation, and health promotion. Serve on departmental committees and university committees.

Courses Taught:

Undergraduate:
- HSC210: Ethics
- HSC300: Health Communication
- HSC310: Health Promotion & Disease Prevention
- HSC480: Research Methods

Graduate:
- HSC522: Social & Behavioral Aspects of Public Health
- HSC590: Research Methods in Public Health
- HSC544: Statistics
- HSC560: Program Planning & Evaluation
- HSC554: School Health Programs & Policies

Department of Health Science and Human Ecology
California State University, San Bernardino
September 2001- September 2014

Full-time faculty position responsible for teaching undergraduate and graduate (MPH and MA) courses. Served on departmental committees including the marketing committee, technology committee, institutional review board (IRB), and the curriculum/accreditation committee. Supervise undergraduate student honors projects. Serve on graduate thesis and project committees. I have taught over 15 different courses including 3 online and 2 hybrid courses. Furthermore, I have mentored over 35 students by including them in my research and projects, presentations at professional meetings, and student research conferences.
REFERENCES

Diana Cassady, DrPH
Professor
School of Public Health
University of California, Davis

Cindy Paxton, PhD
Professor Emeritus and Dean
Department of Health Science and Human Ecology
California State University, San Bernardino

Eusebio Alvaro, PhD, MPH
Associate Professor
Claremont Graduate University
Kimberley Walden  
Health Science Teacher  
Rio Linda High School - Twin Rivers Unified School District

**Education**

- Master of Education in Educational Management  
  University of La Verne
- Single Subject Teaching Credential & CLAD  
  California State University, Sacramento
- Bachelor of Arts in Biology  
  University of California, Riverside

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**Experience Teaching English Learners**

Yes

9-12; 20 years with EL students enrolled in all classes; 5 years with EL levels 1-3 in a separate EL health science class

CLAD

**Experience Teaching Students with Disabilities**

Yes

9-12; 20 years with special education students enrolled in all classes; 8 years with a separate class for SDC and SDC-ED students

**Standards-Based Interdisciplinary Instructional Experience**

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
One of the lessons I regularly teach involves the use of informational text while supporting the understanding of standard 1.12.G in the health education standards (Evaluate the safety and effectiveness [including success and failure rates] of FDA-approved condoms and other contraceptives in preventing HIV, other STDs, and pregnancy.) This lesson is taught in my "general education" classes and is modified for use with my EL population and my students with disabilities. The students will use information text in the form of a brochure from the FDA Office of Women's Health called "Birth Control Guide." Students are given a set of information that they must discern from the pamphlets regarding 15 FDA approved methods of contraception. The students have to be able to read the informational text and put into their own words the following information about each method of birth control: (a) What is the birth control method and how does it work? (b) What is the effectiveness against pregnancy of the method? (c) How does someone obtain this type of birth control? (d) What are the top 3 risks or side effects of this method? and (e) Does this method prevent against HIV or other STDs?. Following this activity, students have a writing component where they have to write a letter to a patient who is requesting information about birth control. Given this patient's background, students must decide which of the 15 possible methods would be the top 5 most effective forms of birth control for this patient and then they must write her a letter explaining the information detailed above so the patient can make an informed decision before making her selection.

Differentiated Instruction for a Diverse Student Population

For both my English learners and my students with disabilities, I use the same activity modified of course. The students will use the same FDA approved pamphlets but will only research 12 of the methods. These students also use a note sheet prepared by me to focus them more directly on finding the information. They are still required to know how the method basically works, it's effectiveness, the risks or side effects and where to get the birth control method.

Areas of Expertise and Leadership

Health Content Areas: Nutrition and Physical Activity, Growth, Development, and Sexual Health, Alcohol, Tobacco, and Other Drugs, Mental, Emotional, and Social Health, Personal and Community Health

Over the course of the last 20 years, I have taught life science, biology, AP biology and now health science. When I began teaching health, the draft standards were out and I used those as the basis for developing my lesson plans. When the official standards came out, I modified my lessons based on those. Given the time frame that I have to teach health, our district made the decision to take some of the standards from the Nutrition and Physical Activity area and some from the Personal and Community Health area and combine them into one unit. For example we talk about nutrition and then show how that my lead to issues such as cardiovascular disease and diabetes. We teach separate units on each of the other areas mentioned. Since the inception of the health standards, I have been involved at both the site level and the district level in developing curriculum, assessments and projects for our students. I have always been

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a firm believer in literacy through all subjects and have always incorporated the reading of primary sources and informational texts along with writing components. It's funny because my students sometimes will mention that my class is not an English class, and I remind them that they must be able to write in all situations and not just while in an English class. Now that California has approved the common core standards, it seems easier for the students to understand this correlation. I am very familiar with the standards taught in the units mentioned above as I have been teaching them for 8 years now and since my class is only a semester long, I teach each unit two times per year.

Previous Committee Experience
I been involved in committees like this at the site level and at a district level, but not higher than this. When my district opted to no longer teach driver's education, I was part of the committee to develop curriculum to move us toward a semester long health class. At that time, we used a very outdated textbook and I was part of the district-wide committee that piloted and evaluated new health textbooks when we were able to adopt the new textbook that we use now. In our district, I continue to be a part of a committee that usually meets monthly to analyze data from our assessments and discuss our curriculum to make sure we are meeting the needs of our students.

Relationship with Publishers (Conflict of Interest Disclosure Statement)

Question 1
Do you or a member of your immediate family have, or have you had, a business relationship at any time over the last twelve months with a publisher that produces instructional materials for California?
If YES, list the company(-ies) that you have dealt with, and the amount (if any) of remuneration received. (Use 1,000 characters or less.)
No

Question 2
Are you currently employed by or under contract to any person, firm, or organization which will do business with or submit instructional material to the California Department of Education (CDE)?
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No

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Question 3
Have you ever been employed by or had any other kind of contractual relationship with any person, firm, or organization doing business with, or submitting instructional materials to, the CDE?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
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Question 4
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Question 5
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Question 6
Have you received compensation, do you expect to receive compensation, or do you have any other kind of contractual relationship with any organization that is either a subsidiary, parent organization, or "sister organization" of any entity which will do business with your advisory body or will submit materials to your advisory body?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

References

- Scott Meyers
  Vice Principal
  Rio Linda High School

- Jennifer Woo
  Health Science Teacher
  Rio Linda High School

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
• Nona Boyd
  Teacher
  Foothill High School

Supervisor

Paul Orlando
Principal - Rio Linda High School

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
CREDENTIALS
Certificate of Eligibility for the Administrative Services Credential
California Professional Clear Single Subject Teaching Credential in Life Science
Clear Crosscultural, Language and Academic Development Certificate

TEACHING EXPERIENCE
Twin Rivers Unified School District (formerly Grant Joint Union High School District), Sacramento, January 1997 – present
While in the district, I taught at Foothill High School from January 1997 through June 2009 where I taught Advanced Placement Biology, Biology, Life Science and Health as well as being a site coach part-time and full-time. In June 2009, the funding to continue as a full time site coach was not there and because my classroom position had been filled by another teacher, I transferred to Rio Linda High School beginning with the 2009-2010 school year. I am still at Rio Linda High School and there I teach health science, SDC/SDC-ED health science and EL health science. In addition to teaching, I have been involved in various activities over the course of these now twenty years and here are a few of these items:
- Science department chairperson for six years
- Member of the Site Leadership team (SLT) for at least eight years
- Participating member of committees that were formed to implement district wide formative assessments in both biology and health science
- WASC co-chair for three WASC visits and a member of WASC visiting teams
- Trainer of Teachers for Edusoft and Illuminate
- Site Coach to both fully credentialed and emergency credentialed teachers
- Possession of my certification of completion for the Cognitive Coaching Foundation Seminar®
- Cooperating teacher for student teachers from both CSU Sacramento and Brandman University (formerly Chapman University)
- Cooperating teacher for science interns from UC Davis

EDUCATION
Master of Education – Educational Management, May 2002
University of LaVerne

Single Subject Teaching Credential Program, December 1996
California State University, Sacramento

Bachelor of Arts with a Major in Biology, June 1995
University of California, Riverside
Robyn Russon  
Health/Careers Teacher  
John Burroughs High School

Education

- Master of Arts in Public Health  
  California State University, Northridge
- Bachelor of Science in Health Science  
  California State University, Long Beach
- Single Subject Teaching Credential, Health  
  California State University, Long Beach

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Experience Teaching English Learners

Yes  
High School, 7 years  
CLAD

Experience Teaching Students with Disabilities

Yes  
High School, 18 years

Standards-Based Interdisciplinary Instructional Experience

Just today in Health class we took the time to annotate and discuss an article from the New York Times titled "Depressed, but Not Ashamed". Just a bit of background. Yesterday my 9th grade Health classes took their test on the Mental Health chapter of

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the textbook. As a follow up, we read the above mentioned article. I lead the students through a process in which we reviewed what we knew about the topic ahead of time, what information we would like to know, what information was presented and what information was left out. We started with looking at the title, the authors and the source to determine if it was a reliable source. The authors happened to be teenagers from Michigan who were editors of their school newspaper. We then discussed how our viewpoint of an article might change based on the authors background. The first read through of the article focused on getting a general understanding of the article and to underline vocabulary words that were new to us. We took the time to discuss the vocabulary words that were new to us along with connecting words that were familiar to us because of our Health textbook. One word in particular brought up interesting discussion -- Prozac. We looked at contextual clues in the article such as the capitalize P, along with the words "prescription bottle" and "antidepressants" in additional sentences to help us define the word. We also discussed how the credibility of the authors increased with the 3 different references that they referred to in the text. The second time we read through the article focused on questioning the author, looking for disagreements, determining the tone of the article, and looking for what was unsaid or what was confusing to the readers. A discussion followed based on what the students came up with regarding the topic. For the last few minutes in class, the students had a worksheet with some pointed questions to answer which required them to cite from the article where answers were found.

**Differentiated Instruction for a Diverse Student Population**

This was a fairly straight forward lesson that might not require too much scaffolding for various learners. However, for my Special Education students I could limit the number of question on the worksheet. For English Language Learners it would be helpful to have some vocabulary words already pinpointed ahead of time and discuss them before reading the article. It might also be helpful to read the article out loud with some students and stop more frequently to discuss what the paragraph was about. Addressing students of different races, genders, cultures or sexual orientation could be achieved by bringing in statistics or graphs on depression among teenagers based on different factors. Pointed questions could be asked about how a particular group might feel or respond to the topic. In some class discussions these topics might come up naturally based on what the student comments and thoughts are. It is important for a teacher to know their audience and calculate their responses to meet the needs of their particular students.

**Areas of Expertise and Leadership**

Health Content Areas: Nutrition and Physical Activity, Growth, Development, and Sexual Health, Alcohol, Tobacco, and Other Drugs, Mental, Emotional, and Social Health

After almost 2 decades as a Health Teacher, I have had lots of experience in many of the different areas of the Health Education Curriculum. I had the opportunity to be the Los Angeles County Office of Education, Health Education Specialist for 2008-2009.

*Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.*
school year. During that year I worked with the Tobacco Use and Prevention Education Prevention Grants, Safe and Drug Free Schools and Community Grant, HIV Prevention Education Grant and the Network for a Healthy California Nutrition Grant. In addition, I was involved in helping our local districts understand the Health Education Standards and how they can implement them in various curricular areas. I have worked with the state to integrate the Health Education Nutrition Standards with Math Standards in Middle School. I was the Tobacco Use Prevention Education administrator for the Burbank Unified School District for 5 years and was tasked with making sure the grant was administered appropriately. Through this work I was chosen to read and score TUPE Grants. I have also had the opportunity to help Glenn Dodd update the Keeping Safe from HIV Curriculum to align with the Health Education Standards.

**Previous Committee Experience**
Since I have been teaching a Health Class for 18 years and was the LACOE Health Education Specialist for a year, I am very familiar with the Health Education Standards. Not only do I understand their implementation in a Health Class, I am also fairly knowledgeable about integrating them into other curricular areas such as English, math, science, social science and PE.

**Relationship with Publishers** (Conflict of Interest Disclosure Statement)

**Question 1**
Do you or a member of your immediate family have, or have you had, a business relationship at any time over the last twelve months with a publisher that produces instructional materials for California?
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No.

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If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No.
Question 3
Have you ever been employed by or had any other kind of contractual relationship with any person, firm, or organization doing business with, or submitting instructional materials to, the CDE?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
I did assist Glenn Dodd with updating Keeping Safe from HIV Curriculum. We worked together on training teachers on the implementation of the program. Along with my experience in actually using the curriculum in the classroom setting, Glenn asked me to help go through the lessons one by one to update them with current information and activities that would meet the Health Education Standards and the Education Code related to Comprehensive Sexual Education (now known as California Healthy Youth Act).

Question 4
Do you expect to receive any royalty payments during your period of service on the 2017 HSS Adoption of Instructional Materials Review Panel?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No.

Question 5
Were you or any member of your immediate family an author, contributor, or editor of (or consultant on) any textbook, other curriculum material, or project proposal that is likely to be submitted to the CDE?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No.
Question 6
Have you received compensation, do you expect to receive compensation, or do you have any other kind of contractual relationship with any organization that is either a subsidiary, parent organization, or "sister organization" of any entity which will do business with your advisory body or will submit materials to your advisory body? If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No.

References

- Oscar Macias
  Principal
  Luther Burbank Middle School

- John Paramo
  Director of Secondary Education
  Burbank Unified School District

Supervisor

Sharon Cuseo
Assistant Superintendent of Curriculum and Instruction
OBJECTIVE

To get a job where my Public Health skills can be utilized.

EXPERIENCE

1999 – Current  Burbank Unified School District  Burbank, CA
Health Teacher
\begin{itemize}
  \item Department Chair
  \item Safety Committee Member
  \item Service Learning Committee Member
  \item Beginning Teacher and Intern Support Provider
  \item TUPE – Tobacco Use Prevention Education Coordinator
\end{itemize}

Health Education Specialist, Los Angeles County Office of Education (on-loan 2008-2009)
\begin{itemize}
  \item Assisted with TUPE Grant, Safe and Drug Free Schools and Communities Grant, Healthy Network Grant, HIV/AIDS Prevention Grant
\end{itemize}

1997 - 1999  City of Long Beach  Long Beach, CA
Community Development Accounting Clerk

1995 - 1997  Garden Botanika  Lakewood, CA
Sales Associate/Key Holder

1993 -1995  PruCare of California  San Diego, CA
Senior Medical Claims Examiner

1990 – 1993  Vons Company  San Diego, CA
Courtesy Clerk

EDUCATION

2001 - 2005  California State University, Northridge  Northridge, CA
\begin{itemize}
  \item Masters in Public Health, 2005
\end{itemize}

1995 – 1999  California State University, Long Beach  Long Beach, CA
\begin{itemize}
  \item California Single Subject Credential, Health, 1999
  \item Bachelors of Science, Health Science, 1998
\end{itemize}

EXPERIENCE

2003 – 2008  TUPE Grant writer and reader  Burbank, CA

2004 – 2005  Partners in Care Foundation – Intern  Burbank, CA

Spring, 1998  Department of Health Services – Intern  Long Beach, CA
Amy Streavel
Director, Community Education and Outreach
Planned Parenthood Orange & San Bernardino Counties

Education

- Master of Arts in Public Health
  National University

- Bachelor of Arts Cinema and Human Sexuality Studies
  San Francisco State University

- Certified Family Planning Worker Certification
  Essential Access Health (formerly California Family Health Council)

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Experience Teaching English Learners

Yes

Our Department has been providing presentations in Spanish for 6 years
Verbal Translation Assessment provided by AltaLang Language Services

Experience Teaching Students with Disabilities

Yes

5th - 12th and for 4 years
Staff trainings provided by the Inland Regional Center

Standards-Based Interdisciplinary Instructional Experience

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
One of the many health related topics that I have developed content for and presented in the classroom is anatomy/physiology. This presentation combines power point presentation slides with activities and interactive discussions to introduce hormones, puberty, and how they affect the human body. Students leave with an understanding that the changes and processes that their bodies go through are completely normal and expected. An interactive discussion on how to keep good hygiene empowers young people to take a more pro-active stance with their health. Students are encouraged to speak with their parents or trusted adult for values and clarifications regarding the topic. Students are also provided linkages to medically accurate, age-appropriate resources that they can refer to if they have further questions. Students leave with a great sense of understanding, and most importantly, a great sense of self-efficacy, to be able to navigate this often difficult time in a young person’s life.

Differentiated Instruction for a Diverse Student Population

The lesson plans and materials were written to be appropriate for young people of all races, genders, and sexual orientations by using inclusive language, images, and examples so that no one feels left out. We alter talking points depending upon the ethnic and cultural backgrounds of our participants, and refer participants to their parents for values based information. We adapted the lesson plans and curriculum with assistance from the Inland Regional Center to include more pictures and talking points that would be appropriate for students with disabilities according to their level of disability, physical or mental. This presentation has been translated into Spanish and would be taught by a certified Spanish speaking Educator to ensure full comprehension of the language.

Areas of Expertise and Leadership

Health Content Areas: Growth, Development, and Sexual Health, Personal and Community Health

I believe that my education and experience would be beneficial to the Health Education CFCC because the requirements of the Health Education Standards, and specifically the CA Healthy Youth Act, are the topics that myself and my department have been providing to young people in schools and communities. I have been providing the education for 6 years, however, the organization has been providing the education for over ten. I am familiar with the Health Education Standards as I use them as guidance to ensure curriculums and lesson plans are thorough and complete. I also reference the Standards when discussion education with new contacts or community members. Regarding the health content area of Growth, Development, and Sexual Health we ensure that not only are we providing medically accurate and age appropriate material, but that participants get the opportunity to have a discussion or practice a skill, such as decision making or refusal. Participants are encouraged to set goals and ultimately gain self-efficacy skills. I have the required expertise and experience providing sexual and reproductive health directly to young people, as well as, supervising and leading teams of up to 18 health educators who provide education all over Orange and San Bernardino Counties. I observe the educators in the classroom on a quarterly basis to ensure
compliance. I am tasked with creating, modifying, and leading all student assessments that are conducted internally for quality assurance/compliance, and also for grant requirements. Health literacy is essential to the education that we provide, and a high priority when developing curriculum and lesson plans. I would appreciate this opportunity to assist at a higher level to ensure that young people are receiving comprehensive sexual and reproductive health education that aligns with the Health Education Standards and mandates of the law.

Previous Committee Experience
Yes. Internally within our affiliate, I serve as the sexual and reproductive health content expert and curriculum specialist. I review, edit, and lead focus groups for all instructional material (lesson plans, activities, and power point content) for all youth and adult programs. We review our materials each year to ensure compliance and alignment with the requirements of the Health Education Standards, and most recently the CA Healthy Youth Act.

Relationship with Publishers (Conflict of Interest Disclosure Statement)

Question 1
Do you or a member of your immediate family have, or have you had, a business relationship at any time over the last twelve months with a publisher that produces instructional materials for California?
If YES, list the company(-ies) that you have dealt with, and the amount (if any) of remuneration received. (Use 1,000 characters or less.)
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Question 2
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If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

References

- Evelyn Gonzalez
  Policy Director
  Health Systems for Community Health Councils, Inc.

- Irene Salazar
  Vice President Community Education and Outreach
  Planned Parenthood Orange and San Bernardino Counties

- Shannon Bennett
  Health Teacher, Garden Grove Unified School District
  Santiago High School

Supervisor

Irene Salazar
Vice President Community Education and Outreach

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
SUMMARY OF QUALIFICATIONS

- Over seven years’ experience in sexual and reproductive health education and evaluation.
- Skilled at public speaking, creating engaging presentations and scheduling programs amongst multiple locations and cities and with a variety of tools such as Power Point, webinars and applied learning.
- Advanced skills in program management and leading teams to success.
- Excellent communication skills in writing & correspondence.
- Excellent problem solving, time management and organizational skills.
- Exceptional work ethic & interpersonal skills.

PROFESSIONAL EXPERIENCE

Planned Parenthood Orange & San Bernardino Counties  
Nov. 2011 - Present

DIRECTOR, COMMUNITY EDUCATION AND OUTREACH

- Senior Leadership Member
- Recipient of the WE CARE AWARD (Employee of the Year) for 2013.
- Create and modify educational presentations based on evidence-informed curricula to ensure topics and content align with the seven required topics for comprehensive health education and with varying literacy skills.
- Represent the Community Education Department at collaborative and community meetings to network and promote Department activities and trainings.
- Perform age-appropriate, culturally responsive, medically accurate reproductive health presentations for adolescent target populations in school or community-based settings.
- Lead the Training for Professionals programming including promotion, scheduling and execution of the program in both an online format and in-person group presentations.
- Assist Grants Manager with narrative grant writing and budget creation for RFA’s.
- Manage multiple projects to success with teams in both Orange & San Bernardino Counties.
- Use excellent leadership, team building and communication skills to develop subordinates and encourage cooperation and responsibility.
- Accountable and aggressive on all phases of personnel management: hiring, staff development, evaluation, promotion, scheduling and separations.
- Oversee all Hotline programming including personnel, reporting and quality assurance.
- Member of organizational wide Safety and Security Committee.
- Assist with internal data collection and analysis for reporting and internal program evaluations.
- Maintain high standards of department by implementing a quarterly quality assurance process.
**Borders Books, Music and Café**  
**April 2001-May 2011**

**GENERAL MANAGER**

- Successfully increased Operational Audit score from 41% to 83% as well as reduce shrink (monies lost) from 7.45% to 3.17% in a six-month period.
- Understand and develop sales plans based on Profit and Loss monthly statements.
- Maintain payroll using PeopleSoft programming.
- Prepare and manage safety, security, and loss prevention procedures in accordance with Company and OSHA guidelines.
- Travelled throughout Southern California auditing and training General Managers on the Border’s Internal Audit for District 508 which included 13 Superstores and 2 Mall locations.
- Directly responsible for team of 43 to insure policies and procedures are maintained, projects are executed and store in merchandised in a timely manner and to a set high standard.
- Selected as 1 of 19 individual’s companywide to participate on the Shrink Reduction Team to brainstorm and develop programs to increase profitability and reduce shrink to be implemented companywide.

**Camp Fire U.S.A.**  
**Feb. 2011 – Nov 2011**

**FAMILY LIFE EDUCATOR**

- Perform outreach and presentations for the target population as assigned by Project Coordinator. Presentation topics include: reproductive health, contraception, sexually transmitted infections (STI’s), HIV, puberty, communicating about sexuality within the family. Maintain program schedule of own classes.
- Perform health education duties for target populations served through the assigned program(s) including schools, community-based agencies, and youth serving personnel.
- Provide feedback to Project Coordinator on the classes delivered: appropriateness, cultural sensitivity, and effectiveness with target population.
- Implement and deliver age-appropriate interactive activities.
- Collect pre and post survey data to evaluate knowledge gain and self-efficacy.

**EDUCATION**

- National University – Costa Mesa, Ca  
  Masters of Public Health – In progress
- San Francisco State University – San Francisco, CA  
  Bachelor of Arts in Cinema and Human Sexuality Studies – 2004
  - Student teacher for summer session Short Format Screenwriting course
- Santa Monica College – Santa Monica, CA  
  Orange Coast College – Costa Mesa, CA
  - Peer Health Educator 1999-2001

References available upon request.
Diane Farthing  
Teacher  
Amador Valley High School

Education

- National Board Certification  
  National Board for Professional Teaching Standards
- CLAD
- Bachelor of Science in Education  
  Kent State University

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Experience Teaching English Learners

Yes  
grades 6-12, 34 years  
CLAD credential

Experience Teaching Students with Disabilities

Yes  
grades 6-12, 34 years

Standards-Based Interdisciplinary Instructional Experience


Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
II. The “Why”: This lesson identifies a current problem in society, shows the power of addiction, and shows the connection between drug use and HIV.

III. Criteria for success: Students can determine the validity of the article with at least two pieces of evidence, describe the events leading to the current heroin epidemic, and list at least two impacts on society relating to the increased use of heroin.

IV. Instructional Strategies: The informational text used is "OxyContin a gateway to heroin for upper-income addicts". I’d share with the students what they’ll be learning, why this is important, and how they’ll know when they’ve learned it. We’d read the article as a class identifying vocabulary that may be challenging. Students will discuss with a partner the main idea of the article and then develop a timeline showing the sequence of events leading to the heroin epidemic. We’ll share as a class. Students will answer the following questions individually and then in small groups.

- What is the author’s intent for writing this article? Why do you think this?
- Do you feel that the author has a bias on this topic? Why or why not?
- Would you assume that the information in the article is correct? Why?
- Why is heroin use considered more dangerous than Oxycodone? Give at least two reasons and support your response with evidence from the article.
- What is the relationship between an increase in heroin use and an increase in crime?
- In an effort to reduce OxyContin abuse, manufacturers made it harder to crush and snort. The increase in heroin is an unintended consequence. Was it worth it? Why or why not?
- What changes would you make to solve this issue?

Students can edit their written responses as we talk as a class and turn these in.
Differentiated Instruction for a Diverse Student Population

Instruction could be differentiated in many ways including:
A. providing the article ahead of time to students with disabilities or English learners.
B. providing a link to me reading the article available on the web site with me stopping and discussing the vocabulary or my thinking as I read.
C. talking about stereotypes of intravenous drug users.
D. providing statistics about addiction in order to make sure that students realize that it’s not about a particular race or gender. Addiction is a disease that crosses socio-economic and racial lines.
E. discussing how prescription use, drug abuse, and help may be more or less acceptable in certain cultures.

Differentiating to be inclusive of genders or sexual orientation doesn’t really apply to this lesson unless there were stereotypes about drug users or the spread of HIV that needed to be addressed.

Areas of Expertise and Leadership

Health Content Areas: Nutrition and Physical Activity, Growth, Development, and Sexual Health, Alcohol, Tobacco, and Other Drugs, Mental, Emotional, and Social Health, Personal and Community Health

I am extremely familiar with the Health Content Standards since they are the driving force for my teaching, as well as for the professional development I’ve provided.

The process of becoming a National Board Certified Teacher has helped prepare me to be a member of the Health Education CFCC. I was required to have a clear understanding of the goal of health literacy, the standards, and the importance of being able to assess achievement of both of these. Earning certification required that I be able to plan thoughtful instruction with clear learning objectives as well as design methods to assess student learning.

My six years working with the California Subject Matter Project as a teacher leader and co-site director allowed me to meet with health educators to increase their content knowledge, develop instructional strategies, and create assessments. As a program coordinator with the Health and Physical Education Collaborative I am continuing to provide professional development opportunities for health educators focusing on those same goals. I’ve worked with my district’s middle school teachers as they designed the health curriculum for our 6th through 8th graders and I have provided many trainings for our in-service days. Most of my work has centered on trying to develop authentic assessments for not only the concepts in standard one, but also the skills in standards two through eight.

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Previous Committee Experience
I haven't served on a committee but I've developed the curriculum for my classes and helped develop curriculum with other teachers. I've reviewed materials a few times for the Health Kids Resource Center.

Relationship with Publishers (Conflict of Interest Disclosure Statement)

Question 1
Do you or a member of your immediate family have, or have you had, a business relationship at any time over the last twelve months with a publisher that produces instructional materials for California?
If YES, list the company(-ies) that you have dealt with, and the amount (if any) of remuneration received. (Use 1,000 characters or less.)
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Question 2
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Question 6
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No

References

- Michael Williams
  Principal
  Amador Valley High School

- Terri Drain
  Program Coordinator
  Health and Physical Education Collaborative

Supervisor

Michael Williams
Principal

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
Diane Farthing

Certification

National Board Certification
• Health Education

California Commission on Teacher Credentialing
• Single Subject
• Health Education, Life Science, Computer Concepts, CLAD

November, 2010

Education

Bachelor of Science in Education
Kent State University, Kent, Ohio
• Major in Health Education
• Minor in Biology

September, 1977 - May, 1981

Experience

Amador Valley High School
Pleasanton, CA
• Health and Anatomy & Physiology Teacher
• Health and Bioscience Academy Lead Teacher

September, 2004 - Present

Harvest Park Middle School
Pleasanton, CA
• Health and Life Science Teacher
• Science Department Chair

September, 1999 - June, 2004

Robertson Continuation High School
Fremont, CA
• Health and Science Teacher
• Teen Parenting Teacher
• Science Department Chair

September, 1983 - June, 1999

Professional Activities

Health and Physical Education Collaborative
Pleasanton, CA
• Program Coordinator
• Design and provide professional development workshops for physical education and health teachers

May, 2014 - Present

Bay Area Physical Education and Health Project
San Jose, CA
• Co-site Director and Teacher Leader
• Planned and provided professional development institutes for physical education and health teachers

September, 2008 - April, 2014

Peer Assistance Review Coach
Pleasanton, CA
• Support Teacher for mandatory or voluntary teacher improvement


References Available Upon Request
Bridget Brownell
Teacher/Dept Chair
Los Angeles Unified School District

Education

- Master of Arts in Public Health
  University of California, Los Angeles

- Bachelor of Science in Health Education
  Ithaca College

- Single Subject Teaching Credential in Health Education
  State of California Commission on Teacher Credentialing

- Crosscultural, Language and Academic Development Certificate
  Los Angeles Unified School District

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| Ethnicity              | White                        | Gender                       | Female     |

Experience Teaching English Learners

Yes
9-12 & community college  about 20

All teachers in the LAUSD must hold an authorization permitting them to teach English Learners (EL) (CLAD, CTEL and related classwork as well as numerous professional developments)

Experience Teaching Students with Disabilities

Yes
9-12 & community college  about 20

I have completed the required classwork and participated in numerous related professional developments

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Standards-Based Interdisciplinary Instructional Experience

The teacher-librarian and I have collaborated to create a standards-based health education lesson to support students learning. This cross-disciplinary exploration, requires learning 21st Century Skills and supports literacy (CCSS.ELA-Literacy.SL.9-10.1). Students today have many sources bombarding them with information as well as misinformation. Learning how to discern which sources are credible is more important than ever. Several of the health education standards align with these critical skills such as accessing valid information in addition to the specific content learned through research.

Our students first participate in a Power Point proving information on conducting library research and properly citing sources. I pass out a copy of the slides to my students and they read aloud when their corresponding handout is projected. Together we explore how to evaluate various sources.

We are relying on this generation to be able to solve complex issues which did not exist previously. I know from my experience in other countries that exposure to creatively solving problems and being encouraged to form your own solution leads to mastering this acquired skill. With this in mind, we next determine the general goals for the assignment and establish guidelines for groupings.

Our students then work collaboratively to brainstorm a list of questions they want to answer about their topic. Ultimately, students will need to justify and correctly site their sources in addition to providing the answers to their questions. Each group will need to choose how they present this information (3D model, a Prezi, powertoons, etc). At the competition of the project, the group, class, teacher-librarian and I provide feedback and the students reflect on their learning too.

Differentiated Instruction for a Diverse Student Population

The work place is becoming more diverse and students need to know how to work with others from a variety of backgrounds. As instructional grouping research has evolved, I have differentiated instruction in our mixed-ability classroom in a variety of ways.

"Small, mixed-ability groups allow lower achievers to take advantage of peer support whilst higher achievers gain the opportunity to organize and voice their thoughts for the benefit of the whole group. Grouping also allows roles to be allocated within the team which cater for each member’s skill set and learning needs." (BBC Active. "Methods of Differentiation in the Classroom." Pearson. 2010. Web. 06 June 2016.). Implementing this strategy, I assigned students to groups based on their different abilities and assigned them each a group role.

Another article suggests, students should be grouped into small groups...designed around their strengths and weaknesses or ability level (Yu, Christina. "10 Examples &
Non-Examples Of Differentiated Instruction.” TeachThought. 2016. Web. 11 June 2016.). Using this method, I paired up ELL students who could use a translation application (such as Bing/Babelfish in addition to Google Translate), for example, to help each other. "Gifted" students were asked to create a video to teach others the steps they went through in order to complete a similar assignment.

I have also used advances in technology to support student learning. iPads, for example, come with assistive features. One of the most exciting features I explored relates to hearing assistance. At my school, we have many students who are deaf or hard-of-hearing. I loved the Closed Caption feature and how they can be customized with different styles/fonts. I share with students how Apple has created hearing aids specifically designed for the iPhone ("Accessibility - IOS - Apple." Accessibility - IOS - Apple. Apple, 2016. Web. 11 June 2016.).

Areas of Expertise and Leadership

Health Content Areas: Growth, Development, and Sexual Health, Alcohol, Tobacco, and Other Drugs, Mental, Emotional, and Social Health, Personal and Community Health

I have continually demonstrated my commitment to individuals and community health issues and further developed my leadership abilities, professional knowledge, and experience since graduating with a BS degree from Ithaca College and earning teaching credentials in NY and CA. I moved to California after graduating and have been teaching high school health education every semester. I am a department chair and have severed as a mentor teacher at Taft High School. I have actively been involved in almost every aspect of campus life. For example, I have served on the Leadership Team, Policy Council, Booster Club, School Safety Committee, Instructional Leadership Team and I have been a Passport to Reading volunteer. I established community links by initiating a service learning project and utilizing various speakers; I became an HIV/AIDS district trainer and a presenter at professional development conferences. I have worked with high-risk young men on campus and was the 2014 Senior Class sponsor. In addition, I actively facilitate diversity by sponsoring the Gender-Sexuality Alliance and Taft's Sex Squad modeled after UCLA's Squad. I also organize health-promoting activities. I am, for example, Taft High School’s team coordinator for the A.P.L.A.’s AIDS Walk and the American Cancer Society’s Breast Cancer Walk. I choose to expand my undergraduate theoretical and methodological foundations through UCLA’s Community Health Science graduate program. I earned my MPH. During this two year program, I obtained an internship with FHI and worked in Africa on HIV/AIDS issues. Earning my Master’s from UCLA allowed me to teach for Pierce College as well. I have been working as an adjunct professor ever since while maintaining my fulltime position at Taft High School. And finally, my objective as a health educator continues to be - to provide important and accurate information so that students can make decisions based on current information and their own morals.

Previous Committee Experience
I served on a committee to select a health textbook for the LAUSD. When reviewing materials we referred to district guidelines, educational codes and the National Health

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Education Standards. Ultimately we decided to purchase Holt's Lifetime Health and to work with this publisher to create our own human sexuality supplement. Additionally, I was a part of the committee who wrote this addition.

**Relationship with Publishers** *(Conflict of Interest Disclosure Statement)*

**Question 1**  
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**Question 4**  
Do you expect to receive any royalty payments during your period of service on the 2017 HSS Adoption of Instructional Materials Review Panel?  
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. *(Use 1,000 characters or less.)*  
**no**

**Question 5**  
Were you or any member of your immediate family an author, contributor, or editor of (or consultant on) any textbook, other curriculum material, or project proposal that is likely to be submitted to the CDE?  
If YES or UNCERTAIN, please explain and provide as much detail as possible,
including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

no

**Question 6**

Have you received compensation, do you expect to receive compensation, or do you have any other kind of contractual relationship with any organization that is either a subsidiary, parent organization, or "sister organization" of any entity which will do business with your advisory body or will submit materials to your advisory body? If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

no

**References**

- Shilo Nelson  
  Department Chair  
  Pierce College

- Richard (Ric) Loya  
  Founder & Executive Vice President  
  California Association of School Health Educators

- Alex Sandoval  
  Student (former student of mine)  
  California State University, Northridge (former student at Taft HS and Pierce CC)

**Supervisor**

Daniel Steiner  
Principal
BRIDGET ANN BROWNELL

CAREER OBJECTIVE  To work as a Health Education and Pedagogy Instructor

TEACHER CERTIFICATIONS
Single Subject Teaching Credential  Renewed June 2014

EDUCATION
UNIVERSITY OF CALIFORNIA, Los Angeles, California
Master of Public Health, June 2005
G.P.A. 3.7

ITHACA COLLEGE, Ithaca, New York
Bachelor of Science, May 1997, Health Education Teacher Certification K-12
G.P.A. 3.5  Dean’s List (three semesters)

THE AUSTRALIAN NATIONAL UNIVERSITY, Canberra, Australia
Semester Abroad, Fall 1996

PROFESSIONAL AFFILIATIONS
• National Education Association (N.E.A.)
• Parent-Teacher-Student Association (P.T.S.A.)
• Booster Club Member (Taft H.S. Fundraising Group)
• California Teachers Association (C.T.A.)
• California State Health Educators (C.A.S.H.E.)
• Society for Public Health Education (S.O.P.H.E.)

EXPERIENCE
Teaching: Health Education
Teach a health education curriculum to over 200 students per semester grades 9-12 in addition to community college
Pierce College, California  (includes summer school)  Fall 2006-present
Pierce College, California  (student teaching)  Fall 2004-Spring 2005
Taft Charter High School, California (includes summer school)  Fall 1997-present
Valley Central High School, New York (summer school)  Summer 1997
Boynton Middle School and Ithaca High School, New York (student teaching)  Spring 1997

• Prepare and evaluate multi-cultural lesson plans using best practices
  Includes differentiating instruction, I.E.P. implementation and working with E.L.L. students
• Analyzing personal teaching strategies
• Evaluating students’ progress including use of Easy Grade Pro and rubrics
• Attending professional seminars/ongoing professional development
• Establishing and maintaining communication with families including use of Jupiter Grades
• Creating and maintaining a classroom website (posting daily agenda, homework reminders, resources, etc)
• Selected to teach an auxiliary (an extra class)
• Facilitated Taft Charter High School Students receiving multiple Donors Choose Grants
• Assisted Taft Charter High School Students in presenting at various conferences
• Aided Taft Charter High School Students in receiving various awards including awards from the C.A. Family Health Council, L.A. Youth, Ryman Arts, Friends of Project 10, and The Pollination Project
• Arranged for Taft Charter High School Students’ work to be published
  * Always Accept Me for Who I Am and frequently L.A. Youth
BRIDGET ANN BROWNELL

**Elected Department Chair**

Spring 1999-present

Oversee the Health Education, Drivers’ Education, and Educational Career Planning Departments as applicable

*Taft Charter High School, California*

- Implementing curriculum development
- Arranging various community guest-speakers and school-wide assemblies
- Coordinating professional development
- Organizing school-wide activities and field trips
  - World A.I.D.S. Day, Denim Day, and Macy’s Passport to Teen Night, etc.
- Implementing innovative programs
  - Coordinating student service learning at various community public health organizations
  - Baby Think It Over (computerized dolls used to aid in the prevention of teen pregnancy)
- Performing administrative tasks
  - Devising the master health schedule
  - Managing budget (inventory, evaluate and order supplies)
- Served as a Leadership Team Member during Western Association School Committee (W.A.S.C.) accreditation

**H.I.V./A.I.D.S. Trainer**

Fall 2002-2009

Selected to train L.A.U.S.D. health educators

*H.I.V./A.I.D.S. Prevention Unit, L.A.U.S.D.*

- Provide training to Health Education Teachers on how to teach H.I.V./A.I.D.S. using the revised curriculum
- Selected to pilot the proposed curriculum and to suggest revisions
- Selected to receive training on the original, proposed C.D.C.’s Positive Prevention Curriculum

**Mentor Teacher and Master Teacher**

Fall 2001-present

Selected to be a mentor teacher and to supervise students from California State University, Northridge

*Taft Charter High School, California*

- Provide orientation, conduct observations and provide ongoing assistance to new teachers
- Demonstrate successful teaching and classroom management techniques
- Assist educators in establishing and achieving instructional goals and objectives
- Present at staff development sessions on various topics including classroom management techniques

**Elected School-Based Governance Committees**

Fall 1998-present

Elected school-management positions

*Taft Charter High School, California*

- Leadership Team
- Attendance Committee
- Staff Search & Hiring Committee
- Policy Council (School-Site Council)
- School Safety Committee
- Instructional Leadership Team

**Elected Lead Teacher**

Fall 2001-Spring 2002

Elected teacher representative for Taft Charter High School

*Taft Charter High School, California*

- Helped implement the Taft Charter High School Site-Action Plan
- Aided in coordinating Leadership Team Meetings and staff development sessions
- Served on various focus groups and committees
- Organized student recognition activities
- S.T.A.R. testing coordinator (Stanford-9)
AWARDS/DISTINCTIONS
Receive outstanding administrative evaluations  
Interviewed for Safe is Not Enough by Michael Sadowski  
Los Angeles LGBT Center, Lifeworks, Rolf Uribe Award  
California Legislature Assembly Certificate of Recognition  
Los Angeles School Library Association Friend of the Library 2013 Award  
Interviewed for LAUSD Journal (“Straight talk from Taft counselor help kids come out”)  
Interviewed for LA Daily News (“LAUSD chief wants to keep health class...”)  
Mayor's Certificate of Appreciation  
Bixby Internship with Family Health International, Awarded by U.C.L.A.  
Intern, Health Promotion Institute of New York State  
Dana Internship Scholarship, A.I.D.S. Work, Awarded by Ithaca College  
Girl Scouts Gold Award, Awarded by Girl Scouts of America  

Activities
• First Vice President of California Association of School Health Educators (CASHE)  
• Selected to facilitate an innovative leadership class (S.P.I.R.I.T.)  
• Active member of Taft Charter High School’s Booster Club  
• Team Coordinator for various health walks  
  * A.I.D.S. Project Los Angeles A.I.D.S. Walk  
  * American Cancer Society's Making Strides Against Breast Cancer  
  * Leukemia & Lymphoma Society's Light the Night  
  * American Cancer Society’s Relay for Life  
  *Walk A Mile in Her Shoes  
• Advisor for various student groups  
  * Gender-Sexuality Alliance (G.S.A.) advisor  
  * Sex Squad (students who use theatre, music, comedy & art to educate about sexuality)  
  * Facilitated IMPACT groups (counseling/support groups) for “high risk” boys and gay youth  
• Selected to sponsor Taft Charter High School's Senior Class  
• Universal Condom Wok-Group L.A. Active Member  
• Awarded grant to provide Anti-Defamation League (A.D.L.) Training  
• T.U.P.E. Coordinator (L.A.U.S.D. tobacco education and cessation program)  
• T.U.P.E. Group Facilitator (L.A.U.S.D. tobacco education and cessation program)  
• Extensive travel  
  * 60 days US Cross-Country trip, Japan, Vietnam  
  * Backpacking in Australia, Alaska, Tibet, and Western Europe  
  * Taught English in China  
  * Intern at Family Health International (F.H.I.), Malawi, Africa  
• U.C.L.A. Reproductive Health Interest Group (R.H.I.G.) Officer  

Presented at Conferences
• Models of Pride, Youth Conference held at U.S.C.  
• C.A. School Library Association  
• U.C.L.A. Chancellor’s Conference  
• Selected to attend the March for Choice as a part of U.C.L.A.’s Delegation  
• Healthy Schools, Healthy People Annual State Health Frameworks Conference  

Contributing Author
• Sexuality and Society, Lifetime Health, Holt Supplement  
• U.C.L.A. Graduate School of Education and Information Studies, Center X Forum  

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• Sexuality and Society, Lifetime Health, Holt Supplement  
• U.C.L.A. Graduate School of Education and Information Studies, Center X Forum  

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  * Leukemia & Lymphoma Society's Light the Night  
  * American Cancer Society’s Relay for Life  
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Contributing Author
• Sexuality and Society, Lifetime Health, Holt Supplement  
• U.C.L.A. Graduate School of Education and Information Studies, Center X Forum
Samantha Blackburn  
Assistant Professor, School of Nursing  
California State University, Sacramento

Education

- Doctor in Philosophy in Nursing Science and Health Care Leadership  
  University of California, Davis
- Masters of Science in Nursing  
  University of California, San Francisco
- School Nurse Credential  
  Coursework at University of California, San Francisco
- Registered Nurse, Public Health Nurse  
  University of California, San Francisco

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<th>Grade Level Experience</th>
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<th>Subject Taught</th>
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| K-6 Multiple Subject Classroom, Health Education, Other subject not mentioned above  
  I am coordinator for and teach multiple subjects in Sac State’s school nurse credential program |

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<th>Ethnicity</th>
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<td>Hispanic/Latino, White</td>
<td>Female</td>
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</table>

Experience Teaching English Learners

Yes
I taught bilingual (Spanish-English) 1st grade for 1 year. I know ESL techniques, as well as dual immersion (I am functionally fluent in Spanish)

Experience Teaching Students with Disabilities

Yes
8 years - As a school nurse and health educator

Standards-Based Interdisciplinary Instructional Experience

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
Prior to becoming a nurse, I was a sexuality educator for Planned Parenthood in the San Francisco Bay Area. There, I delivered lessons on puberty/growth & development, reproductive A & P, contraceptive methods, STI/HIV prevention. Now I teach a full load at Sac State School of Nursing, and in several courses I use the CA Health Education Content Standards as a resource with nursing students planning to teach a health class. For our school nurse credential health education course, I teach about the new Sexual Health Education law and provide related guidance, particularly how to form a health education review committee, how to use health education review forms (from CHKRC), and particularly about employing passive consent processes. I regularly teach undergraduate nursing students how to teach sexual health education during their community health clinical course. This includes coaching them on selecting/adapting research-based curricular materials and aligning their content and student skill development with the Health Education Content Standards.

**Differentiated Instruction for a Diverse Student Population**

As a sexuality educator for Planned Parenthood in the San Francisco Bay Area, I delivered lessons on puberty/growth & development, reproductive A & P, contraceptive methods, STI/HIV prevention to students from a variety of ethnic and cultural backgrounds, including recent immigrants at the Newcomer School. With my background as a 1st grade bilingual teacher, I understand how to simplify language and terminology, use visual aids, and ESL techniques, and have taught health lessons in Spanish. I also taught parents about these topics, and delivered trainings to teachers on how to teach sexual health education. While at the CHKRC, I provided standards-based (and research-based) health education trainings to teachers and after school providers. All of these training incorporated concepts of cultural humility, respect for diversity, and how to adjust lessons to make them developmentally appropriate.

**Areas of Expertise and Leadership**

Health Content Areas: Growth, Development, and Sexual Health

Please see experience above as a sexuality educator for Planned Parenthood.

When I worked at the CA Healthy Kids (and After School) Resource Center I reviewed health education instructional materials to ensure they were research-based (and/or research validated), particularly in growth, development, and sexual health. I also reviewed a variety of materials for after school programs, including in nutrition/PA, MESH (mostly bullying), and personal/community health (e.g., media literacy). I provided some review & feedback on the CA Health Education Content Standards, and was involved in providing trainings for CHKRC and CASRC on the new standards once finalized.

In addition, as a credentialed school nurse and now as a teacher of school nurses, I have a lot of experience delivering standards-based health education, training teachers and nurses in how to do so, and working collaboratively with school districts to select

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Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
and implement health education curricula. I also closely follow student health trends, policies, and procedures in California schools.

I also used to work for the CA School-Based Health Alliance, where I helped school districts and community partners start and expand comprehensive school health programs, clinics, and health education programs. I also created case studies and a related training for the CA School Boards Association on how to implement standards-based sexual health education in CA.

My dissertation research explored the work of school health administrators (those who manage school health programs at the district office level) in California.

As a result of this research and all my previous experience, I have a sophisticated understanding of how school districts operate, how decisions are made by district leadership, what's involved in health teacher training/coaching, school health support services (within and outside districts), and what it takes to implement standards-based health education in the schools.

**Previous Committee Experience**

When I worked at the CA Healthy Kids Resource Center (2005-2007) I reviewed health education instructional materials. I also provided some review of the CA Health Education Content Standards, and was involved in providing trainings to teachers and after school coordinators (and regional directors) on the new standards once finalized.

**Relationship with Publishers** (Conflict of Interest Disclosure Statement)

**Question 1**

Do you or a member of your immediate family have, or have you had, a business relationship at any time over the last twelve months with a publisher that produces instructional materials for California?

If YES, list the company(-ies) that you have dealt with, and the amount (if any) of remuneration received. (Use 1,000 characters or less.)

No.

**Question 2**

Are you currently employed by or under contract to any person, firm, or organization which will do business with or submit instructional material to the California Department of Education (CDE)?

If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

No.

**Question 3**

Have you ever been employed by or had any other kind of contractual relationship with any person, firm, or organization doing business with, or submitting instructional materials to, the CDE?

If YES or UNCERTAIN, please explain and provide as much detail as possible,

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including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

Yes, I used to be employed by the State Resource Centers (CA Healthy Kids Resource Center and After School Resource Center), which was largely funded by CDE. Dates of employment: 2005-2007. As a Program Manager there I reviewed health education curricular materials (particularly re sexual health education), developed health training modules for after school programs, trained and coordinated health education and health services trainers, who delivered trainings statewide.

Question 4
Do you expect to receive any royalty payments during your period of service on the 2017 HSS Adoption of Instructional Materials Review Panel?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No.

Question 5
Were you or any member of your immediate family an author, contributor, or editor of (or consultant on) any textbook, other curriculum material, or project proposal that is likely to be submitted to the CDE?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No.

Question 6
Have you received compensation, do you expect to receive compensation, or do you have any other kind of contractual relationship with any organization that is either a subsidiary, parent organization, or "sister organization" of any entity which will do business with your advisory body or will submit materials to your advisory body?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No.

References

- Sharla Smith
  Consultant, Sexual Health Education and HIV/AIDS/STD Prevention Education CDE

- Dian Baker
  Professor, School of Nursing (and formerly Coordinator, School Nurse Credential

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
Program
CSUS

Supervisor
Tanya Altmann
Chair & Professor, CSUS School of Nursing

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
EDUCATION

PhD in Nursing Science and Health Care Leadership University of California, Davis 2012 – 2016
Dissertation: Brokering Student Well-Being: Understanding the Work of School Health Administrators

Master of Science in Nursing University of California, San Francisco 1996 – 1998
Thesis: Meta Analysis of Child Sexual Abuse Prevention Programs

Registered Nurse University of California, San Francisco 1995 – 1996
Master’s Entry Program in Nursing

Bachelor of Arts Swarthmore College, PA 1986 – 1990
Double major: Sociology and Anthropology
Junior Academic Year Abroad in Madrid, Spain

Teacher credential coursework Teach for America Institute (Florida International University) Summer 1990

ACADEMIC AWARDS

Jonas Scholar, Jonas Nurse Leaders Scholars Program 2014-2016 ($7,500 total)
Betty Irene Moore School of Nursing Doctoral Scholar, UC Davis 2012-2016 ($55,000 annually, $220,000 total)

CERTIFICATIONS

Public Health Nurse 1996 – present
Certified PNP, ANCC 1998 – 2008 (inactive)
School Nurse Credential 2003 – present

LICENSURE

Registered Nurse, CA 1996 – present
Nurse Practitioner, CA 1998 – present
NP Furnishing, CA 1999 – 2008 (inactive)

EMPLOYMENT EXPERIENCE

Assistant Professor August 2014 – present CSU Sacramento, School of Nursing; Sacramento, CA
• Courses taught and clinical preceptorships detailed below.

Graduate Student Researcher June 2014 – Aug 2015 University of California Davis Betty Irene Moore School of Nursing, Dr. Deb Bakerjian
• Develop, administer, and analyze program evaluation surveys of new Integrated Case-Based Learning pedagogical approach implemented in the NP/PA curriculum.
• Conduct and analyze program evaluation focus group interviews with NP/PA faculty and students.
• Assist in developing and delivering research posters and podium presentations.

Project Director 2008 – 2014 California School-Based Health Alliance; Oakland, CA
SAMANTHA BLACKBURN

- Developed and implemented vision and strategic direction, goals and objectives for the technical assistance (TA) program for school-based health centers (SBHCs) across California.
- Led statewide school-based population health quality improvement learning collaborative Hallways to Health, a component of Kaiser Permanente’s Thriving Schools campaign.
- Conducted fund development and built partnerships for TA and other organizational programs.
- Led development of state SBHC standards, planning and billing toolkits and supervised four TA staff.

**Program Manager, After School Health** 2005 – 2007  California Healthy Kids/After School Resource Center
- Developed and managed statewide health education and health services training, outreach, and technical assistance program for after school professionals, under contract from the California Department of Education.
- Recruited, trained, and supervised statewide cadre of health education and health services trainers.
- Evaluated and maintained health education curricula and training guides for statewide circulating library.
- Completed grant/contract proposals, deliverables, reports, and evaluation.

**Director, Roosevelt Health Center** 2002 – 2005  Oakland Unified School District
- Developed and managed all medical, mental health, and health education programs.
- Supervised operations coordinator, medical assistant, and health educators, coordinated onsite community providers.
- Represented SBHC with school leadership, and at school district, community, and county PHD meetings.
- Developed nutrition and physical activity interventions and health councils for Healthy Eating, Active Communities grant from the California Endowment, with Oakland USD, Alameda County PHD, and East Bay Asian Youth Center.

**School Nurse Practitioner** 1999 – 2005  Oakland Unified School District
- Provided comprehensive health services at Roosevelt Middle School’s SBHC: primary medical care, first aid, triage, health screenings, immunizations, management of chronic illness, medication administration, and health education.
- Counseled youth on psychosocial issues and promoted family health education, outreach, collaboration with multidisciplinary student support team, and health program development.

**Pediatric Nurse Practitioner** 1998 – 2002  Silva Pediatric Clinic, St Rose Hospital; Hayward, CA
- Delivered primary medical care including well-child exams and anticipatory guidance.
- Diagnosed and treated pediatric acute and chronic illness from birth to adolescence.

**Health Education Program Coordinator** 1998 – 1999  Fair Oaks Family Health Center; Redwood City, CA
- Created and implemented comprehensive health education program for grades 4-8 and parents.
- Trained teachers, clinicians, and health workers to provide health education on ATOD prevention, pregnancy prevention, conflict resolution, nutrition, HIV, and social skills.

**Education Resource Specialist** 1998 – 1999  Children’s Hospital; Oakland, CA
- Adapted and implemented cardiovascular health promotion program for elementary schools, with teacher training and parent education components.

**Research Assistant** 1996 – 1998  University of California, San Francisco, Department of Family Health Care Nursing, Dr. Christine Kennedy
- Conducted and analyzed children’s focus groups on health attitudes, TV habits, and risk taking.
- Collected and analyzed research data on Latino and Anglo children’ risk taking, TV viewing, exercise, and nutrition.
- Assisted in writing and editing publications.

**Bilingual Community Relations/ Education Specialist** 1992- 1995  Planned Parenthood; San Francisco, CA
- Formulated sexuality education curricula and delivered presentations in Spanish and English in public schools to youth, families, and parents.
- Trained volunteer Speakers Bureau, health educators and teachers in puberty education.
Migrant Head Start Nurse  
**Summer 1997  State of Colorado; Pueblo, CO**
- Served as a migrant/public health nurse, and performed physical exams, health screenings, home visits, health education and case management for children 6 mo – 7 yo.

CONSULTING

School Health Consultant  **2011 – present**
- Developed case studies on the *Hallways to Health* learning collaborative as led by the national School-Based Health Alliance and funded by Kaiser Community Benefit.
- Delivered annual training on clinical application of Minor Consent and Confidentiality laws in California.
- Provided training and technical assistance to Alameda County Public Health Department providers of federally-funded teen pregnancy prevention program and Dating Matters program.

School-Based Health Care Consultant  **2009 – 2011  Alameda County Health Care Services Agency; Oakland, CA**
- Led development of four new school-based health centers (SBHCs).
- Facilitated cross-site SBHC team meetings and provided TA on SBHC policies and procedures, collaborative relationships, and integration of clinical health services into the school community.
- Delivered middle school-based sexuality education trainings and technical assistance.

Health Education Consultant  **2007 – 2010 State Resource Centers; Hayward, CA**
- Evaluated and developed descriptions for school health education curricula and professional resources.
- Developed statewide school health services training-of-trainers modules for school nurses and after school leaders.
- Delivered state/regional presentations on the new CA After School Resource Center.

School Health Services Consultant  **2007 – 2009 Oakland Unified School District; Oakland, CA**
- Coordinated development, strategic planning, and implementation of new Integrated Services in Schools Initiative as funded by the Atlantic Philanthropies foundation.
- Served on interagency team for selecting new SBHC medical/dental providers, designing initial SBHC start-up processes, facilities plans, and professional development plan for community clinic and school staff.
- Supported eight target middle schools in planning and implementing SBHCs, extended day, and family support services. Engaged youth and families in program planning processes.
- Developed new district health positions, programming, partnerships, and contracts with community agencies.
- Facilitated district Wellness Council strategic planning process and meetings.

COURSES

*Teaching and Precepting - CSU Sacramento, School of Nursing*
**Fall 2014 – present**
- Co-instructor for N144 Community Health Nursing in BSN program - Faculty of Record (FOR) since Fall 2015
- FOR for N215 Community Health and Policy in MSN program (starting Fall 2015)
- Co-instructor for all core courses in master’s-level School Nurse Credential program:
  - N213C & D – Seminar in Specialized Nursing Processes: School Nursing I & II – FOR since Summer 2015
  - N232A – Advanced Pediatric Assessment (Fall 2014)
  - N209 – Advanced Role Development in Nursing (Spring 2015)
- Precept CSUS BSN students in N144 Community Health Nursing clinical rotations
- Precept CSUS N293D school nurse credential students in school nursing clinical rotations

*Guest Lecturer - Multiple Schools of Nursing*
**2013 – 2014**
- Taught class to CSUS school nurse credential students on new school funding mechanisms in California
SAMANTHA BLACKBURN

- Taught class to CSUS RN-BSN students on qualitative methods
- Taught class to UCD BIMSON MS and PhD students on personal research trajectory and qualitative methods

Precepting - Multiple Schools of Nursing
2012-2013
- Developed community health clinical practicum for California State University East Bay (CSUEB) BSN students as a component of the federally funded Hayward Promise Neighborhood Initiative.
- Taught three classes to CSU East Bay BSN students on community health, school nursing, school health policies, California Health Education Content Standards, and pedagogical approaches to delivering school-based health education on a variety of topics.
- Precepted CSUEB BSN students in Community Health Nursing community health fair service event
2000-2005
- Precepted nursing students from Fresno State University (School Nurse Credential Program) and Samuel Merritt School of Nursing (BSN Community Health Nursing Clinical Rotation).

PUBLICATIONS


ACADEMIC PRESENTATIONS


Blackburn, S. "How School Health Administrators Broker, Partner, and Advocate for Student Health." Western Institute of Nursing’s 49th Annual Communicating Nursing Research Conference, April 9, 2016.
Samantha Blackburn

Blackburn, S. “Engaging BSN Students through Team-Based Learning and Peer Assessment.” Western Institute of Nursing’s 49th Annual Communicating Nursing Research Conference, April 9, 2016 and Sigma Theta Tau Zeta Eta Research Roundtable/Leadership Luncheon, March 5, 2016. (Poster)


Bakerjian, D., Blackburn, S. “Students’ Attitudes and Knowledge Resulting from Traditional Case-Based Learning.” Western Institute of Nursing’s 48th Annual Communicating Nursing Research Conference, April 25, 2015.


PUBLISHED CONFERENCE ABSTRACTS


COMMUNITY HEALTH TRAININGS AND CONFERENCE PRESENTATIONS

- Expanding Student Health Services through School Health Center and Community Partnerships, 8th Pediatric Diabetes and Obesity Seminar, Sutter Medical Center, February 2014
- School-Based Health Centers for Wellness: Promoting Nutrition and Physical Activity Policy and Environmental Change in Schools, School-Based Health Alliance National Convention, June 2013
• School-Based Strategies to Address Teen Dating Abuse, California Partnership to End Domestic Violence Annual Symposium, June 2012
• Bringing Health Services to Your Community School: Funding, Processes, and Providers, Coalition for Community Schools National Forum, May 2012
• Building a System of Supports for Community Schools, Coalition for Community Schools National Forum, May 2012
• SBHC Integration: Tools and Tips for Integrating Your SBHC into the Core Work of Schools, Coalition for Community Schools National Forum, May 2012
• Strengthening Partnerships that Promote Adolescent Immunizations, California State Immunization Coordinators Annual Meeting, May 2012
• SBHC Planning and Operational Models, California School Health Centers Association (CSHC) Annual Conference, March 2012
• Ready, Set, Success! SBHCs’ Role in Addressing Chronic Absence, CSHC Annual Conference, Spring 2011 & 2012
• SBHC Integration: A Cross-Agency Quality Improvement Collaborative Model, National Assembly on School-Based Health Care (NASBHC) Annual Convention, June 2011
• SBHCs and Health Care Reform Update, Region 1 Healthy Start and Family Resource Centers Network, May 2011
• Crucial Partners: SBHCs and School Site Leadership, CSHC Regional Conferences, Spring 2011
• Building The Principal's Role in Community Schools, Principal Leadership Institute, UC Berkeley, April 2011
• Bridging Education and Health, Panelist on School Nursing and SBHCs, Los Angeles County School Trustees Association, March 2011
• SBHC Integration: Oakland Elev8 Quality Improvement Collaborative, Oakland USD, March 2011
• School Health Centers: Policy, Practice, and Partnership, California School Nurse Organization (CSNO) Annual Conference, March 2011
• Financing School Health Services Through Community Partnerships, Association of California School Administrators: Every Child Counts Symposium, January 2011
• Comprehensive Sexual Health Education, Policy Leadership Institute at the California School Boards Association (CSBA) Education Convention, December 2010
• Taking Community Schools into the 21st Century - Health and Wellness, Bay Area Community Schools Forum, October 2011
• A New Paradigm for Sexual Health Education, Panelist on Schools Implementation, California Adolescent Health Collaborative Conference, October 2010
• Bringing Health Centers into Public Housing, Lessons Learned from SBHCs, Healthy Living in Bay Area Public Housing Communities, UC Berkeley Center for Cities and Schools, September, 2010
• Furthering the Link Between SBHCs and Education: A Multi-Pronged Approach in California, NASBHC, June, 2010
• H1N1: An Opportunity to Build Working Partnerships Between SBHCs and Community Clinics, NASBHC, 2010
• How to Increase Your Impact on Student Academic Success, CSHC Annual Conference, 2010
• Building Successful Community Clinic/School Partnerships, CSHC Annual Conference, 2010
• How to Start A School Health Center, CSHC Annual Conferences, 2009, 2010, 2011
• State Policy Briefing: What's Happening in School Health Services? (Panelist), March 2009
• Growing School Health Centers: Opportunities and Challenges, CSNO Annual Conference, March 2009
• Comprehensive Care at School: School Nurse-School Health Center Partnerships, CSNO Conference, March 2009
• Financing School Health Centers Through Community Partnerships, CSBA Convention, December 2008
• School Health Centers: Putting Health Care Where Kids Are, California PTA Annual Convention, May 2008
• Complementary Vaccine Delivery Sites (school immunization clinics) California Immunization Coalition, April 2008
• School Health Centers in the Central Valley of CA, Great Valley Center IDEAL Fellows, March 2008 & 2009
• The Relationship Between School Nurses and School-Based Health Centers, and School Nurse Leadership in Local School Wellness Policy Implementation, Oakland Unified School District, 2008
• Wellness, Health Education and Health Services Delivery in After School Programs, CSBA Wellness Conference, 2007
• The Missing Link: Personal/Social Skills in Prevention Education, Region 7 After School Institute, 2007
• Health Needs of Students in After School Programs: CSNO Annual Statewide Conference, 2007
• Achieving Nutrition and Fitness Goals: CA School-Age Consortium (CalSAC) Statewide Conference, 2007
SAMANTHA BLACKBURN

- **Nutrition Media Literacy**: Multiple after school conferences & venues, 2006-07
- **Bullying Prevention & Cultivating Student Allies**: Multiple after school conferences & venues, 2006-07
- **Standards-Based Health Education**: CalSAC trainers; After School Nutrition Education Leadership Learning Communities, 2006
- **Peer Nutrition & Body Image Education**: CalSAC After School Conference, 2004
- **Noise-Induced Hearing Loss**: Alameda Co. SBHC Coalition, 2003; CA School Health Centers/Health Framework conference, 2004

PROFESSIONAL AFFILIATIONS

Sigma Theta Tau (Zeta Eta-at-large Chapter) International Honor Society of Nursing
Western Institute of Nursing
National Association of School Nurses
California School Nurses Organization
School-Based Health Alliance
California School-Based Health Alliance

COMMITTEE MEMBERSHIP

CSU Sacramento
- Task Force Member, Student Success Center, College of Health and Human Services, spring 2016
- Board Member, Sigma Theta Tau (Zeta Eta-at-large Chapter) International Honor Society of Nursing, 2015 - present
- Chair, School of Nursing BSN Admission Criteria Task Force, 2015 - present
- Member, School of Nursing Graduate Committee, 2015 - present
- Member, School of Nursing Undergraduate Curriculum Committee, 2014 - present
- Vice-Chair, Council on Preparation of School Personnel Subcommittee, 2014 – 15; Member, 2015 - present

Community
- Member, Hiram Johnson School-Based Health Center Advisory Council, 2015 - present
- Board Member, Shop 55 Wellness Center Advisory Board, Oakland High School, 2012-14
- Member, Coalition for Community Schools National Forum Program Planning Committee, 2012
- Member, Bay Area Community Schools Intermediaries; community school framework and logic model, 2010-13
- Member, National Assembly on School-Based Health Care; Technical Assistance & Training Advisory Panel, 2010-12
- Advisory Member, Oakland USD Community Schools Task Force, 2011
- Member, California Coordinated School Health Steering Committee, CA Dept. of Education; strategic planning meeting, 2011
- Member, California Schools Environmental Health and Asthma Collaborative (SEHAC), 2010-11
- Co-Chair, California School Nurses Organization, Conference Program Committee, 2009
- Member, Complementary Learning Strategic Planning Committee, Oakland USD, 2008-09
- Board Member at Large, California School Nurses Organization, Bay Coast Section, 2003-2005
- Chair, Oakland Unified School District School Nurse Council, 2002-2005
- Member, Roosevelt Middle School Leadership Team, 2000-2005

LANGUAGE SKILLS

- Spanish bilingual
Michael Riggs
Teacher, coach, athletic director
Ramona Middle School

Education

- Master of Science in Health and Human Performance
  University of Montana
- Teaching credential, Physical Education, General Science
  University of La Verne
- Bachelor of science in Health, Physical Education, Recreation
  University of La Verne

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<tbody>
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<td>White</td>
<td>Male</td>
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Experience Teaching English Learners

Yes
6-8  15 years
CLAD certificate

Experience Teaching Students with Disabilities

No

Standards-Based Interdisciplinary Instructional Experience

A lesson I have used quite often involves students calculating the percentage of calories from each of the three macro nutrients. This lesson helps students better understand calorie balance while teaching or reinforcing math skills. The lesson can be adjusted for many different grade levels. On the basic level, students see the percentages of

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
calories from protein, fat, and carbohydrate in different foods. The lesson can be expanded by calculating percentages of simple and complex carbohydrates, and the different types of fats in a food. An understanding of the different sub-types within the macro nutrients can then be attained. One of the other benefits of this lesson is students have personal buy-in. They are analyzing foods of their choosing that they frequently eat.

**Differentiated Instruction for a Diverse Student Population**

One of the nice things about the food label percentages lesson is it already lends itself to different groups of students. Students use foods that they frequently eat. Students share their personal analyses with the class. This gives students of different backgrounds the opportunity to learn about unfamiliar foods. This assignment can also be done in groups. Different members of the groups can have different roles to help develop certain abilities. Some students in the groups can work as peer coaches or otherwise assist students of different ability levels or learning styles.

**Areas of Expertise and Leadership**

Health Content Areas: Nutrition and Physical Activity, Growth, Development, and Sexual Health

I have two particular areas of experience in health education. I have taught a seventh grade health class I titled "Teen Fitness." Many of the current health standards were addressed in the class. Topics that were especially detailed had to do with growth and development, and nutrition and physical activity.

For the last fifteen years I have taught a class at the University of La Verne titled "Health and Fitness Strategies." The class is a required class for all Kinesiology majors. It is also required for diversified majors going into elementary education. In the class, students are taught general health concepts that are necessary for a healthy lifestyle. Students are also taught more advance fitness concepts that would be used in coaching or athletic training. Also included in the class are strategies to teach health and fitness concepts to others. These range from ways to teach health to elementary students to helping athletes understand different aspects of their training.

**Previous Committee Experience**

I served as member of the CFCC that developed the California Physical Education Framework.

**Relationship with Publishers** (Conflict of Interest Disclosure Statement)

**Question 1**

Do you or a member of your immediate family have, or have you had, a business relationship at any time over the last twelve months with a publisher that produces

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instructional materials for California?
If YES, list the company(-ies) that you have dealt with, and the amount (if any) of remuneration received. (Use 1,000 characters or less.)
no

Question 2
Are you currently employed by or under contract to any person, firm, or organization which will do business with or submit instructional material to the California Department of Education (CDE)?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
no

Question 3
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no

Question 4
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no

Question 5
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If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
no

Question 6
Have you received compensation, do you expect to receive compensation, or do you have any other kind of contractual relationship with any organization that is either a subsidiary, parent organization, or "sister organization" of any entity which will do business with your advisory body or will submit materials to your advisory body?
If YES or UNCERTAIN, please explain and provide as much detail as possible,
including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

References

- Nannette Hall
  Assistant Superintendent
  Bonita Unified School District

- Richard Crosby
  Director of Human Resources
  Duarte Unified School District

- Paul Alvarez
  Professor
  University of La Verne

Supervisor

Anne Neal
Principal

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
Michael Riggs

**Objective**
To become a member of the California Health Curriculum Framework and Criteria Committee.

**Experience**

**2006-2007** California Department of Education

*Member of the California Physical Education Curriculum Framework and Criteria Committee*

1991–present Ramona Middle School La Verne, CA

**Teacher, Coach, Athletic Director**

- Taught: physical education, health, fitness, science, math, grades 6-8
- Coached: basketball, track and field, football, grades 6-8
- In-charge of overall athletic department and intramural program
- CAHPERD Southern District physical education program of the year, 2000
- CAHPERD Pomona Valley physical education program of the year, 1999
- CAHPERD Pomona Valley physical education teacher of the year, 1999
- Exemplary Health and Physical Education recipient, 1998
- Helped develop district physical education framework, 1994

1993-present University of La Verne La Verne, CA

**Football Coach, Professor**

- Coach, Running backs and receivers, 1993-2001
- Professor, Health and fitness, 2000-present

1990-91 University of Montana Missoula, MT

**Instructor**

- Various activity classes: basketball, softball, volleyball, racquetball
- Physical Education theory classes: how to teach activities

1985-1990 Bonita High School La Verne, CA

**Teacher, Coach**

- Taught: 9th grade science and 9th-12th grade physical education, 1986-90
- Coached football, basketball, badminton, 1985-90
- Football offensive coordinator, 1986-90

**Education**

1993 University of Montana Missoula, MT

- M.S. Health and Human Performance
- Graduated with departmental honors

1985 University of La Verne La Verne, CA

- B.S. Physical Education
- Graduated *cum laude*, and with departmental honors
- Teaching credential in 1986

Assistant Director of Mt. Baldy Ski School in charge of instructor development

White water river guide and trip leader
Kimberley Sinclair
Health/AP Psychology Teacher
Glendale High School

Education

- Master of Arts in Public Health
  University of California, Los Angeles

- Health Professional Clear Credential
  California State University, Northridge

- Bachelor of Arts in Sociology
  University of California, Los Angeles

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<td>Subject Taught</td>
<td>Health Education, Other subject not mentioned above AP Psychology</td>
<td>Gender</td>
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</table>

Experience Teaching English Learners

Yes
9-12th 23 years
Supplemental Psychology, Sociology, Intro to Science

Experience Teaching Students with Disabilities

Yes
9-12th 23 years

Standards-Based Interdisciplinary Instructional Experience

This is a worksheet I created to illustrate to students both the economic cost as well as the social/physical cost of cigarette use. Students fill it out as whole class discussion.

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Paying the Price

One pack of Cigarettes is made up of ____________ cigarettes. Each Cigarette costs ________ to make. The Tobacco Company makes ______________ cigarettes per pack. Each Pack cost __________ to make and the Tobacco company sells it for $____________ per pack.

The cost of smoking cigarettes  If I do not smoke, I can buy:
1 Pack of cigarettes costs $
1 Pack a day smokers costs $
1 pack a day smoker for a year costs $
1 pack a day smoker for 40 years costs $
This Classroom contains ________ of students. If all the students in this classroom were to smoke it would cost $__________________.

The cost of 435,000 people who quit or die from smoking a pack a day for forty years is $__________________

The average cost per year is $_______________________.

The average lifetime cost is $_______________________.
Differentiated Instruction for a Diverse Student Population

The above worksheet applies to all people regardless of demographic and confounding variables. We discuss why the tobacco industry needs to replace adult smokers with kids and how they benefit from that. The answers are written on the board as students volunteer answers.

Areas of Expertise and Leadership

Health Content Areas: Nutrition and Physical Activity, Growth, Development, and Sexual Health, Injury Prevention and Safety, Alcohol, Tobacco, and Other Drugs, Mental, Emotional, and Social Health, Personal and Community Health

Glendale Unified School District/Glendale High School

*Class of 2016 Co-Advisor, SY 2012-2016
*T Tree Mapping and Plant Recommendation, 2015
*Glendale Teachers Association (GTA) Union Representative and site secretary (142 members), 1999-2010
*District Curriculum Study Committee, Psychology Curriculum Author, 2009
*Master Teacher for CSUN Credential Candidate, Kristina Garcia, 2006, Point Loma Linda Credential Candidate, Narbeh Der-Gevorkian, 2013
*Co-Chair of the Curriculum Study Committee for Health and Guidance at district level, 1999-2001

Civic Activities

*Los Angeles County Tobacco Control and Prevention Program Request for Proposal Review Panel, Reviewer, May 2009
*Smoking Restrictions Ordinance, Glendale Municipal Code, Â§12.08.03,5, Oct 7, 2008, Coalition Member
*Tobacco Retail Licensing Ordinance, Glendale Municipal Code, 5577 Â§1, Glendale Healthy Youth Advocacy Coalition, Member, (Collaboration with Los Angeles Department of Public Health) 2007
*Reading Institute for Academic Preparation Participant, California State University, Los Angeles, 2005-2006
Previous Committee Experience
I have served on:
* CalTPA Health Rubric Development, November 2016
* Focus Group Health Framework for California Public Schools, panelist, 2009
* Testified before California State Superintendent, Jack O’Connell and CA State school board members on behalf of California Health Education Standards Adoption, 2008
* California Teachers Subject Matter Health Science Examinations
  Standard Setting Panel, Member, 2005
  * California Teachers Association, Member, 1995-Current
  * APA Teachers of Psychology Secondary Schools (TOPPS), Member, 2006-present
  * Lifetime Member of UCLA Alumnae Association

Relationship with Publishers (Conflict of Interest Disclosure Statement)

Question 1
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If YES, list the company(-ies) that you have dealt with, and the amount (if any) of remuneration received. (Use 1,000 characters or less.)
None

Question 2
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Question 4
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If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
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If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
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Question 6
Have you received compensation, do you expect to receive compensation, or do you have any other kind of contractual relationship with any organization that is either a subsidiary, parent organization, or "sister organization" of any entity which will do business with your advisory body or will submit materials to your advisory body?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

References
- Monica Makiewicz
  Assistant Superintendent of Instruction
  Covina Valley Unified School District

- Deb Rinder
  Assistant Superintendent of Instruction
  Glendale Unified School District

- Benjamin Wolf
  Principal
  Glendale High School

Supervisor
Benjamin Wolf
Principal

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
KIMBERLEY A SINCLAIR

OBJECTIVE
Community College Health Teacher or Health Policy Advocate

EDUCATION
University of California, Los Angeles, Los Angeles, California
Master’s in Public Health, Community Health Education, 2005
Bachelor of Arts, Sociology, 1987

United States Army Reserve, Fort Hunter Liggett, CA
Combined Arms School (Leadership at Brigade Level), 1998

United States Army Reserve, Fort Gordon, GA
Public Affairs Course Phase I and Phase II, 2000

LICENSURE AND CERTIFICATION
California State University, Northridge, Northridge, California
Professional Clear Health Science Teaching Credential,
Supplemental Authorizations: Introduction to General Science, Psychology, and Sociology, and CLAD, Credential, 1995

College Board
Advanced Placement® Designation for Psychology, 2007

NCHEC. Inc.
Certified Health Education Specialist #12492, 2005

EXPERIENCE
UCLA, Undergraduate Admissions and Relations with Schools,
Undergraduate admissions reader, Fall 2011-Present

Pasadena City College, Pasadena, CA
Health Teacher, 2008-Present

Glendale High School, Glendale, California
Psychology Teacher, 2006-Current
Health Teacher, 1993- Current

United States Army, Reserve,
Major, Adjutant General Corps, 1983-2002
(Honorable Discharge)
PROFESSIONAL AND LEADERSHIP ACTIVITIES

Glendale Unified School District/Glendale High School
*Class of 2016 Co-Advisor, SY 2012-2016
*Tree Mapping and Plant Recommendation, 2015
*Glendale Teachers Association (GTA) Union Representative and site secretary (142 members), 1999-2010
*District Curriculum Study Committee, Psychology Curriculum Author, 2009
*Master Teacher for CSUN Credential Candidate, Kristina Garcia, 2006, Point Loma Linda Credential Candidate, Narbeh Der-Gevorkian, 2013
*Co-Chair of the Curriculum Study Committee for Health and Guidance at district level, 1999-2001

Civic Activities
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*Smoking Restrictions Ordinance, Glendale Municipal Code, §12.08.03,5, Oct 7, 2008, Coalition Member
*Tobacco Retail Licensing Ordinance, Glendale Municipal Code, 5577 §1, Glendale Healthy Youth Advocacy Coalition, Member, (Collaboration with Los Angeles Department of Public Health) 2007
*Reading Institute for Academic Preparation Participant, California State University, Los Angeles, 2005-2006

California State Activities
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*Focus Group Health Framework for California Public Schools, panelist, 2009
*Testified before California State Superintendent, Jack O’Connell and CA State school board members on behalf of California Health Education Standards Adoption, 2008
*California Teachers Subject Matter Health Science Examinations Standard Setting Panel, Member, 2005
*California Teachers Association, Member, 1995-Current
*APA Teachers of Psychology Secondary Schools (TOPPS), Member, 2006-present
*Lifetime Member of UCLA Alumnae Association

PUBLICATIONS
Contributor, Health Education Challenge Standards, California Department of Education, 1998
Contributor, District Civility Policy, 2006
Contributor, Tobacco Retail Licensing Ordinance, City of Glendale, 2007
Contributor, Teaching Tips for General Psychology to accompany Thinking About Psychology- the science of mind and behavior, Worth Publishers, 2007
Contributor, Smoking Restrictions Ordinance, City of Glendale, Neighborhood Services, 2008
Contributor, Quality of Life Indicators Report, City of Glendale, Neighborhood Services, 2008
Co-Author of new District Psychology Curriculum, 2009

GRANTS RECEIVED
Technology committee, member, Digital High School Grant awarded 1999
Purchase 20 “Baby Think It Over” Dolls and accessories for 5 Health classes, Glendale Community Foundation Awarded 2000

REFERENCES
Dr. Deb Rinder, Assistant Superintendent, Glendale Unified School District (818) 241-3111

Dr. Monica Makiewicz, Assistant Superintendent, Covina Valley Unified School District, (626) 974-7000

Dr. Benjamin Wolf, Principal, Glendale High School, (818) 242-3161
Martha Adriasola-Martinez  
Teacher on Special Assignment  
San Francisco Unified

Education

- National Board Certification in Health  
  National Board for Professional Teaching Standards

- Single Subject Health Science Credential  
  Commission on Teaching Credentialing

- Bilingual Cross Cultural Credential (Life)  
  San Francisco State University

- Ryan's Multiple Subjects Credential (Life)  
  San Francisco State University

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Experience Teaching English Learners

Yes  
Grades K - 5, for 20 years  
Bilingual Bi-cultural Specialist Credential

Experience Teaching Students with Disabilities

Yes  
Grade 3, five years

Standards-Based Interdisciplinary Instructional Experience

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
I have developed a lesson for grade three on Growth and Development based on standard 1.2.G (Recognize that there are individual differences in growth and development) from the Health Education Content Standards for CA and the CA CCSS in English Language Arts - Key Ideas and Details (Ask and answer questions to demonstrate understanding of a text, referring explicitly to the text as the basis for the answers.) First I send a Parent Notification letter home 14 days in advance. I create a safe space and reduce anxiety by establishing agreements. I promote positive self-image by reinforcing the idea that puberty is a natural phase in all lives. I make it clear that what classmates bring up in the session will not be discussed outside (confidentiality). I state that scientific words will be used. (The class is not separated by gender.) At the start of the lesson to put the students at ease we practice deep breathing and have a laugh session; to get the giggles out. To introduce the lesson I say that puberty is a natural part of growing up and all our bodies go through changes. Using the book "It's So Amazing" students will read page 10 titled "Same and Different", students read about male and female bodies, and parts that are similar or different (a vocabulary list can be generated). Pages 12 and 13 will be read which explain "Growing Up" and the fact that puberty changes occur on an individual basis. An activity follows; a Venn Diagram is placed on the board and each student is given a printed "puberty change" strip (i.e., pubic hair appears, hips widen, hair grows on face,...). Each student goes up to the board to place the phrase strip on the appropriate section of the diagram (Female - Both - Male). The diagram is reviewed after all have placed their strips. Finally, students are given a small blank piece of paper to write any questions anonymously and place in a box. I read the questions later and respond to them in front of the class the following day.

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
Differentiated Instruction for a Diverse Student Population

The lesson is inclusive of all races and ethnic and cultural backgrounds, the book used depicts drawings of people of different ethnicities. To be respectful of cultural beliefs parents/guardians are sent a notification two weeks in advance of the lesson so that they can review the materials that will be presented. To be sensitive to all genders and sexual orientations (students/families) the lesson will be prefaced by explaining that students will be learning scientific facts about biological changes that occur to all bodies regardless of gender or orientation. The appropriate terms "male" and "female" will be used to describe changes in those bodies. To address the needs of students with disabilities, those students with needs would be paired with another student, if it is a mobility issue to reach the board for the Diagram activity, or if it is a literacy challenge a stronger reader could sit with the student who needs support. If it is an English Learner the same strategy of sitting the student with another would help in reading the text and completing the Diagram activity (the teacher or another adult in the room can assist with writing the anonymous note).

Areas of Expertise and Leadership

Health Content Areas: Nutrition and Physical Activity, Growth, Development, and Sexual Health, Injury Prevention and Safety, Alcohol, Tobacco, and Other Drugs, Mental, Emotional, and Social Health, Personal and Community Health

My first work experience, during college at a drug center working with youth in the summer, was invaluable as I was preparing to complete my elementary credential work. It put me in touch with what was happening to youth in the Latino community of San Francisco. My twenty year teaching experience at an elementary Spanish newcomer school taught me about the needs of immigrants and students with various educational and health challenges. I created many lessons and assessments to address these needs and I participated in countless workshops and conferences dealing with bilingual literacy, math, writing, and health. I became more involved with Health by becoming a Health Advocate (HA) for my school and later a Health Education Teacher Leader (HETL) (a mentor) for San Francisco Unified. I was then asked to become a Teacher on Special Assignment (TSA) at the School Health Programs Office. In this role I began overseeing elementary health education and coordinating the HA and HETL meetings as well as professional development. All the workshops address important Health topics and include the CA Health Standards. One year I led the Nutrition Education Project. I have further expanded my experiences by assisting with the Tobacco Education Program in middle school and leading a high school youth tobacco advocacy group. I was approached about pursuing a National Board certification in Health and joining the CA Physical Education Health Project Advisory Board. I believe that all these experiences (as well as the ones below) have helped me to become a candidate for the CFCC.
Previous Committee Experience
Yes, I was on the committee that wrote the CA Health Education Content Standards. I was the only elementary school teacher in the group. It was privilege. I also served on the CA Healthy Kids Resource Center review board for many years (1996 - 2003). I assist with review and input to the American Heart Association’s "Heart Power" curriculum and delivered workshops on it. My job as a TSA at SFUSD has allowed me to develop various lessons to accompany Health topics such as puberty, as well as lessons to accompany our Family Diversity (LGBTQ) books.

Relationship with Publishers (Conflict of Interest Disclosure Statement)

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If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
Only the work with the Standards committee.

Question 4
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If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
NO

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Were you or any member of your immediate family an author, contributor, or editor of (or consultant on) any textbook, other curriculum material, or project proposal that is likely to be submitted to the CDE?
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Question 6
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If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
NO

References
- Mark Elkin
  Teacher on Special Assignment
  SFUSD
- Erica Lingrell
  Program Administrator
  SFUSD
- Quarry Pak
  Program Administrator
  SFUSD

Supervisor
Kim Coates
Executive Director

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
Health Education Experience

Education/Credentials:

2016  Health Science Credential
2010  National Board Certification in Health
1981  Bilingual Cross Cultural Life Credential  San Francisco State University
1979  Ryan Multiple Subjects Life Credential  San Francisco State University
1978  Bachelor of Arts Liberal Studies Degree  San Francisco State University

Work Experience:

San Francisco Unified School District (SFUSD), 1978 to present

Teacher on Special Assignment, all levels – Student, Family, Community Support Department/ (SFCSD)/School Health Programs Office - September 2000 to present
- Plan, coordinate, and facilitate the high school Teens Tackle Tobacco Leadership Team
- Plan, coordinate, and facilitate elementary Health Advocate Program and meetings, and coordinate elementary level district-wide theatrical performances related to health education
- Collaborate with and coordinate the Middle School Youth Outreach Coordinator program
- Assist with the Tobacco Use Prevention Education grant implementation and regional workshops including point person for district-wide Red Ribbon Week and Red Ribbon Event
- District contact for the Safe Routes to School program (city wide collaboration)
- Plan, coordinate, and deliver professional development related to health education programs utilizing effective communication and presentation skills
- Increase awareness and compliance of Comprehensive Health related policies and health awareness events and resources through Weekly Administrative Directive preparation/submission
- Increase school sites capacity to implement Health Education Curriculum by providing resources to school staff
- Collaborator with Community Based Organization orientation
- Co-facilitator of the Curriculum Materials Review Task Force, maintaining and publicizing approved outside speakers list and reviewing Community Based Organization material
- District coordinator for the Kindergarten to College programs
- Assist with the Nutrition Education Award
- Design and implement the Health Education Teacher Leader program building on direct past experience

Health Education Teacher Leader (HETL), Elementary - September 1998 to June 2000
- Provided professional development, modeling, and support to teachers related to research-based "best practices" in health education and current health-related issues
- Developed strategies to integrate health concepts and skills across other disciplines
- Facilitated HETL meetings and Health Advocate cluster meetings
- Maintained database for record keeping and developed reports
Health Advocate - September 1992 to June 1998
- Served as a liaison between Mission Education Center school and SFCSD
- Assisted site staff with delivering the health education curriculum, increasing the awareness and implementation of health-related policies, procedures and activities

Bilingual teacher at newcomer Mission Education Center School - September 1981 to June 2000
- Organized school wide events with community organizations (often doing simultaneous Spanish translation or translating written health material)
- Served on the Curriculum & Materials Review Task Force as a teacher representative Spring 2000
- Presented parent workshops in the area of health and nutrition (in Spanish)
- Co-wrote and co-facilitated a S.F. Education Fund grant on Mexican folk dance (physical activity promotion)

Other related experiences:
- Member of the SFUSD’s Standard’s Based Report Card Task Force (2014 to present)
- Chair of the Alliance of Mission District Catholic Schools (2009 to present)
- Advisory Board member of the California Physical Education Health Subject Matter Project (2010-2015)
- Advisory panel member of California Health Education Content Standards (2006)
- Trainer of trainers workshop participant for "Too Good For Drugs" curriculum (2004)
- Translated (Spanish) and reviewed Youth Risk Behavior Survey and California Healthy Kids Survey (2000 - 2003)
- Volunteer for the American Heart Association (1993), served as School Committee chair from 1997-98
- Piloted curriculum and provided consultancy for the American Heart Association’s Heart Power kits in English and Spanish, delivered presentations on Heart Power (1995)
- Member of the first SFUSD Parent Handbook Task Force (1992 - 93)
- Interview and Selection Committee member for Superintendent of SF Archdiocese (1990)
- Paraprofessional in SFUSD children center's (1978 - 1980)
- Education worker/translator at Centro de Cambio drug rehabilitation center (1975-77)

Martha L. Adriasola-Martinez
Jill Vandroff  
School Nurse/ Head Nurse  
San Mateo County Office of Education

Education

- Mater of Science in Nursing (MSN)  
  California State University, Sacramento

- Bachelors of Science in Nursing (BSN)  
  University of Tennessee Center for Health Sciences

- Public Health Nurse (PHN)  
  University of Tennessee

- School Nurse Credential  
  California State University, Sacramento

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Experience Teaching English Learners

Yes  
high school level; sexual health education; 10 years  
many trainings over the years in sexual health education

Experience Teaching Students with Disabilities

Yes  
pre school-13 10 years part time with students in special education; 4th year full time students with moderate to severe disabilities

Standards-Based Interdisciplinary Instructional Experience

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
I have taught numerous comprehensive sexual health education lessons that touch on the health content areas of personal health, consumer and community health, injury prevention and safety, alcohol, tobacco, and other drugs, family living, individual growth and development, and communicable and chronic diseases. These tie to English Language and Science state-adopted standards. I have also taught small and large groups of K-12 students lessons on hygiene, nutrition, and physical and mental fitness.

**Differentiated Instruction for a Diverse Student Population**

The curricular materials I have used for comprehensive sexual health education are up-to-date and carefully meet the standards for appropriateness to diversity and ability. Sensitivity to this is maintained by reading research articles, professional journals, and networking with professional colleagues. For the past 3 1/2 years I have been personally working to adapt materials to use for sexual health education with students who have moderate to severe disabilities. When teaching classes of students who are English learners, vocabulary may need to be adapted, and cultural considerations addressed. Focus on "people first" language at all times assures the most respectful commentaries.

**Areas of Expertise and Leadership**

Health Content Areas: Nutrition and Physical Activity, Growth, Development, and Sexual Health, Injury Prevention and Safety, Alcohol, Tobacco, and Other Drugs, Mental, Emotional, and Social Health, Personal and Community Health

All of my education in nursing is pertinent to health education. School nursing is a specialized form of public health nursing. Public health nursing focuses on the health needs of entire populations (in this case, the school), assessment of population health, attention to multiple determinants of health, and primary prevention. As I mentioned above, a comprehensive sexual health education program covers every area noted above except perhaps nutrition and physical activity. I have been integral in helping to develop tools for assessment of impact of lessons. I have done some nutrition-only presentations on reading food labels (personal health, consumer and community health, growth and development, environmental health). I am a leader at work promoting healthy food, recipes and brief (appropriate for our student with severe disabilities) lessons on nutrition and physical activity. I recently worked with our APE teacher to help him develop an appropriate yoga program for our students with severe disabilities.

**Previous Committee Experience**

I participated in the Focus Group held November 15th, 2016 at the Alameda Office of Education for the Health Education Framework.

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Relationship with Publishers (Conflict of Interest Disclosure Statement)

Question 1
Do you or a member of your immediate family have, or have you had, a business relationship at any time over the last twelve months with a publisher that produces instructional materials for California?
If YES, list the company(-ies) that you have dealt with, and the amount (if any) of remuneration received. (Use 1,000 characters or less.)
No

Question 2
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If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

Question 3
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**No.** I have been on some focus groups, and worked informally, and at my work site with Health Connected (while they were here teaching on contract) on development of their Sexual health Curriculum for Special Education.

**Question 6**
Have you received compensation, do you expect to receive compensation, or do you have any other kind of contractual relationship with any organization that is either a subsidiary, parent organization, or "sister organization" of any entity which will do business with your advisory body or will submit materials to your advisory body?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
**No**

**References**

- Monica Woodworth  
  School Nurse  
  SMCOE

- Lara Goldman  
  Assistant Principal  
  SMCOE K-12 SPED

- Perryn Reese  
  Associate Director  
  Health Connected

**Supervisor**

Linda Young  
Principal

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### Jill Vandroff

<table>
<thead>
<tr>
<th>Education</th>
<th>1975-1980</th>
<th>University of Tennessee, Center for Health Sciences, Memphis, Tennessee</th>
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<tr>
<td>BSN, PHN</td>
<td>2013-2015</td>
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<tr>
<td>Psychiatric Nurse</td>
<td>1982-1983</td>
<td>Stanford University Hospital, Stanford, California</td>
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<td>Pediatric Nurse</td>
<td>1983-1985</td>
<td>California Rural Indian Health, Ukiah, California</td>
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<td>Public Health Nurse</td>
<td>1988-1990</td>
<td>United States Peace Corps; and DRG Home Health Services, San Francisco, California</td>
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<tr>
<td>Screening and Staging/Visiting Nurse</td>
<td>1992-1993</td>
<td>San Francisco General Hospital Women’s Clinic, SF, California</td>
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<td>Intake/TAB/Triage Nurse</td>
<td>1998-2000</td>
<td>South Coast Children’s Services, Pescadero, California</td>
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<td>Nurse Educator</td>
<td>2000-2013</td>
<td>Cabrillo Unified School District, Half Moon Bay, California</td>
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<tr>
<td>Public Health/School Nurse</td>
<td>2013-present</td>
<td>San Mateo County Office of Education, Early Childhood-K-12 Special Education</td>
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### Languages
- Spanish, Portuguese

### Accreditation
- RN License# 325377; PHN License# 33042
Lidia Carlton  
Chief, Health Education Unit  
California Department of Public Health, STD Control Branch

**Education**

- Master of Science in Public Health; Community Health Sciences  
  University of California, Los Angeles

- Bachelor of Arts in Fine Arts; Film Production. Minor; Latin American Studies  
  Chapman University

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<tr>
<td>White</td>
<td>Female</td>
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**Experience Teaching English Learners**

No

**Experience Teaching Students with Disabilities**

No

**Standards-Based Interdisciplinary Instructional Experience**

I have not taught or developed standards-based lessons for students. I have worked with school district staff to support the alignment of sexual health education into their science and physical education programs. I train teachers and educators on the background information required to implement standards-based instruction.

**Differentiated Instruction for a Diverse Student Population**

When presenting sexual health topics, I encourage teachers to use the term "partner" instead of "boyfriend" and "girlfriend" in order to meet the needs of students with a 

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variety of sexual orientations. In order to meet the needs of students of all genders, I suggest to teachers that we avoid connecting sex assigned at birth with gender, meaning when describing ovaries, uterus, etc. we don't say this is strictly "female" anatomy at the high school level. Avoiding assumptions about anatomy as it relates to gender is an important component of meeting the needs of all genders.

Students with cognitive disabilities may need more simplified information about sexual behavior and risk reduction, such as an emphasis on privacy and more practice with affirmative consent.

Health education that uses a health equity lens can meet the needs of students of different races and ethnic and cultural backgrounds. Connecting health education to community factors that lead to health outcomes can help students identify their shared experiences and understand environmental factors beyond personal behavioral practices. For example, students in communities with higher rates of STDs are more at risk to acquire STDs than their counterparts in communities with lower STD prevalence, even when engaging in the same individual behaviors (if sexually active).

**Areas of Expertise and Leadership**

**Health Content Areas: Growth, Development, and Sexual Health**

For the past 13 years, I have been working on providing professional development for teachers around sexual health education, including serving as a technical assistance provider on meeting the requirements of the California education codes related to sexual health education. The education codes for sexual health education are mirrored in the health education content standards. I have specific expertise in the Growth, Development, and Sexual Health standards for middle school and high school as it relates to real-world application for a range of teachers. In the professional development training I have provided to districts over the years, I have fielded questions and concerns from many districts and teachers who are tasked to provide health education with little to no specific training on the topics related to sexual health. This gives me a broad sense of the climate around the sexual health content standards and how updating them with specificity and guidance will enhance classroom instruction.

As an employee of the California Department of Public Health (CDPH), I see myself as uniquely positioned to leverage the many statewide experts we have on all of the health education content areas to have a voice in the framework revision process. My department at CDPH, the STD Control Branch, has been partnering closely with the California Department of Education for many years and my job role specifically involves the CDE in all of my projects. I have a model for how CDPH and CDE can collaborate effectively and I can bring that to the revision process. Also, I chair the Steering Committee of the Adolescent Sexual Health Work Group, which is a collaborative of California government agencies and statewide non-government agencies with a goal to promote and protect the sexual health of adolescents in California. This gives me a

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unique opportunity to tap into the foremost experts in sexual health in the State to inform the Growth, Development, and Sexual Health standards.

Previous Committee Experience
I recently led a group of eight reviewers in the assessment of curricula for compliance with the California Healthy Youth Act, the new California law requiring comprehensive sexual health education in public schools. The review included ten of the most widely used sexual health curricula in the state, and included both middle school and high school versions when available. The sub-committee was formed via the Adolescent Sexual Health Work Group and was advised by the California Department of Education consultant assigned to sexual health education. The review process included a medical review conducted in partnership with the California Department of Healthcare Services, Office of Family Planning and the California STD/HIV Prevention Training Center.

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No.

References

- Sharla Smith
  HIV/STD Prevention Education Consultant
  California Department of Education

Supervisor

Holly Howard
Chief, Health Promotion, Healthcare Quality Improvement Section

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RELATD PROFESSIONAL EXPERIENCE

California Department of Public Health, STD Control Branch, Los Angeles, CA

Chief, Health Education Unit - December 2015 – Current  
Sexual Health Initiatives Lead - January 2014 – December 2015

Lead the work of the Health Education Unit of the Sexually Transmitted Diseases (STD) Control Branch in the statewide implementation of the California Healthy Youth Act (CHYA), a state law mandating comprehensive sexual health education in California public schools.

- Supervise two high-level staff members in support of health education activities throughout the State of California.

- Chair the Steering Committee of the Adolescent Sexual Health Work Group (ASHWG), a statewide coalition of government stakeholder and partner organizations working towards improving the sexual health of adolescents in California. Led the ASHWG through a strategic planning process and restructuring that has increased group membership and expanded the scope of work to include policy education and youth engagement.

- Initiated and lead a work group, with the support of the California Department of Education, to review 10 curricula for compliance with CHYA. Coordinate medical reviews, the compilation of group review of over 1000 pages of content, and generate final reports.

- Develop, implement, and coordinate the materials development for the Sexual Health Educator (SHE) Training Program, an in-person and online training program designed to build capacity of teachers and non-profit staff on sexual health topics, including the California education code and minor consent and confidentiality in California.

- Guide a Southern California coalition of sexual health professionals in the implementation of an annual conference that highlights innovative sexual health programs. Over 150 attendees per year over the course of eight years,

Regional Health Education Coordinator - April 2008 - December 2013

- Oversee the progress of all Southern California local health jurisdictions on their youth STD prevention activities, including creating and collecting scopes of work, reports and evaluations. Provide technical assistance for program development and evaluation.

Planned Parenthood of Orange and San Bernardino Counties, Orange, CA

Program and Training Manager – Health Education. August 2007 – March 2008  
Program Manager – Health Education. July 2005 – August 2007

- Managed programs and budgets for a department of over $1 million worth of health education programming. Supervised up to eight health educators; promoted or secured reclassifications for over half of staff in department.

- Initiated and oversaw the development of first Planned Parenthood instant messenger “online hotline” service for reproductive health in the nation.
EDUCATION & TRAINING

Educational Technology Certificate
San Diego State University, January 2012

Master’s of Public Health; Emphasis: Community Health Sciences
University of California, Los Angeles (UCLA), March 2005
  • Bixby Program Certificate: Reproductive Health and Population

Bachelor of Fine Arts, Film Production; Minor, Latin American Studies.
Chapman University, Orange, California, May 2001

LOS ANGELES AREA COMMUNITY ENGAGEMENT

LA Derby Dolls Roller Derby League
June 2008 - current
Co-Op Member, Referee, Head of Coalition Rules Committee, former Community Service lead

Trade School Los Angeles
October 2014 - current
Volunteer/teacher for LA area grassroots community education for barter

Peace Over Violence
June 2002 – June 2004
Rape and Domestic Violence Crisis Line Volunteer

SKILLS AND EXPERTISE

• Expertise in sexual health using a reproductive justice lens.
• Expertise in minor rights in the State of California.
• Fluent in cross-sector relationship development and project management.
• High levels of resiliency in working with challenging bureaucratic environments to achieve shared goals.
• Fluent in Microsoft Office suite of software. Comfortable with new technology and online communication channels, including social media.
Matthew French  
Teacher (credentials: Health Sciences, Biological Sciences, Admin. Services)  
Los Angeles Unified School District  

Education  
- Master of Arts in Education, Secondary Teacher Education  
  University of Phoenix  
- Bachelor of Arts in Anthropology  
  California State University, Los Angeles  

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<td>8 Year(s)</td>
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Subject Taught  
- Health Education, Life Science, Biology, Other subject not mentioned above  
- Peer Mentoring, English, ELD (1-4)  

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Experience Teaching English Learners  
Yes  
Grades 9-12 and grade 6. 8-years, in total. Including 1-year teaching ELD (1-4).  
ELD curriculum training, professional development.  

Experience Teaching Students with Disabilities  
Yes  
Grades 9-12 and grade 6. 8-years, in total.  
Full-inclusion (integrated) school. Professional development. Team-teaching with RSP.  

Standards-Based Interdisciplinary Instructional Experience  

Common Core Standards:  

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CCSS.ELA-LITERACY.RST.9-10.1, 9-10.2, 9-10.7
Health Standards: 3.2.G, 4.1.G, 4.2.G
Title: Teen Pregnancy PSA

Topic: Teenage pregnancy and the potential consequences to health, education, finances, and social aspects.

Demonstration/Assessment (what students will know/do): Students will research/review the literature on potential negative effects of teenage pregnancy. Students will create a PSA (public service announcement) with the goal of creating behavior modification in the audience. Specifically, the PSA should be designed to educate the audience members in such a way that they will be less likely to be involved in a teenage pregnancy. Information must be accurate and cited. PSAs may be in the form of a video, a story board/comic book, poster, or a PowerPoint presentation.

Resources: Access to primary source materials to research the negative consequences of teenage pregnancy. Students can use their textbook and the Internet as well as teacher-provided websites and/or handouts.

The creation of the PSA will also require (depending upon which format the student chooses): a Computer with Internet access, a video camera and video editing software, ComicLife software, PowerPoint (or similar), poster board, arts and crafts materials.

WICOR (Writing, Inquiry, Collaboration, Organization, Reading)

W- Write a script for their PSA, or content for the presentation, depending on the type of presentation they choose.

I- Read primary source material and conduct additional research on the Internet. Students will discuss about real-life experiences related to the topic.

C- Work in pairs or small groups to develop their PSAs. Students will compare their research and include their own thoughts and ideas on the topic that may relate to their personal experiences.

O- Script and storyboard their PSA.

R- Read from the textbook, primary source materials, and additional research conducted on their own and the Internet.

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Differentiated Instruction for a Diverse Student Population

Instruct students to do research that is culturally relative to them and/or their PSA audience (for example, they could research statistics about their community/race/ethnicity, etc.).

Emphasize that teen pregnancy affects both boys and girls (parents).

Note that, according to research, pregnancies are actually more common among lesbian, gay, and bisexual youths (http://www.reuters.com/article/us-pregnancy-teen-lgbt-idUSKBN0NZ2AT20150514).

For gender non-conforming, certain cultural or religious backgrounds, sexual orientations, developmental level, or other various reasons, some students might think that they are “exempt” from the risks of teen pregnancy. Therefore, it is important to point out that these pregnancies affect their peers and society in a larger sense, and therefore this is still an important topic.

For students with disabilities and for English learners, accommodations could include (depending on their needs/level):
- Scaffolding/outline of PSA (with or without sentence starters).
- A simplified first, next, then, storyboard to complete.
- Pre-selected source material (appropriately leveled).
- Pre-selected websites to investigate.
- Research outline guide sheet (for example, a sheet that asks pointed questions to help students analyze a source material and identify relevant information).
- Source material in a student’s native language.
- Vocabulary support.
- Acting out the PSA (instead of writing).

Areas of Expertise and Leadership

Health Content Areas: Nutrition and Physical Activity, Growth, Development, and Sexual Health, Injury Prevention and Safety, Alcohol, Tobacco, and Other Drugs, Mental, Emotional, and Social Health, Personal and Community Health

My undergraduate education (Cultural Anthropology) gave me many opportunities to learn about cultures around the world as well as cultural theory (including medical anthropology). In my masters program (Secondary Teacher Education), I learned sound educational strategies, including differentiation. Together, my education has helped me to understand the importance of having culturally competent, educationally sound, and medical accurate lessons. My professional experiences have also contributed to this.

I have worked in community clinics, school-based clinics, hospitals, and for the Los Angeles County Department of Public Health, Tobacco Control and Prevention Program. These jobs have given me the opportunity to interact with the community in

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various ways, from observing direct patient care, to community health education, to policy making. My Wellness Committee experience (mentioned below) allowed me to work with a very diverse group of professionals in many areas of expertise to create health policy for our District’s students, employees, and community.

As a credentialed Health teacher, I have 8 years of in-classroom experience working with the Standards, building aligned lessons and assessments, striving for best practices, behavior modification, and scientific and medical accuracy. I have also used them to structure and conduct trainings for other health teachers. My work as Lead Teacher has given me out-of-the-classroom experience coaching other teachers, supporting curriculum design and practice. I have served both high school and middle school students, teaching a very diverse population (age, gender, sexuality, culture, socioeconomic status, English proficiency, and intellectual ability). I have also had many positive experiences working with students in the Gay Straight Alliance, including community outreach (with two awards from the LAUSD Board of Education). I have also worked with the Los Angeles LGBT Center, the LA Trust, and the Dibble Institute.

**Previous Committee Experience**
1) Central Coordinated Committee on Health and Wellness Policy: Development of the LAUSD Wellness Policy (subject matter expert for Health Education).
2) LAUSD online high school Health Class curriculum development.
3) LAUSD online Nutrition & Physical Activity teacher-training module.

**Relationship with Publishers** (Conflict of Interest Disclosure Statement)

**Question 1**
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If YES, list the company(-ies) that you have dealt with, and the amount (if any) of remuneration received. (Use 1,000 characters or less.)
No.

**Question 2**
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No.

**Question 3**
Have you ever been employed by or had any other kind of contractual relationship with any person, firm, or organization doing business with, or submitting instructional

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materials to the CDE? If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

No.

Question 4
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No.

Question 6
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Uncertain. I will be consulting a few hours with a publisher to help ensure that their health curriculum content is inclusive, accurate, and aligned with state standards. On the question of “will do business” I would say no, however “expected to sub

References

- Michael Romero
  Superintendent, Local District 8
  Los Angeles Unified School District

- Eloisa Gonzalez, MD, MPH
  Director, Chronic Disease and Injury Prevention, Cardiovascular and School

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
Health
Los Angeles County Department of Public Health

- Timothy Kordic
  Health Education Programs, HIV/AIDS Prevention Unit
  Los Angeles Unified School District

Supervisor

Mark Naulls
Principal

Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.
MATTHEW PATRICK FRENCH

OBJECTIVE: Currently seeking a collaborative opportunity to participate Health Education Framework design to help ensure that it is comprehensive, inclusive, and accessible.

SKILLS:

- Seven years of classroom experience teaching Health Sciences (including comprehensive, evidence-based sexual health education) and Integrated Science (Marine Science), as well as teaching Peer Mentoring/Conflict Resolution, ELD I-IV, Yearbook, and an AVID-based advisory. Six years of experience as GSA faculty sponsor including a GSA afterschool leadership development class.

- Six years of teacher leadership experience including two years out-of-the-classroom (half-time) as elected Lead Teacher, six years of elected membership to the Leadership Team, six years elected as SSC Chair; Restorative Justice Teacher Coordinator, Project 10 Designee, Title I Designee, three years as Teacher representative to District Central Coordinated Health and Wellness Committee, two years as Union Chapter Vice-Chair.

- Educational pedagogy, curricular and lesson development (including adults and PD), learner assessment, special supports/differentiation (English language learners and students with disabilities). Parent and student communication and community involvement. Educational leadership, public advocacy, community and event organization.

- Excellent communication with peers, community members, leaders, and elected representatives. Successful collaboration with other teachers, schools, community-based organizations, and government agencies.

- Excellent verbal and written communication, report writing, and research skills. Successful academic presentations and publications. Highly detailed and organized project management with multiple timelines.

- Culturally competent teaching, investigative research, fieldwork, and publication in public health and anthropology. Successful integration of technology into the classroom, including grant procurement.

EDUCATION/CERTIFICATION:

11/2013 CPACE (California Preliminary Administrative Credential Examination)
Qualified for Preliminary Administrative Services Credential

01/10 – 06/11 Master of Arts in Education, Secondary Education
University of Phoenix, Los Angeles, California (GPA: 4.0)

06/09 California Single Subject Teaching Credentials (Clear)
Health Science, and Biological Science (including general science)

09/07 – 06/09 Bachelor of Arts, Anthropology
California State University, Los Angles, California (Summa cum Laude, with Honors in Anthropology)

03/09 CSET (California Subject Examination for Teachers)
Science Subtest I, II, and III: General Science (118 and 119), Biology/Life Science (120), Health Science Subtest I, II, and III (178, 179, 180)

EMPLOYMENT HISTORY:

09/09 – Present LOS ANGELES UNIFIED SCHOOL DISTRICT, LOS ANGELES, CA

Academic Leadership Community High School, Lead Teacher

Health teacher; Integrated Science teacher; Lead Teacher (elected), including teacher support and development, budget and Single Plan development, operations, compliance, and student discipline; Leadership Team member (elected), School Site Council Chair (elected), GSA (Gay Straight Alliance) faculty sponsor, site Safety Coordinator, Technology Chair, Schoolwide Positive Behavior Management/Restorative Justice Chair. Lesson development, student assessment, data analysis, parent and community communication, health education/public health and LGBT advocacy and community organizing. Compliance; Title I designee, Project 10 Designee, WASC accreditation subcommittee chair, Pilot School Quality Review member.
08/08 – 07/09 LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH, LOS ANGELES, CA
Div. of Chronic Disease & Injury Prevention, Tobacco Control & Prevention Program, Student Prof. Worker
Community-based research/fieldwork, collaborative report writing, presentations, and training creation. Projects include smoking cessation efforts within the community as well as research projects for publication. Position involved interacting with multiple levels of administration as well as the public.

04/07 – 03/08 EISNER PEDIATRIC AND FAMILY MEDICAL CENTER, LOS ANGELES, CA
Project Manager
Independent project implementation and management; performance improvement (clinical time-flow analysis and recommendations). Information technology support, including application training; electronic and paper document and form creation and implementation.

06/01 – 08/06 CALIFORNIA HOSPITAL MEDICAL CENTER, LOS ANGELES, CA
California Family Care Medical Group, Project Manager
Women’s Health Center, Project Manager
Expansion and licensure of clinic network from two locations to twelve. Direct interaction and communication with state Department of Health residency program. Independent project implementation including electronic records transition; development of policies and procedures, educational materials and instructions, and performance improvement. Other duties involved grant research, local and state lobbying, and personnel supervision.

POSITIONS and MEMBERSHIPS:
• Elected Chair, Governing Board, Academic Leadership Community High School (2010 – present)
• Elected Member, Leadership Team, Academic Leadership Community High School (2010 – present)
• Project 10 Designee, School specialist for LGBT bullying, teacher/administrative consultation on LGBT issues; compliance, best practices, connecting LGBT students with resources, and mental health services.
• Student Co-President, Phi Kappa Phi Honor Society, CSULA (2009)
• Vice President, Artistic Society Club, California State University, Los Angles, California (2009)
• Member, GALA (Gay and Lesbian Administrators and Allies) (2009 – present)
• Member, Phi Kappa Phi Honor Society (2009 – 2012)

PUBLICATIONS and PRESENTATIONS:
• Poster contributing author, “Tobacco Sales Among Independently-Owned Pharmacies in Los Angeles County,” National Conference on Tobacco or Health (2009)
• Presenter and sole author, “Adults in Costume: an Analysis of the Exploration and Expression of Alternative Identities through the Creation of Altered Spaces” Conference on Gender, Sexuality and Power, California State University, Los Angles (2009)

GRANTS, FELLOWSHIPS and AWARDS:
• Human Relations Award, LAUSD Board of Education for anti-bullying and diversity (2013 & 2014)
• GSA of the Year, LifeWorks/Ezra Litwak Memorial GSA Award (2013)
• Grant recipient, over $12,000 in funded projects through DonorsChoose
• Fellow, Earthwatch Institute, ecological fieldwork in Ecuador (07/2012)
• Grant recipient: University of Phoenix STARS℠ Alumni Grant (2012)
• Summa cum laude, California State University, Los Angles, California (2009)
• Honors in Anthropology, Honors Thesis, California State University, Los Angles, California (2009)
• Feature article, CalState LA Today, “Digging up the Past” (2009)
• Feature piece, KTLA News, Stan Chambers (2009)
• Grant recipient, Office of Research and Development, California State University, Los Angles (2009)

OTHER CERTIFICATIONS:
• FEMA / NIMS National Incident Management System & Incident Command System training (2009)
• Microsoft Office User Specialist (Certified) Excel, PowerPoint, Outlook, and Word Expert (2001)
Shannon Bennett
Teacher
Garden Grove Unified School District

Education

- Master Degree in Education
  National University

- CLEAR/CLAD Teaching Credential
  National University

- Bachelor Degree in Speech Communications
  Chapman University

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Experience Teaching English Learners

Yes
I taught various levels of ELD English for 5 years for grades 7-12
CLAD certified and trained in Systematic ELD and Constructing Meaning ELD program

Experience Teaching Students with Disabilities

Yes
Handicapped and special education students have been in all my classes for 12 years

Standards-Based Interdisciplinary Instructional Experience

I embed an emphasis on interpersonal communication in all lessons. A favorite lesson I do that impacts students deeply is about intolerance and stereotyping when we study violence. It focuses on standards 8-2 and 8-3. I use the textbook for informational text

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along with multiple teaching strategies and activities to drive home the importance of effective communication skills, empathy and understanding, and promoting a positive, respectful environment. Students have guided reading and class discussion about key concepts in the text including terms intolerance, prejudice, and stereo-typing. All students have white boards and are asked to act as "society" when I show pictures of various people as a warm up. They are to write comments that typically may be thought or spoken about each person. At the end of the activity I reveal the "real" truths behind each person and the class usually realizes how wrong they were about each one. It allows for great partner and whole group discussion that gets them ready for a quick write about a time they were stereotyped or stereotyped someone else. I have sentence frames to support my EL learners and then we orally partner share. Following the activity I have pre-made labels for each student including myself. We tape them to our foreheads and we engage in a class activity of acting as society and speaking to people as the labels say they are. This gives students a chance to see how difficult or how wonderful it could feel to be judged. The final part of the lesson is class discussion about labels and a ticket out the door about how the activity made them feel and if we have stereotyping on our campus. We enter the following day and the beginning of class all students are asked to anonymously write on a blank label what their label really should say. Something that no one would know just by looking at them. I collect the labels in a box, shake them up and read them out loud. The impact is always deep.

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Differentiated Instruction for a Diverse Student Population

I differentiate by modeling my expectations, using pictures, language sentence frames with a low, middle, and high for my EL learners, and I question using the depth of knowledge format with appropriate level questions for the learners as identified by their CELDT scores and other assessments. Skills for identify, evaluate, and synthesize are emphasized.

Areas of Expertise and Leadership

Health Content Areas: Growth, Development, and Sexual Health, Alcohol, Tobacco, and Other Drugs, Mental, Emotional, and Social Health, Personal and Community Health

I have a passion for health education. I have attended many professional development trainings over the years and served as my school site TUPE coordinator. I held after school drug intervention classes and continue to bring in professional drug educators for my students. I have been involved in PBIS implementation at our school site, serve as a district member for our Health and Wellness Committee, and advise Friday Night Live-a statewide program that serves to educate youth about drugs, alcohol, and tobacco intervention. I work closely with county coordinators and attend events and youth conference yearly that offer multiple workshops in all areas checked above. I work with planning school wide intervention assemblies, parent programs, and trainings. As a health teacher, many students come to me with needs for sexual health education as we are in a low income, high risk area with many pregnancies. I cultivate relationships and often help counsel and refer students for assistance and help.

Previous Committee Experience

No

Relationship with Publishers (Conflict of Interest Disclosure Statement)

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No

References

- Gabriela Mafi  
  GGUSD Superintendent  
  Garden Grove Unified School District

- Holly Jefferson  
  Assistant Principal  
  Santiago High School

- Judie Kirksey  
  Assistant Principal  
  Santiago High School

Supervisor

Mike Kennedy  
Principal
Shannon Bennett

Education:
- Master's Degree Education, National University
- CLEAR/CLAD Teaching Credential National University
- Bachelor's Degree Speech Communications, Chapman University

Professional Development/Responsibilities/Activities 2015-2016

- **AVID Site Team**
  - Attend AVID meetings
  - Collaborate on needs for AVID students (scholarship rules, AVID strategies, etc...)

- **Health and Safety Committee (Minutes Recorder)**
  - Attend group meetings to discuss health and safety issues. Work collaboratively toward creating improvements and solutions for school wide safety issues and address faculty concerns.

- **Friday Night Live Advisor**
  - Duties include partnering with the OCDE to provide youth leadership opportunities that engage young people in alcohol/drug prevention, tobacco prevention, positive social behavior (no bullying, no texting while driving, making positive choices, being a role model to others, etc...)
  - Facilitated two (fall and spring) youth leadership field trips to promote team building skills and empower youth
  - Facilitated weekly meetings and after school meetings/trainings for various projects, activities and trainings
  - Worked with youth to host school wide assemblies, lunch time activities to promote making healthy choices such as Red Ribbon Week, Light it Up Blue for Autism, Anti-Bullying Week
  - Attended Youth Traffic Safety Summit (September 2015) 2 day youth conference to create and promote awareness on campus about making a difference and being safe
  - Participated in feeder school activity (Doig), community service project (Sticker Shock) and Department of Education Youth Conference for alcohol and drug awareness, and Media Literacy training

- **CAVS ARE Team**
  - Helped create the school wide positive reward system with team. Collaborated on ten Cavs character traits for school wide focus and ways to reward students doing well
• **CAVS Crew Team**  
  Participated in student assistance efforts for freshmen registration and efforts to help ninth grade students feeling more informed and connected to school events and activities.

• **GGUSD Wellness Committee**  
  Assisted with creating a Garden Grove school district wellness plan. Emphasis on physical education and health education planning.  
  Hosted district meeting and collaborated with county employees to finalize plan draft and set district expectations.

• **PBIS Team**  
  Team member for Positive Behavior Interventions and Support for our school.  
  Attended seven training days to develop and implement school wide positive interventions.

• **Voted “Most Like a Mom”** for ASB activity 😊 (This made me happy😊)

• **Mental Health Training**- (To be attended 4/22/16) The course teaches participants the risk factors and warning signs of a variety of mental health challenges common among adolescents, including anxiety, depression, psychosis, eating disorders, ADHD, disruptive behavior disorders, and substance use disorder.

• **Restorative practices Training May 2016**  
  Two day training to implement restorative practices to build schools and communities to reduce violence, expulsions, and suspensions through evaluating mental health needs and interpersonal communication practices.

• **Implemented a school-wide anti bullying program with Orange County Department of Education “I’ve Got Your Back”**

---

**2016-2017**

**Professional Development/Responsibilities/Activities**

• **AVID Site Team**  
  Attend AVID meetings  
  Collaborate on needs for AVID students (scholarship rules, AVID strategies, etc...)

• **Health and Safety Committee (Minutes Recorder)**  
  Attend group meetings to discuss health and safety issues. Work collaboratively toward creating improvements and solutions for school wide safety issues and address faculty concerns.

• **Friday Night Live Advisor**

  Duties include partnering with the OCDE to provide youth leadership opportunities that engage young people in alcohol/drug prevention, tobacco prevention, positive social behavior (no bullying, no texting while driving, making positive choices, being a role model to others, etc...)

  Facilitated two (fall and spring) youth leadership field trips to promote team building skills and empower youth.

  Facilitated weekly meetings and after school meetings/trainings for various projects, activities and trainings.
Worked with youth to host school wide assemblies, lunch time activities to promote making healthy choices such as Red Ribbon Week, Light it Up Blue for Autism, Anti-Bullying Week

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Aimee Sturges
Physical Education Teacher
Redwood Middle School

Education

- Bachelor of Arts in Liberal Studies
  California State University, Northridge

- California Teaching Credential
  National University

- Master of Education in Health and Wellness current student
  American College of Education

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Experience Teaching English Learners

Yes
16
students who are integrated in general education classes

Experience Teaching Students with Disabilities

Yes
16
students who are mainstreamed into regular education classes

Standards-Based Interdisciplinary Instructional Experience

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I have designed a comprehensive unit for my 8th grade students that covers the elements of health and wellness in adolescent years. Topics include; fitness, nutrition, social and emotional health & substance education. In the fitness and nutrition program we use the my plate.gov website as well as kids health.org. Through these sites students can create and account and log fitness information and daily physical activity as well as input food journaling. The "Supertracker" program provides students with the ability to track pertinent information regarding their health. The program is easy to use for all academic levels and is available in 20 different languages.

Through Project Alert substance education curriculum students learn relationship between healthy behavior and personal health. Activities like peer group discussions and role playing via skits allow students the opportunity to have dialogue about issues around peer pressure as well as giving them practice in resistance skills.

Lastly, my 8th graders design and create their own personal mission statements. Through this assignment that promotes self discovery and a sense of purpose, students identify healthy personality and character traits that they find most valuable. With the creation of this personal mission statement my students are able to establish guidelines for their lives that will help them achieve goals they set for themselves.

**Differentiated Instruction for a Diverse Student Population**

These lessons above are appropriate for everyone. Modifications that are specified in IEP’s for example are made.

**Areas of Expertise and Leadership**

Health Content Areas: Nutrition and Physical Activity, Alcohol, Tobacco, and Other Drugs

My hands on experience as a physical educator for the last 16 years has given me tremendous insight on the social, emotional, health and wellness needs of youth today. I work very closely with students through intervention work on campus. The last four years I have taught Saturday work study for the at risk youth on our campus. Through this work study I teach students life skill training like teamwork, communication skills and goal setting. In my classes I do a lot of peer teaching because I believe it enhances learning and builds their interpersonal skills as well as effective communication skills.

My work with Project Alert has enhanced my knowledge in the areas of alcohol, tobacco and other drugs. I have attended courses for this curriculum and for the last four years have integrated the self efficacy and health behavior model from the program into daily activities in physical education.

**Previous Committee Experience**

no

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no

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no

References

- Dianne Wilson-Graham
  Executive Director
  California Subject Matter Project

- Anna Merman
  Retired Asst. Superintendent
  Moorpark Unified School District

- Shauna Ashmore
  Principal
  Redwood Middle School

Supervisor

Shauna Ashmore
Principal
Objective
To share my experience, knowledge and passion in areas surrounding health and wellness for our youth.

Professional Experience

August 2011 - Present
Physical Education Teacher - Redwood Middle School - Thousand Oaks, Ca.
Plan, organize and implement effective standards based instruction to 6th and 8th grade students. To provide students with a safe environment to grow and learn through movement that has purpose and connection to learning.

August 2005 - August 2008
Physical Education Teacher - Moorpark High School - Moorpark, Ca.
Planned, organized and implemented effective standards based instruction to 9-12 grade students. Department chairperson; planned department meetings, unit planning and facility assignments. Conducted all Fitnessgram testing for non-physical education students/independent study and athletes.

Related Experience

Conejo Valley Unified District Wellness Committee 2009-2012
District Advisory Council Representative 2009-2011
Public Speaking Engagements:
  Vibrant Woman - Women's Health Event 2009
  2010
  Healthy Living Presentation to Medical Professionals at Community Medical Hospital 2011

Guest Speaker at Better Together: California Teachers Summit 2016
CSU Channel Islands
Michelle Presley  
Teacher  
San Marcos Unified School District

Education

- Master of Arts in Teaching  
  National University

- Bachelors Degree in Nursing  
  San Diego State University

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Subject Taught: Health Education

Ethnicity: Decline to state

Gender: Decline to state

Experience Teaching English Learners

Yes

9-12 for 18 years

CLAD

Experience Teaching Students with Disabilities

Yes

9-12 for 18 years; mild learning disabilities in inclusive classroom setting.

training from RN degree

Standards-Based Interdisciplinary Instructional Experience

Today's teen face many pressures to become sexual active, it is important for teens to evaluate these pressures so that it can lead to healthier decision-making, therefore I created this lesson incorporating high school health standards 2.2 G, 2.3, 2.5 G with

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ELA standards RST 1, 2 and 9; WHST 4 and SL 1, 4 and 5 along with CA Ed code 51930(b)(2) in a 6 day lesson. It starts with looking closely at our main influences, both internal and external influences that play a role in our decisions. Evaluations will be assessed for: A clear and coherent writing showing a variety of influences, giving examples for both internal and external influences, explaining the complexity of the influences and showing how the influences affect sexual behaviors. Followed by recognizing actual versus perceived social norms related to sexual activity among teenagers that aid in the students decision-making process about their own sexual behaviors, this is done through the use of factual research studies. This will lead to class discussion, in which the students will realize that the perceived norm of sexual activity is much higher than the reality, it is a strong external pressure and the social norm comes from peers and the media. The discussion will be followed up by a self-reflection writing piece. assessed on the ability to determine the central ideas or information from the “Surveillance Summaries” and will effectively participation in a collaborative discussion reviewing their finding. Then students’ will begin media research on how media influences their decision about sexual behavior in which they will be assigned current media sources to evaluate. This is followed by reading and annotating research articles related to teens and sexual behaviors. By evaluating others and their decision making, it is easier for students to discuss sexual behaviors and decision making by depersonalizing it but it allows for personal self-reflection as well building personal health and literacy.
Differentiated Instruction for a Diverse Student Population

Since differentiated instruction is about providing equitable opportunities and access to both information and the learning process, this lesson must reflect learning from, and with individual differences. Use of standards-based instructional design allowed me to stay focused on the content and rigorous learning experiences my students need, and prevented me from thinking differently about the content, the evidence of the learning, instead thinking differently only about what each of students need to learn the content.

I considered what individual factors may influence both internal and external influences in making decisions, and how student's cultural, family, and other factors might influence their thoughts on social norms related to sexual activity among teens. I used a blend of whole class, group, and individual instruction to support all learners, and personalized instruction and learning activities based on students needs. The ELA standards in reading and writing provided another set of important factors to consider, and drove and additional set of decisions related to academic language, visual support, a focus on key vocabulary, and students working to summarize textual information.

Areas of Expertise and Leadership

Health Content Areas: Nutrition and Physical Activity, Growth, Development, and Sexual Health, Injury Prevention and Safety, Alcohol, Tobacco, and Other Drugs, Mental, Emotional, and Social Health, Personal and Community Health

My knowledge and experiences have equipped me to be a valuable, contributing member of the Health Education CFCC. With academic background and work experience as a registered nurse, and a NBCT teacher of health education and psychology, coupled with significant experience as an instructional leader for teachers of health education at all grade levels, my vision for health education in CA schools is supported with “what should be” and grounded in “what can be accomplished”.

My experience with the Health Education Standards includes implementing them into my own work in the classroom with students as the foundation of health education, and supporting teachers at all grade levels in examining and learning about the standards; identifying shifts needed for effective implementation; and providing professional learning programs and experiencers for teachers that build their confidence and impact their professional practice. Further, the four essential characteristics of health literate individuals present strong links to all academic areas while standing on their own in value and importance. My experiences in working with educators in creating authentic links between health education standards and other academic areas is important to the development of the framework.

Developing assessment tools that mine the evidence of learning the content in the health education standards has been foundational work for me as a health education teacher and an instructional leader, and has been supported by both my experiences in the NBCT process, and also my leadership work with teachers across California via the CSMP. Without aligned assessment tools, teachers will be limited in their effectiveness to collect evidence of learning and also to contribute to their students learning through
the assessment process. The work of communicating effective assessment tool development, as well as evaluating existing assessment tools is an area of strength that I can bring to the CFCC.

**Previous Committee Experience**
In my role as a Co-Site Director of PE-HP, I have developed, and participated in a number of initiatives, programs, and efforts to support teachers in making the shift to implementing the HECS; standards-based instructional design; examining curriculum and instructional materials for alignment with the HECS; linking health education content to California’s new standards for ELA, and Math; developing assessment tools that provide teachers with the evidence of learning. Additionally, as adjunct faculty I had the pleasure of mentoring future National Board Certified teachers and working with them on their instructional material development. As well as when I was health curriculum specialist, I developed, taught professional development and implemented new curriculum for 4th grade growth and development, middle-school HIV and middle-school ATOD. Finally, I participated in the CDE committee for HEAP developing professional development units on how to implement the HECS and health literacy.

**Relationship with Publishers** (Conflict of Interest Disclosure Statement)

**Question 1**
Do you or a member of your immediate family have, or have you had, a business relationship at any time over the last twelve months with a publisher that produces instructional materials for California?
If YES, list the company(-ies) that you have dealt with, and the amount (if any) of remuneration received. (Use 1,000 characters or less.)
No

**Question 2**
Are you currently employed by or under contract to any person, firm, or organization which will do business with or submit instructional material to the California Department of Education (CDE)?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

**Question 3**
Have you ever been employed by or had any other kind of contractual relationship with any person, firm, or organization doing business with, or submitting instructional materials to, the CDE?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

*Note: The information contained in this document has been populated by entries made by the applicant and may contain errors.*
Question 4
Do you expect to receive any royalty payments during your period of service on the 2017 HSS Adoption of Instructional Materials Review Panel?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

Question 5
Were you or any member of your immediate family an author, contributor, or editor of (or consultant on) any textbook, other curriculum material, or project proposal that is likely to be submitted to the CDE?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

Question 6
Have you received compensation, do you expect to receive compensation, or do you have any other kind of contractual relationship with any organization that is either a subsidiary, parent organization, or "sister organization" of any entity which will do business with your advisory body or will submit materials to your advisory body?
If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)
No

References

- Josh Way
  Principle
  Woodland Park Middle School

- Dianne Wilson-Graham
  Executive Director
  California Physical Education-Health Project

- Tim Ritter
  Superintendent
  Temecula Valley unified School District

Supervisor

Courtney Goode
Principle

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CREDENTIALS AND EDUCATION

Mental Health First Aid Certified  
2013
Designed to identify risk factors and warning signs for mental health and addiction, then how to help someone in both crisis and non-crisis situations, and where they should turn for help.

National Board Certification – Health Education  
2009
Early Adolescences through Young Adulthood

Career Technical Education Credential (DSC CTE)  
2008
Designated Subjects Health Science and Medical Technology

Single Subject CLAD Professional Clear Credential in Health Science.  
1999
Supplemental Authorization in Psychology.

Registered Nurse  
1993
California Board of Nursing

Public Health Nurse  
1993
California Board of Nursing

National University  
2009
La Jolla, California
- Master of Arts in Teaching- Emphasis in teacher leaderships

National University  
1999
Costa Mesa, California

San Diego State University  
1993
San Diego, California
- Bachelor of Science in Nursing. Minor in Psychology with emphasis in child development.
- Registered Nurse License. Public Health Nurse license.

BLS for Healthcare Provider Certified  
1990
American Heart Association’s – CPR for Healthcare Providers

PROFESSIONAL EXPERIENCE

San Marcos Unified School District  
2008 - Present
San Marcos, California
AP Psychology/ Psychology
Health Academy Teacher

Psychology subject lead responsible for building AP psychology and psychology courses on campus. Trained in AP best practices and revamped the curriculum to engage the student in 21st learning skills through the use of technology and common core alignment.

The health academy is a two-year program for high school students who plan to go into the healthcare field. The subject matter covers anatomy/physiology, medical assistant nursing skills, first aid and CPR certification, workforce readiness skills, HIPPA, blood borne pathogen prevention training as well as externships in local hospitals and clinics. It is part of the North County Regional Occupation Program and is taught in conjunction with Palomar Community College, Palomar-Palmardo Health and local community clinics. After successful completion of the academy work, students will be granted local college credits. Job duties include; direct instruction, curriculum development, program development, recruitment, budget management, college articulation, hospital collaboration, industry advisory, community project coordination and marketing.
California Physical Education-Health Project at Long Beach 2011 - 2014
California Subject Matter Project
Co-Site Director - Health
Serve as the Health Content Expert for the project, providing expertise in the CA state standards and curriculum development. Provide health education leadership to the program designed to improve teacher practice and instruction in physical education and health education with the ultimate goal of positively impacting student learning within a standards' based environment. Responsible for the development, planning and implementation of professional development summer health institute. Created, developed and implemented the Orange County Bully Prevention Summit for 100 participants across the State. Tasks included creating and designing the summit, securing the hotel, conference space and planning healthy catering menu, managing the budget, marketing development and distribution, acquiring guest speakers and teaching Professional Development.

California Common Core Resource Team 2014
California Subject Matter Project
Health Education Content Expert
In collaboration with the Department of Education for the State of California, the California Subject Matter Projects are aligned CA Content Standards and CA Common Core standards and created curriculum for distribution of curriculum on the “Brokers of Expertise” Website. This curriculum will be available to all teachers through out the State in all the content areas. I served as the Health content expert. Specifically, I was responsible for the lessons in health for grade levels 6-12 and content areas of Nutrition and Physical Activity as well as Growth, Development and Sexual Health.

The University of California 2012
UC Curriculum Integration Institute
Content Advisor - Health Science and Medical Technology CTE
The UCCI Institutes bring together CTE and “a-g” educators from around the state to collaborate on the creation of model high school courses that anchor traditional academic learning in real-world experience. UCCI Institute courses are designed to be rigorous and relevant, to keep students engaged in learning and to prepare them for college and career success. UCCI content advisors support their facilitators and team members by providing advice on how to maintain the integrity of the academic and CTE content throughout the course design process. The current UC approved courses are Health Science and Medical terminology (HSMT)/US Government, HSMT/US history and HSMT/10th grade English.

National University 2010 - 2012
La Jolla, California
Adjunct Professor
Instructor for multiple courses within the Master of Arts in Teaching (MAT) program, designed for practicing educators who want to enhance their teaching skills, broaden their intellectual and professional understanding by interrelating educational theory and practice to promote lifelong learning efforts, and sustain their commitment as instructional leaders in the K-16 settings.

Health and Science Pipeline Initiative (HASPI) 2009 - 2013
San Diego County, California
Site Coordinator
HASPI is a collaborative network of K-16 educators, industry representatives, and community organizations that are actively engaged in the common effort to improve students’ ultimate success in healthcare professions. HASPI preparation is intended for students of all academic levels and backgrounds. As site coordinator, I am responsible for maintain curriculum for the health Career Pathway, collaborating between courses, prompting pathway programs to parents and students and managing yearly budget.
California Department of Education  
Sacramento, California  
HEAP Cohort member

The Health Education Assessment Program (HEAP) works to develop effective health education assessment resources through a collaborative process. Working with districts to align curriculum, instruction, and assessment to improve student health literacy through improved health education instruction based on the newly adopted State health standards.

Temecula Valley Unified School District  
Temecula, California  
Health, Teacher On Special Assignment (TOSA)

As the TVUSD Health TOSA, I:
• Taught 8th grade and High School Health teachers more effective ways to deliver comprehensive sexual health and HIV/AIDS prevention instruction.
• Facilitate bi-monthly Health Curriculum Committee meetings, responsible for development of the districts health education focus and programs.
• Participated in bi-monthly Secondary Curriculum Committee meetings, responsible for approval of all subject matter curriculums for the district.
• Conducted Parent Information Nights for student curriculum and current health trends.
• Taught Positive Prevention Curriculum to middle school students.
• Oversaw all Safe and Drug, Alcohol, Tobacco Education (S&DATE). Evaluated current curriculum and effectiveness for our student population and began alignment with the California State Health Standards.
• Developed working relationship to improve student learning and safety with the City of Temecula, Riverside Probation Department, Riverside County District Attorney’s Office, Riverside County Sheriffs Department and Riverside County Department of Mental Health.
• Established collaborative agreements with Murrieta Unified School District’s Safe Alternatives for Everyone (SAFE) and Perris Alcohol Recovery Program to eliminate teenage drinking.
• Identified and applied for grant funding to better finance health education for the district.
• Attended professional development training for Environmental Prevention, Gang prevention and anti-bullying.
• Educated and became the district trainer for Student Assistance Program (SAP), Project Alert, Positive Prevention and Parent Project Program.
• Participated in bi-monthly TVUSD Intra-agency council meetings.
• Evaluated and changed current school board policies to be compliant with current Educational code.

ALAKAZOOM  
Murrieta, California  
Co-founder, General Manager, and Enrichment Director

Alakazoom is the first of its kind child enrichment center. Designed to improve the health and wellness of families through art and play. Children and families play together improving their fitness levels and there are only healthy food options to encourage healthy eating habits. Enrichment classes taught in the facility improve fitness levels along with gross motor development, educate on nutrition to prevent obesity, special needs classes for mainstreaming and school readiness, art classes for social/emotional development and fine motor development. Duties included curriculum development, teaching, facility and employee management, accounting, sales, marketing, and grant writing.

Brea Olinda High School  
Brea, California  
Health Science, Freshman Studies, Psychology teacher and PAL advisor.

Developed and implemented health curriculum to meet California framework. Created Freshman Studies program for incoming freshman. Improved and implemented psychology curriculum to meet AP standards. Established peer
assistance leadership program on campus, in charge of implementation of program, recruitment and student training. The program won Outstanding PAL Program in Orange County.

- **Health Class Coordinator** - in charge of overseeing the development and instruction of all health classes on campus, including research and adoption of new health textbook.
- **Master Teacher** – Educated, trained and mentored student teacher in health.
- **Yellow Ribbon Week Advisor** - implemented “Suicide Awareness and Prevention Week. “ School wide event that included over 2000 students.
- **Class Advisor** - helped the students fundraise for four years for graduation, build floats for homecoming, hold dances and put on Prom.
- **Person to Person Co-Advisor** - teaches expectance for human differences.
- **Conflict Management Co-Advisor** - program designed to resolve conflicts between students through the use of mediators.
- **Color Guard Advisor** - in charge of scheduling performances, costuming, tryouts, transportation and supervision.
- **Girls League Co-Advisor** - organization of the half-time show, homecoming nomination, and Co-Ed dance.
- **H.E.A.R.T. Mentor** – Mentor of five or more “at-risk” students every semester to bring their overall GPAs above a 2.0 along with teaching study skills, organizational skills, self-esteem building and motivation.


California

Worked in various nursing positions.

- **United Healthcare** - Healthy Pregnancy Program Case Manager. Prenatal educator responsible for an average of 150 patients. Instructing them on prevention, risk factors and complications throughout their pregnancy.
- **Apria Women’s Health** - Registered Nurse. Cared for patients in preterm labor or complicated pregnancies. Spoke with patients daily, assessing for complication and educating them on self-care, signs and symptoms of preterm labor.
- **Orange County Health Department** - Public Health Nurse, Patient Educator in the Family Planning Clinics. Responsible for educating patient on anatomy, physiology and functions of the body, birth control options and how to use them. Pregnancy and prenatal care.
- **Staff Nurse** - Worked as a Registered nurse in three high risk hospitals. Responsible for direct patient care as well as patient education. Taught child birth classes, infant care and CPR.

**AWARDS AND HONORS**

San Diego Science Alliance (SDSA) Teacher Partnership award for outstanding collaboration with industry sector

National University Leader Scholarship for exceptional leadership

Brea Olinda High School “Teachers’ Door Who’s Always Open” Award nominated and elected by the students.

Orange County Human Relations “Building Bridges Award” Nominee, for promoting, nurturing, protecting and cultivating a safe campus climate that is respectful of society’s diversity.

SDSU College of Health and Human Services Student Body President

California Nursing Student Association (CNSA) SDSU President

California Nursing Student Association (CNSA) Scholarship for exceptional participation

Who’s Who Among American College and University Students for comprehensive leadership

C. Shuford Swift Award for outstanding leadership
REFERENCES

Josh Way
San Marcos USD
Assistant Principal

Catherine Muzzy, Ed.D
St. Edward the Confessor Parish School
Principal

Tim Ritter
Temecula Valley USD
Superintendent

Susan Wilkinson, Ph.D.
California Physical Education-Health Project
Executive Director

Mary Marks, Ph.D.
California Department of Education
Health Education Consultant

Sarah Fidelibus
University of California, Office of the President
Program Manager, UC Curriculum Integration (UCCI)

Ronarae Adams
National University
NU-NBCT/PTDC Program director and Lead Faculty
Cynthia Dimon  
Behavioral Health Program Manager  
Oakland Unified School District

Education

- Licensed Clinical Social Worker
- Master of Social Work, Pupil Personnel Services Credential  
  University of California, Berkeley
- Bachelor of Arts in Women Studies  
  University of California, Berkeley
- Certified Cognitive Behavioral Therapist  
  John F. Kennedy University

<table>
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<tr>
<th>Grade Level Experience</th>
<th>K-2, 3-5, 6-8, 9-12</th>
<th>Years of Teaching Experience</th>
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<tr>
<td>Subject Taught</td>
<td>Other subject not mentioned above School Social Work &amp; Commercial Sexual Exploitation of Children (CSEC)</td>
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<tr>
<td>Ethnicity</td>
<td>Black or African American</td>
<td>Gender</td>
<td>Female</td>
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</table>

Experience Teaching English Learners

Yes

Grades 6-12 for eight years

Experience Teaching Students with Disabilities

Yes

Grades 6-12 for eight years

Standards-Based Interdisciplinary Instructional Experience

The commercial sexual exploitation of children (CSEC) is an epidemic in Oakland, CA. To provide basic psycho-education and safety information on this topic, the Behavioral

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Health and Health and Wellness departments collaborated to incorporate CSEC prevention into OUSD's HIV prevention lessons for 7th and 9th graders. We choose this method because every minute within the school day is accounted for and it was more feasible to systemically implement a CSEC lesson in an existing Health Education framework which addressed issues around safe sex, informed decision making, seeking valid resources, developing hypothesis, analyzing information and critical thinking. Within OUSD, Science and English teachers provided these lessons and were trained in the basics of CSEC prevention, and where to seek consultation and valid resources for students, and families. From these lessons, teachers supported several students, who disclosed post lessons they were CSEC.

**Differentiated Instruction for a Diverse Student Population**

The lessons described above were reviewed by a multi-disciplinary and diverse panel of experts in classroom teaching, mental health, health, LGBTQ advocacy and other cultural brokers. This panel of experts brought a myriad of perspectives with the common goal of inclusivity and accessibility. In addition to the CSEC lessons mentioned above, supplemental materials were made available in multiple languages, and literature on cultural competency in family engagement was utilized to take into consideration educational attainment of families.

**Areas of Expertise and Leadership**

Health Content Areas: Mental, Emotional, and Social Health

My background as a Behavioral Health Program Manager and CSEC lead positions me well to serve as a member of the Health Education CCFC. I am a licensed clinical social worker with a masters and bachelors form the University of California, Berkeley, and have experience developing classroom lessons, student prevention workshops, and direct clinical interventions within an eco-systemic and multi-tiered systems of support framework. In collaborating on developing CSEC lessons in the HIV Prevention Curriculum, our lessons were embedded within the curriculum to align with CA Health Education Standards. In addition to this, for the past eight years I’ve provided mental health assessments, workshops and lessons within school settings on a variety of mental health topics including emotional regulation, trauma-informed practices, suicide prevention, commercial sexual exploitation, depression and anxiety.

**Previous Committee Experience**

No

**Relationship with Publishers** (Conflict of Interest Disclosure Statement)

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If YES or UNCERTAIN, please explain and provide as much detail as possible,
including name of firm, nature of contract, dates of contract, and compensation. (Use 1,000 characters or less.)

No

References

- Leah Monroe
  ERMHS Social Worker
  San Ramon Valley Unified School District

- Lisa Carlise-Marcus
  Program Specialist
  Alameda County Behavioral Health Care Services

Supervisor

Barb Mc Clung
Director of Behavioral Health

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Professional Experience

UNIVERSITY OF SAN FRANCISCO 1/2017-current
Adjunct Faculty
- Develop course syllabus for graduate students for “Trauma and Crisis Counseling Course in Urban Settings”
- Teach Spring semester seminar to graduate students in the School Counseling Program
- Develop multi-modality learning activities to support student understanding of key concepts in readings

PRIVATE PRACTICE, Oakland CA 2013-current
Licensed Clinical Social Worker
- Cognitive behavioral, solution focused, psychotherapy private practice specializing in adults with relationship issues, motivation, grief, depression & mood issues, anxiety & worry, racial identity, phase of life, work stress, trauma, domestic violence and abuse
- Supervise interns for licensure hours

OAKLAND UNIFIED SCHOOL DISTRICT 12/2014-current
Behavioral Health Program Manager
- Program development and trainer for commercial sexually exploited minor prevention and intervention
- Monitor the delivery of mental health services at sites, provide mental health consultation
- Coordinate and provide training for trauma-informed practices, behavioral management, de-escalation strategies, child abuse prevention, suicide prevention, coordination of services interventions and triage
- Supervise graduate level interns and registered BBS interns
- Coach site managers to oversee interagency partners and programming to fill service gaps
- Coordinate the clinical internships for Behavioral Health Unit
- Crisis coordination and counseling in incidents of assaults, abuse, fatalities
- Provide resources and referrals to sites and families

BERKELEY UNIFIED SCHOOL DISTRICT 08/2012-12/2014
Counselor
- Individual short-term therapy and weekly groups to address grief, abuse, depression, behavioral issues
- Assessment and treatment plans
- PBIS/RTI site co-chair
- Risk assessments and crisis interventions
- Mental health consultation and psycho-education to school staff and families
- Supervise graduate interns and facilitated weekly CBT training group for interns
ALAMEDA COUNTY  
Clinical Case-Manager  
07/2011-07/2012
- Group and individual therapy
- Bio-psycho-social, risk assessments, crisis intervention
- Mental health consultation for teachers, school administration, and parents
- Oversee interagency partners providing site-based programming
- Case-management and advocacy for foster youth, homeless youth and recent immigrant youth and families
- Culture and climate team member

SAN FRANCISCO UNIFIED SCHOOL DISTRICT  
School Social Worker  
10/2010-06/2012
- Individual therapy and lead weekly groups with culturally and socio-economically diverse clients
- Restorative justice consultant to principal and school staff
- Student peer restorative justice trainer
- Risk assessments and provided crisis interventions.
- Professional development training for teachers on responding to trauma and externalizing behaviors
- Training and site supervision of interns

LINCOLN CHILD CENTER  
Therapeutic Behavioral Clinician  
10/2009-10/2010
- Functional behavioral assessments, behavioral treatment plans for foster youth with trauma experiences
- Crisis intervention and conducted risk assessments
- Structural family therapy and parent coaching
- Clinical consultation and collaboration with community-based providers

BERKELEY MENTAL HEALTH  
Intern  
08/2008-06/2009
- Individual, group, and family strength-based therapy and case-management
- Home visits, classroom observations, interviews, and administered bio-psycho-social assessments
- Behavioral modification plans with students, teachers and families

FRED FINCH YOUTH CENTER-TAY PROGRAM  
Intern  
10/2007-05/2008
- Intakes and administered bio-psycho-social assessments for former homeless foster youth ages 18-21
- Individual therapy, treatment planning, case-management.
- Harm-reduction for substance abuse and risky practices

Education/Licensure

LICENSE: Licensed Clinical Social Worker, California License, LCS #29729
Certified Cognitive Behavioral Therapist, JFK University, 2015
UNIVERSITY OF CALIFORNIA, BERKELEY, Berkeley, CA

M.S.W., 2009, Children and Families Concentration
PPS and Child Welfare Credentials

UNIVERSITY OF CALIFORNIA, BERKELEY, Berkeley, CA

B.A. 2003, Women’s Studies

Professional Affiliations

National Association of Social Workers
California School Social Workers
Therapist of Color Network

Selected Professional Development Presentations

Vicarious Trauma for Teachers and Therapist in Schools, Oakland, CA
Complex Trauma & It’s Impact on Behavior, San Francisco, CA
Crisis De-escalation Strategies, San Francisco, CA
Psychological First Aide, Berkeley, CA
Restorative Justice Affective Questions and Co-regulation, San Francisco, CA
Prevention and Response for Sexually Exploited Minors, Oakland, CA
Suicide Prevention, Oakland, CA
Check-in Check out a PBIS Tier 2 Intervention, CA
Child Abuse Prevention and Mandated Reporting, Oakland, CA
Managing Work Stress in Educational Settings, Oakland, CA
Effective Communication Skills with Adults in School Systems, at Stanford University, Palo Alto, CA
Cognitive Behavioral Therapy and Applications, at the Counseling Intern Program, Berkeley, CA
<table>
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<tr>
<th>SUBJECT</th>
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<tr>
<td>Consideration of Retroactive Requests for Determination of Funding as Required for Nonclassroom-based Charter Schools Pursuant to California <em>Education Code</em> Sections 47612.5 and 47634.2, and Associated <em>California Code of Regulations</em>, Title 5.</td>
<td>☑ Action  ☑ Information  ☐ Public Hearing</td>
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**SUMMARY OF THE ISSUE**

California *Education Code* (*EC*) sections 47612.5 and 47634.2 established the eligibility requirements for apportionment funding for charter schools that offer nonclassroom-based instruction. The statutes specify that a charter school may receive apportionment funding for nonclassroom-based instruction only if a determination of funding is made by the State Board of Education (SBE). The California Department of Education (CDE) reviews a charter school’s determination of funding request and presents it for consideration by the Advisory Commission on Charter Schools (ACCS), pursuant to relevant *California Code of Regulations*, Title 5 (*5 CCR*).

Pursuant to *5 CCR* Section 11963.6(c), any determination of funding request approved by the SBE for an existing nonclassroom-based charter school must be prospective (not for the current year). The CDE received completed determination of funding requests from the charter schools listed on Attachment 1, after the filing deadline, thereby making the requests retroactive, not prospective. Since each charter school failed to submit a completed request by the regulatory filing deadline, the charter school was required to request a waiver for SBE approval to allow the charter school to request a non-prospective funding determination.

The waivers requesting approval for a retroactive funding determination were submitted to the SBE for each charter school and were approved by the SBE at its November 2016 and January 2017 meetings, as specified in Attachment 1. The waiver requests are provided in the Meeting Notice on the SBE Web page located at [http://www.cde.ca.gov/be/ag/ag/yr16/documents/nov16w04.doc](http://www.cde.ca.gov/be/ag/ag/yr16/documents/nov16w04.doc) and [http://www.cde.ca.gov/be/ag/ag/yr17/documents/jan17w16.doc](http://www.cde.ca.gov/be/ag/ag/yr17/documents/jan17w16.doc).

**RECOMMENDATION**

The CDE recommends that the SBE approve the determination of funding requests for the percentages and periods specified for the nonclassroom-based charter schools provided in Attachment 1.
Advisory Commission on Charter Schools Recommendation

The ACCS met on February 13, 2017, and voted unanimously to approve the CDE recommendation that the SBE approve the determination of funding for the period specified for the nonclassroom-based charter schools listed in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

The nonclassroom-based charter schools identified in Attachment 1 each submitted a request to obtain a determination of funding by the SBE to establish eligibility to receive apportionment funding.

Pursuant to 5 CCR Section 11963.4(a), a nonclassroom-based charter school may qualify for 70 percent, 85 percent, 100 percent funding, or may be denied. To qualify for a proposed recommendation of 100 percent funding, a nonclassroom-based charter school must meet the following criteria:

- At least 40 percent of the school’s public revenues are to be spent on salaries and benefits for all employees who possess a valid teaching certificate.
- At least 80 percent of all revenues are to be spent on instruction and instruction-related services.
- The ratio of average daily attendance for independent study pupils to full-time certificated employees does not exceed a pupil-teacher ratio of 25:1 or the pupil-teacher ratio of the largest unified school district in the county or counties in which the charter school operates.

5 CCR Section 11963.6(c) specifies that a determination of funding approved by the SBE shall be prospective (not for the current year) and shall be in increments of a minimum of two years and a maximum of five years in length.

EC Section 47612.5(d)(2) requires a determination of five years for a charter school that has achieved a rank of six or greater on the Academic Performance Index (API) for the two years immediately prior to receiving a determination of funding. However, EC Section 52056(a) requiring API ranking of schools was repealed. Alternatives were authorized by Assembly Bill 484 (Chapter 489, Statutes of 2013) to meet legislative and/or programmatic requirements. For purposes of meeting the API requirement pursuant to EC Section 47612.5(d)(2), the CDE considers the following alternatives as proposed by AB 484: (a) the most recent API calculation or (b) an average of the three most recent annual API calculations, whichever is higher.

When making a recommendation for a funding determination period, the CDE also considers the number of years a charter school has been in operation and the number of years requested for the determination of funding by the charter school. As provided in Attachment 1, there are four charter schools that are requesting a determination of five years. These charter schools do not meet the API requirement, therefore, the CDE proposes to recommend four years for three charter schools that have been in operation
for three or more years and three years for one charter school that has been in operation for less than three years.

The funding determination requests are provided in Attachments 2 through 5 of Agenda Item 01 on the ACCS February 13, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/accsnotice021317.asp.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At its November 2016 and January 2017 meetings, the SBE approved the CDE’s recommendation to approve the requests to waive specific portions of 5 CCR Section 11963.6(c), which allow the charter schools identified in Attachment 1 to submit a determination of funding request for the non-prospective fiscal periods.

The SBE is responsible for approving a determination of funding to establish eligibility for apportionment funding for charter schools that offer nonclassroom-based instruction. The CDE notes that these requests are a recurring action item for the SBE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved, the charter schools listed in Attachment 1 would receive apportionment funding under the Local Control Funding Formula model.

ATTACHMENT

Attachment 1: California Department of Education Determination of Funding Recommendations for Nonclassroom-based Charter Schools (1 Page)
# California Department of Education

## Determination of Funding Recommendations for Nonclassroom-based Charter Schools

<table>
<thead>
<tr>
<th>CDS Code</th>
<th>Charter Authorizer</th>
<th>County</th>
<th>Charter School (Charter Number)</th>
<th>First Year of Operation</th>
<th>Percent Spent on Certificated Staff Compensation^</th>
<th>Percent Spent on Instruction and Instruction-Related Services^</th>
<th>Pupil-Teacher Ratio^</th>
<th>Funding Determination and Years Requested by Charter School</th>
<th>CDE Recommendation Funding Determination and Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>09-61853-0930214</td>
<td>El Dorado Union High</td>
<td>El Dorado</td>
<td>EDUHSD Virtual Academy at Shenandoah (0366)</td>
<td>2002–03</td>
<td>67.28%</td>
<td>88.81%</td>
<td>25.0:1</td>
<td>100% for 5 Years (2016–17 through 2020–21)</td>
<td>**##100% for 4 Years (2016–17 through 2019–20)</td>
</tr>
<tr>
<td>19-75309-0131383</td>
<td>Acton-Agua Dulce Unified</td>
<td>Los Angeles</td>
<td>SIATech Academy South (1700)</td>
<td>2014–15</td>
<td>54.38%</td>
<td>80.27%</td>
<td>13.0:1</td>
<td>100% for 5 Years (2016–17 through 2020–21)</td>
<td>*#100% for 3 Years (2015–16 through 2017–18)</td>
</tr>
<tr>
<td>37-68452-0106120</td>
<td>Vista Unified</td>
<td>San Diego</td>
<td>SIATech (0627)</td>
<td>2004–05</td>
<td>51.94%</td>
<td>80.55%</td>
<td>12.0:1</td>
<td>100% for 5 Years (2015–16 through 2019–20)</td>
<td>**##100% for 4 Years (2015–16 through 2018–19)</td>
</tr>
<tr>
<td>54-71993-0124776</td>
<td>Lindsay Unified</td>
<td>Tulare</td>
<td>Loma Vista Charter (1329)</td>
<td>2011–12</td>
<td>71.13%</td>
<td>80.63%</td>
<td>19.01:1</td>
<td>100% for 5 Years (2016–17 through 2020–21)</td>
<td>**##100% for 4 Years (2016–17 through 2019–20)</td>
</tr>
</tbody>
</table>

^Spending percentages and pupil-teacher ratio correspond to the charter school’s funding determination request as originally submitted to the California Department of Education (CDE).

*For the funding determination effective period, the CDE considers the number of years a charter school has been in operation and recommends a determination of three years for a charter school that has been in operation for less than three years.

**For the funding determination effective period, the CDE considers the number of years a charter school has been in operation and recommends a determination of four years for a charter school that has been in operation for three or more years.

#At its November 2016 meeting, the State Board of Education (SBE) approved the request to waive specific portions of California Code of Regulations, Title 5 (5 CCR) Section 11963.6(c) for the period of July 1, 2015, through June 29, 2017.

##At its January 2017 meeting, the SBE approved the request to waive specific portions of 5 CCR Section 11963.6(c) for the period of July 1, 2016, through June 30, 2017.
CALIFORNIA STATE BOARD OF EDUCATION

MARCH 2017 AGENDA

SUBJECT

Consideration of Requests for Determination of Funding as Required for Nonclassroom-based Charter Schools Pursuant to California Education Code Sections 47612.5 and 47634.2, and Associated California Code of Regulations, Title 5.

SUMMARY OF THE ISSUE

California Education Code (EC) sections 47612.5 and 47634.2 established the eligibility requirements for apportionment funding for charter schools that offer nonclassroom-based instruction. The statutes specify that a charter school may receive apportionment funding for nonclassroom-based instruction only if a determination of funding is made by the State Board of Education (SBE). The California Department of Education (CDE) reviews a charter school’s determination of funding request and presents it for consideration by the Advisory Commission on Charter Schools (ACCS), pursuant to relevant California Code of Regulations, Title 5 (5 CCR).

RECOMMENDATION

The CDE recommends that the SBE approve the determination of funding and the period specified for the 32 nonclassroom-based charter schools as provided in Attachment 1.

Advisory Commission on Charter Schools Recommendation

The ACCS met on February 13, 2017, and voted unanimously to approve the CDE recommendation that the SBE approve the determination of funding and the period specified for the 32 nonclassroom-based charter schools as provided in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

The nonclassroom-based charter schools identified on Attachment 1 each submitted a request to obtain a determination of funding by the SBE to establish eligibility to receive apportionment funding.

Pursuant to 5 CCR Section 11963.4(a), a nonclassroom-based charter school may qualify for 70 percent, 85 percent, 100 percent funding, or may be denied. To qualify for
a proposed recommendation of 100 percent funding, a nonclassroom-based charter school must meet the following criteria:

- At least 40 percent of the school’s public revenues are to be spent on salaries and benefits for all employees who possess a valid teaching certificate.

- At least 80 percent of all revenues are to be spent on instruction and instruction-related services.

- The ratio of average daily attendance for independent study pupils to full-time certificated employees does not exceed a pupil-teacher ratio of 25:1 or the pupil-teacher ratio of the largest unified school district in the county or counties in which the charter school operates.

5 CCR Section 11963.6(c) specifies that a determination of funding shall be for a minimum of two years and a maximum of five years in length.

5 CCR Section 11963.6(a) requires a determination of two years for a new charter school in its first year of operation. As provided in Attachment 1, there are 24 charter schools that are in their first year of operation. The CDE recommends two years for each newly operational charter school.

EC Section 47612.5(d)(2) requires a determination of five years for a charter school that has achieved a rank of six or greater on the Academic Performance Index (API). However, EC Section 52056(a) requiring API ranking of schools was repealed. Alternatives were authorized by Assembly Bill 484 (Chapter 489, Statutes of 2013) to meet legislative and/or programmatic requirements. For purposes of meeting the API requirement pursuant to EC Section 47612.5(d)(2), the CDE considers the following alternatives as proposed by AB 484: (a) the most recent API calculation or (b) an average of the three most recent annual API calculations, whichever is higher.

When making a recommendation for a funding determination, the CDE also considers the number of years a charter school has been in operation and the number of years requested for the determination of funding by the charter school. As provided in Attachment 1, there are three charter schools that are requesting a determination of five years. The CDE recommends four years for these charter schools that do not meet the API requirement and have been in operation for three or more years. The CDE also recommends four years for five charter schools that are requesting four years.

The funding determination requests are provided in Attachments 2 through 33 of Agenda Item 03 on the ACCS February 13, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/accsnotice021317.asp.
SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE is responsible for approving a determination of funding to establish eligibility for apportionment funding for charter schools that offer nonclassroom-based instruction. The CDE notes that this request is a recurring action item for the SBE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved, the charter schools listed in Attachment 1 would receive apportionment funding under the Local Control Funding Formula model.

ATTACHMENT

Attachment 1: California Department of Education Determination of Funding Recommendation for Nonclassroom-based Charter Schools (7 Pages)
<table>
<thead>
<tr>
<th>County-District-School Code</th>
<th>Charter Authorizer</th>
<th>County</th>
<th>Charter School (Charter Number)</th>
<th>First Year of Operation</th>
<th>Percent Spent on Certificated Staff Compensation^</th>
<th>Percent Spent on Instruction and Instruction-Related Services^</th>
<th>Pupil-Teacher Ratio^</th>
<th>Funding Determination and Years Requested by Charter School</th>
<th>CDE Recommendation Funding Determination and Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>04-10041-0134213</td>
<td>Butte County Office of Education</td>
<td>Butte</td>
<td>Come Back Butte Charter (1811)</td>
<td>2016–17</td>
<td>85.87%</td>
<td>80.44%</td>
<td>25.0:1</td>
<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>*100% for 2 Years (2016–17 through 2017–18)</td>
</tr>
<tr>
<td>19-75309-0134585</td>
<td>Acton-Agua Dulce Unified</td>
<td>Los Angeles</td>
<td>Pathways Academy Charter School Adult Education (1828)</td>
<td>2016–17</td>
<td>41.01%</td>
<td>82.62%</td>
<td>10.0:1</td>
<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>*100% for 2 Years (2016–17 through 2017–18)</td>
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<tr>
<td>County-District-School Code</td>
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<tr>
<td>19-75309-0134619</td>
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<td>Los Angeles</td>
<td>Empower Generations (1836)</td>
<td>2016–17</td>
<td>56.36%</td>
<td>83.60%</td>
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<td>*100% for 2 Years (2016–17 through 2017–18)</td>
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<td>27-65979-0135111</td>
<td>Bradley Union Elementary</td>
<td>Monterey</td>
<td>Uplift Monterey (1844)</td>
<td>2016–17</td>
<td>46.03%</td>
<td>84.04%</td>
<td>25.0:1</td>
<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>*100% for 2 Years (2016–17 through 2017–18)</td>
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<tr>
<td>27-66068-0134254</td>
<td>South Monterey County Joint Union High</td>
<td>Monterey</td>
<td>Pinnacle Academy Charter-Independent Study (1821)</td>
<td>2016–17</td>
<td>85.65%</td>
<td>80.56%</td>
<td>20.0:1</td>
<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>*100% for 2 Years (2016–17 through 2017–18)</td>
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<tr>
<td>30-10306-0134239</td>
<td>Orange County Department of Education</td>
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<td>Epic Charter School (1807)</td>
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<td>40.64%</td>
<td>80.73%</td>
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<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>*100% for 2 Years (2016–17 through 2017–18)</td>
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<tr>
<td>30-10306-0134841</td>
<td>Orange County Department of Education</td>
<td>Orange</td>
<td>Orange County Workforce Innovation High (1833)</td>
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<td>41.83%</td>
<td>80.44%</td>
<td>16.60:1</td>
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<td>*100% for 2 Years (2016–17 through 2017–18)</td>
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<tr>
<td>30-10306-0134940</td>
<td>Orange County Department of Education</td>
<td>Orange</td>
<td>Citrus Springs Charter (1831)</td>
<td>2016–17</td>
<td>46.47%</td>
<td>81.21%</td>
<td>18.76:1</td>
<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>*100% for 2 Years (2016–17 through 2017–18)</td>
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<tr>
<td>34-67447-0133975</td>
<td>San Juan Unified</td>
<td>Sacramento</td>
<td>Atkinson Academy Charter (1804)</td>
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<td>63.06%</td>
<td>80.58%</td>
<td>17.00:1</td>
<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>*100% for 2 Years (2016–17 through 2017–18)</td>
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<tr>
<td>36-67892-0134247</td>
<td>Trona Joint Unified</td>
<td>San Bernardino</td>
<td>California STEAM San Bernardino (1824)</td>
<td>2016–17</td>
<td>50.30%</td>
<td>82.41%</td>
<td>25.00:1</td>
<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>*100% for 2 Years (2016–17 through 2017–18)</td>
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<tr>
<td>County-District-School Code</td>
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<td>Percent Spent on Certificated Staff Compensation(^\text{^})</td>
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<td>42-75010-0134866</td>
<td>Cuyama Joint Unified</td>
<td>Santa Barbara</td>
<td>California STEAM Santa Barbara (1837)</td>
<td>2016–17</td>
<td>41.91%</td>
<td>88.13%</td>
<td>25.0:1</td>
<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>*100% for 2 Years (2016–17 through 2017–18)</td>
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<tr>
<td>43-10439-0135087</td>
<td>Santa Clara County Office of Education</td>
<td>Santa Clara</td>
<td>Opportunity Youth Academy (1840)</td>
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<td>79.07%</td>
<td>86.53%</td>
<td>25.0:1</td>
<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>*100% for 2 Years (2016–17 through 2017–18)</td>
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<tr>
<td>45-70169-0134031</td>
<td>Whitmore Union Elementary</td>
<td>Shasta</td>
<td>New Day Academy - Shasta (1796)</td>
<td>2016–17</td>
<td>50.36%</td>
<td>81.10%</td>
<td>24.0:1</td>
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<td>*100% for 2 Years (2016–17 through 2017–18)</td>
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<td>48-70573-0135095</td>
<td>Vacaville Unified</td>
<td>Solano</td>
<td>Ernest Kimme Charter Academy for Independent Learning (1839)</td>
<td>2016–17</td>
<td>52.36%</td>
<td>80.69%</td>
<td>22.00:1</td>
<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>*100% for 2 Years (2016–17 through 2017–18)</td>
</tr>
<tr>
<td>County-District-School Code</td>
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<tr>
<td>49-70797-0134296</td>
<td>Liberty Elementary</td>
<td>Sonoma</td>
<td>California STEAM Sonoma (1810)</td>
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<td>43.29%</td>
<td>84.01%</td>
<td>15.48:1</td>
<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>*100% for 2 Years (2016–17 through 2017–18)</td>
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<td>51-71456-6053334</td>
<td>Winship-Robbins</td>
<td>Sutter</td>
<td>Winship Community (1826)</td>
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<td>41.15%</td>
<td>83.08%</td>
<td>23.75:1</td>
<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>*100% for 2 Years (2016–17 through 2017–18)</td>
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<tr>
<td>52-71472-0134403</td>
<td>Antelope Elementary</td>
<td>Tehama</td>
<td>Lassen-Antelope Volcanic Academy (LAVA) (1813)</td>
<td>2016–17</td>
<td>45.06%</td>
<td>80.01%</td>
<td>20.30:1</td>
<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>*100% for 2 Years (2016–17 through 2017–18)</td>
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<tr>
<td>53-10538-0134395</td>
<td>Trinity County Office of Education</td>
<td>Trinity</td>
<td>Mountain Academy Charter (1797)</td>
<td>2016–17</td>
<td>81.66%</td>
<td>87.50%</td>
<td>6.00:1</td>
<td>100% for 2 Years (2016–17 through 2017–18)</td>
<td>*100% for 2 Years (2016–17 through 2017–18)</td>
</tr>
</tbody>
</table>

^Spending percentages and pupil-teacher ratio correspond to the charter school’s funding determination request as originally submitted to the California Department of Education.

*California Code of Regulations, Title 5 Section 11963.6(a) requires a determination of two years for a new charter school in its first year of operation.*
# California Department of Education

## Determination of Funding Recommendation for Nonclassroom-based Charter Schools

### Continuing Charter Schools

<table>
<thead>
<tr>
<th>County-District-School Code</th>
<th>Charter Authorizer</th>
<th>County</th>
<th>Charter School (Charter Number)</th>
<th>First Year of Operation</th>
<th>Percent Spent on Certificated Staff Compensation^</th>
<th>Percent Spent on Instruction and Instruction-Related Services^</th>
<th>Pupil-Teacher Ratio^</th>
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<th>CDE Recommendation Funding Determination and Years</th>
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</thead>
<tbody>
<tr>
<td>04-10041-0114991</td>
<td>Butte County Office of Education</td>
<td>Butte</td>
<td>CORE Butte Charter (0945)</td>
<td>2007–08</td>
<td>58.14%</td>
<td>83.11%</td>
<td>21.4:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>*100% for 4 Years (2017–18 through 2020–21)</td>
</tr>
<tr>
<td>19-64287-0114397</td>
<td>Baldwin Park Unified</td>
<td>Los Angeles</td>
<td>Opportunities for Learning – Baldwin Park II (0874)</td>
<td>2007–08</td>
<td>37.20%</td>
<td>75.27%</td>
<td>23.91:1</td>
<td>70% for 4 Years (2017–18 through 2020–21)</td>
<td>**70% for 4 Years (2017–18 through 2020–21)</td>
</tr>
<tr>
<td>19-64287-1996479</td>
<td>Baldwin Park Unified</td>
<td>Los Angeles</td>
<td>Opportunities for Learning – Baldwin Park (0402)</td>
<td>2001–02</td>
<td>40.02%</td>
<td>81.39%</td>
<td>24.28:1</td>
<td>100% for 4 Years (2017–18 through 2020–21)</td>
<td>**100% for 4 Years (2017–18 through 2020–21)</td>
</tr>
<tr>
<td>19-65136-1996263</td>
<td>William S. Hart Union High</td>
<td>Los Angeles</td>
<td>Opportunities for Learning – Santa Clarita</td>
<td>1999–00</td>
<td>35.37%</td>
<td>78.55%</td>
<td>23.87:1</td>
<td>70% for 4 Years (2017–18 through 2020–21)</td>
<td>**70% for 4 Years (2017–18 through 2020–21)</td>
</tr>
<tr>
<td>County-District-School Code</td>
<td>Charter Authorizer</td>
<td>County</td>
<td>Charter School (Charter Number)</td>
<td>First Year of Operation</td>
<td>Percent Spent on Certificated Staff Compensation(^\text{a})</td>
<td>Percent Spent on Instruction and Instruction-Related Services(^\text{a})</td>
<td>Pupil-Teacher Ratio(^\text{a})</td>
<td>Funding Determination and Years Requested by Charter School</td>
<td>CDE Recommendation Funding Determination and Years</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-------------------</td>
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<td>---------------------------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>29-10298-0126219</td>
<td>Nevada County Office of Education</td>
<td>Nevada</td>
<td>Forest Charter (1427)</td>
<td>2012–13</td>
<td>51.43%</td>
<td>87.73%</td>
<td>20.0:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>*100% for 4 Years (2017–18 through 2020–21)</td>
</tr>
<tr>
<td>30-66464-6120356</td>
<td>Capistrano Unified</td>
<td>Orange</td>
<td>Opportunities for Learning – Capistrano (0463)</td>
<td>2002–03</td>
<td>51.05%</td>
<td>97.59%</td>
<td>21.91:1</td>
<td>100% for 4 Years (2017–18 through 2020–21)</td>
<td><strong>100% for 4 Years (2017–18 through 2020–21)</strong></td>
</tr>
<tr>
<td>36-67876-0120568</td>
<td>San Bernardino City Unified</td>
<td>San Bernardino</td>
<td>Options for Youth – San Bernardino (1132)</td>
<td>2009–10</td>
<td>41.55%</td>
<td>86.69%</td>
<td>23.33:1</td>
<td>100% for 4 Years (2017–18 through 2020–21)</td>
<td><strong>100% for 4 Years (2017–18 through 2020–21)</strong></td>
</tr>
<tr>
<td>42-69112-0111773</td>
<td>Blochman Union Elementary</td>
<td>Santa Barbara</td>
<td>Family Partnership Home Study Charter (0763)</td>
<td>2006–07</td>
<td>56.66%</td>
<td>80.39%</td>
<td>15.07:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>*100% for 4 Years (2017–18 through 2020–21)</td>
</tr>
</tbody>
</table>

\(^\text{a}\)Spending percentages and pupil-teacher ratio correspond to the charter school’s funding determination request as originally submitted to the California Department of Education (CDE).

\(*\)For the funding determination effective period, the CDE considers the number of years a charter school has been in operation and recommends a funding determination of four years for a charter school that has been in operation for more than three years.

\(**\)For the funding determination effective period, the CDE considers the number of years requested by a charter school.
**CALIFORNIA STATE BOARD OF EDUCATION**

**MARCH 2017 AGENDA**

### SUBJECT

Consideration of a Request for Determination of Funding with “Reasonable Basis”/Mitigating Circumstances as Required for a Nonclassroom-based Charter School Pursuant to California Education Code Sections 47612.5 and 47634.2, and Associated California Code of Regulations, Title 5.

| ☒ Action |
| ☒ Information |
| ☑ Public Hearing |

### SUMMARY OF THE ISSUE

California *Education Code* sections 47612.5 and 47634.2 established the eligibility requirements for apportionment funding for charter schools that offer nonclassroom-based instruction. The statutes specify that a charter school may receive apportionment funding for nonclassroom-based instruction only if a determination of funding is made by the State Board of Education (SBE). The California Department of Education (CDE) reviews a charter school’s determination of funding request and presents it for consideration by the Advisory Commission on Charter Schools (ACCS), pursuant to relevant *California Code of Regulations*, Title 5 (5 CCR). The ACCS may include the consideration of mitigating circumstances in conjunction with a recommendation to the SBE.

### RECOMMENDATION

The CDE recommends that the SBE approve the mitigating circumstances request for the Escalon Charter Academy (ECA) and approve a determination of funding of 100 percent for fiscal years (FYs) 2017–18 through 2018–19, as provided in Attachment 1.

**Advisory Commission on Charter Schools Recommendation**

The ACCS met on February 13, 2017, and voted unanimously to approve the mitigating circumstances request and a determination of funding of 100 percent for FYs 2017–18 through 2018–19.

### BRIEF HISTORY OF KEY ISSUES

ECA submitted a request to obtain a determination of funding by the SBE with the consideration of mitigating circumstances to establish eligibility to receive apportionment funding.
Pursuant to 5 CCR Section 11963.4(a), a nonclassroom-based charter school may qualify for 70 percent, 85 percent, 100 percent funding, or may be denied. To qualify for a proposed recommendation of 100 percent funding, a nonclassroom-based charter school must meet the following criteria:

- At least 40 percent of the school’s public revenues are to be spent on salaries and benefits for all employees who possess a valid teaching certificate.

- At least 80 percent of all revenues are to be spent on instruction and instruction-related services.

- The ratio of average daily attendance for independent study pupils to full-time certificated employees does not exceed a pupil-teacher ratio of 25:1 or the pupil-teacher ratio of the largest unified school district in the county or counties in which the charter school operates.

However, 5 CCR Section 11963.4(e) states that the ACCS may find a “reasonable basis” (also referred to as mitigating circumstances) by which to make a recommendation other than one that results from the criteria specified in the regulations.

5 CCR Section 11963.4(e) provides specific examples of the types of mitigating circumstances and for the ACCS to consider well documented “one-time or unique or exceptional circumstances.” Mitigating circumstances described by a charter school in the funding determination process clarify and provide guidance as to whether or not a specific charter school meets the percentage requirements for a funding determination as expressed in 5 CCR Section 11963.4(a).

Pursuant to 5 CCR Section 11963.4(e):

A reasonable basis for the Advisory Commission on Charter Schools to make a recommendation other than one that results from the criteria specified in subdivision (a) may include, but not be limited to, the following: the information provided by the charter school pursuant to paragraphs (2) through (8), inclusive, of subdivision (b) of section 11963.3, documented data regarding individual circumstances of the charter school (e.g., one-time or unique or exceptional expenses for facilities, acquisition of a school bus, acquisition and installation of computer hardware not related to the instructional program, special education charges levied on the charter school by a local educational agency, restricted state, federal, or private grants of funds awarded to the charter school that cannot be expended for teacher salaries, or contracted instructional services other than those for special education), the size of the charter school, and how many years the charter school has been in operation. The Advisory Commission on Charter Schools shall give charter schools with less than a total of one hundred (100) units of prior year second period average daily attendance or that are in their first year of operation serious consideration of full funding.

5 CCR Section 11963.6(c) specifies that a determination of funding approved by the SBE shall be prospective (not for the current year) and shall be in increments of a minimum of two years and a maximum of five years in length.
Escalon Charter Academy – #1416

ECA does not meet the requirement to qualify for a proposed recommendation of 100 percent funding based on reported FY 2015–16 data. Therefore, ECA submitted a request to consider mitigating circumstances. A summary of the request from ECA is provided below.

ECA is requesting a 100 percent determination of funding for four years with the consideration of the charter school's mitigating circumstances. ECA reported expenditures of 57.24 percent on certificated staff costs; however, it reported expenditures of 76.04 percent on instruction and instruction-related services costs, which qualifies the charter school for an 85 percent determination of funding.

ECA’s mitigating circumstances request indicates that the charter school budgeted for increased special education services and substitute teachers costs due to an anticipated growth in enrollment. Ultimately, the services were provided by Escalon Unified’s special education staff, and both these services and the costs of the substitute teachers were paid by Escalon Unified and not charged back to ECA. The costs total approximately $74,000, which exceed the amount needed by ECA to meet the required instruction and instruction-related services expenditures threshold for full funding. The CDE finds that the information submitted supports a consideration for mitigating circumstances and recommends a funding determination of 100 percent for two years (2017–18 through 2018–19) instead of the four years requested by the charter school, as provided in Attachment 1.

The funding determination and mitigating circumstances requests are provided in Attachments 2 and 3 of Agenda Item 04 on the ACCS February 13, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/accsnotice021317.asp.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE is responsible for approving a determination of funding to establish eligibility for apportionment funding for charter schools that offer nonclassroom-based instruction. The CDE notes that this request is a recurring action item for the SBE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved, the charter school listed in Attachment 1 would receive apportionment funding under the Local Control Funding Formula model.

ATTACHMENT

Attachment 1: California Department of Education Determination of Funding Recommendation for a Nonclassroom-based Charter School (1 Page)
<table>
<thead>
<tr>
<th>CDS Code</th>
<th>Charter Authorizer / County</th>
<th>Charter School (Charter Number)</th>
<th>First Year of Operation</th>
<th>Percent Spent on Certificated Staff Compensation^</th>
<th>Percent Spent on Instruction and Instruction-Related Services^</th>
<th>Pupil-Teacher Ratio^</th>
<th>Funding Determination and Years Requested by Charter School With Mitigating Circumstances</th>
<th>Funding Determination Without Mitigating Circumstances (5 CCR Section 11963.4)</th>
<th>CDE Recommendation Funding Determination and Years</th>
<th>CDE Recommendation Mitigating Circumstances Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>39-68502-0126011</td>
<td>Escalon Unified / San Joaquin</td>
<td>Escalon Charter Academy (1416)</td>
<td>2012–13</td>
<td>57.24%</td>
<td>76.04%</td>
<td>24.9:1</td>
<td>100% for 4 Years (2017–18 through 2020–21)</td>
<td>85%</td>
<td>*100% for 2 Years (2017–18 through 2018–19)</td>
<td>Yes</td>
</tr>
</tbody>
</table>

^Spending percentages and pupil-teacher ratio correspond to the charter school’s funding determination request as originally submitted to the California Department of Education.

*California Code of Regulations, Title 5 Section 11963.4(a) specifies criteria to qualify for a funding determination of 100 percent, 85 percent, 70 percent, or denial. For a nonclassroom-based charter school that spends 40 percent or more of the school’s public revenues on salaries and benefits for all employees who possess a valid teaching certificate, and spends at least 70 percent but less than 80 percent of all revenues on instruction and instruction-related services, the Advisory Commission on Charter Schools shall recommend to the State Board of Education (SBE) approval of the request at 85 percent, unless there is a reasonable basis to recommend otherwise.
CALIFORNIA STATE BOARD OF EDUCATION
MARCH 2017 AGENDA

SUBJECT
Approval of the Charter School Numbers Assigned to Newly Established Charter Schools.

SUMMARY OF THE ISSUE(S)
The State Board of Education (SBE) is responsible for assigning a number to each approved charter petition. California Department of Education (CDE) staff present this routine request for assignment of charter numbers as a standard action item.

RECOMMENDATION
The CDE recommends that the SBE assign a charter number to each charter school identified in Attachment 1.

BRIEF HISTORY OF KEY ISSUES
Since the charter school law was enacted in 1992, the SBE has assigned numbers to 1,847 charter schools, including some approved by the SBE after denial by local educational agencies. Separate from that numbering system, nine all-charter districts have been jointly approved by the State Superintendent of Public Instruction and the SBE.

California Education Code (EC) Section 47602 requires the SBE to assign a number to a charter school that has been approved by a local entity in the chronological order in which it was received. Each number assigned shall correspond to a single petition that identifies a charter school that will operate within the geographic and site limitations of this part. Charter schools that share educational programs and serve similar pupil populations may not be counted as separate schools. This numbering system ensures that the state stays within a statutory cap on the total number of charter schools authorized to operate within California. The cumulative statutory cap for the fiscal year 2016−17 is 2,050. The statutory cap is not subject to waiver.

The charter schools listed in Attachment 1 were recently authorized by local boards of education and the SBE as noted. A copy of the charter petition is on file in the Charter Schools Division.
SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE is responsible for assigning a number to each approved charter petition. The CDE presents this routine request for assignment of charter numbers as a standard action item.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact to the state resulting from the assignment of numbers to recently authorized charter schools.

ATTACHMENT(S)

Attachment 1: Assignment of Numbers for Charter School Petitions (2 Pages)
## Assignment of Numbers for Charter School Petitions

<table>
<thead>
<tr>
<th>Number</th>
<th>Term</th>
<th>Charter Name</th>
<th>County</th>
<th>Authorizing Entity</th>
<th>Classroom-Based/ Nonclassroom-Based</th>
</tr>
</thead>
<tbody>
<tr>
<td>1848</td>
<td>7/1/2017–6/30/2022</td>
<td>Growth Public Schools</td>
<td>Sacramento</td>
<td>Sacramento City Unified School District</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>1849</td>
<td>8/2017–8/2022</td>
<td>West County Charter Middle School</td>
<td>Sonoma</td>
<td>West Sonoma County Union High School District</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>1850</td>
<td>7/1/2017–6/30/2022</td>
<td>Career Technical Education Charter</td>
<td>Fresno</td>
<td>Fresno County Office of Education</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>1851</td>
<td>7/1/2017–6/30/2022</td>
<td>Wonderful College Prep Academy-Lost Hills</td>
<td>Kern</td>
<td>Kern County Office of Education</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>1852</td>
<td>7/1/2017–6/30/2022</td>
<td>Desert Leaders Charter School</td>
<td>Riverside</td>
<td>Riverside County Office of Education</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>1853</td>
<td>7/1/2017–6/30/2022</td>
<td>Gabriella Charter 2</td>
<td>Los Angeles</td>
<td>Los Angeles Unified School District</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>1854</td>
<td>7/1/2017–6/30/2022</td>
<td>Crete Academy</td>
<td>Los Angeles</td>
<td>Los Angeles Unified School District</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>1855</td>
<td>7/1/2017–6/30/2022</td>
<td>KIPP Corazon Academy</td>
<td>Los Angeles</td>
<td>Los Angeles Unified School District</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>Number</td>
<td>Term</td>
<td>Charter Name</td>
<td>County</td>
<td>Authorizing Entity</td>
<td>Classroom-Based/Nonclassroom-Based</td>
</tr>
<tr>
<td>--------</td>
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<td>--------------</td>
<td>-----------------------------------------</td>
<td>------------------------------------</td>
</tr>
<tr>
<td>1857</td>
<td>6/30/2016–6/30/2021</td>
<td>Celerity Rolas Charter School</td>
<td>Los Angeles</td>
<td>California State Board of Education</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>1858</td>
<td>6/30/2016–6/30/2021</td>
<td>Celerity Himalia Charter School</td>
<td>Los Angeles</td>
<td>California State Board of Education</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>1859</td>
<td>6/30/2016–6/30/2021</td>
<td>Alma Fuerte Public School</td>
<td>Los Angeles</td>
<td>Los Angeles County Office of Education</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>1860</td>
<td>6/30/2016–6/30/2021</td>
<td>Blue Oak Academy</td>
<td>Tulare</td>
<td>Tulare County Office of Education</td>
<td>Classroom-Based</td>
</tr>
</tbody>
</table>
English Language Proficiency Assessments for California: Approve Commencement of a Second 15-Day Public Comment Period for Proposed Amendments to California Code of Regulations, Title 5, Sections 11517.6 through 11519.5.

SUMMARY OF THE ISSUE(S)

In November 2016, the California Department of Education (CDE) presented proposed regulations for the English Language Proficiency Assessments for California (ELPAC) to the State Board of Education (SBE) to approve the commencement of a 15-day public comment period. There were no comments, and the rulemaking package was submitted to the Office of Administrative Law (OAL) for its approval. As part of the approval process, OAL is required by its governing statutes to determine whether the proposed regulations meet standards for necessity and clarity. In making these determinations, OAL reviews the rulemaking package, including the various notices, Statements of Initial and Final Reasons, and text of the proposed regulations. OAL examines the documentation to determine whether the documentation sufficiently states why each provision of the proposed regulations is required and accurately describes the proposed regulations. OAL also determines whether the proposed regulations are readily understandable.

OAL did not approve the proposed ELPAC regulations due to concerns regarding issues related to the necessity and clarity standards. The CDE withdrew the rulemaking package in order to address OAL’s concerns by supplementing its Statement of Reasons, to make a small number of clarifying changes, as well as some technical grammatical and numbering changes, to the text of the proposed regulations. The withdrawal of the rulemaking package allows the SBE to approve the commencement of a second 15-day public comment period.

RECOMMENDATION

The CDE recommends the SBE take the following actions:
• Approve the proposed changes to the proposed regulations

• Direct that the proposed changes be circulated for a second 15-day public comment period in accordance with the Administrative Procedure Act

• If no relevant comments to the proposed changes are received during the second 15-day public comment period, the proposed regulations with changes are deemed adopted, and the CDE is directed to complete the rulemaking package and submit it to the OAL for approval

• If any relevant comments to the proposed changes are received during the second 15-day public comment period, the CDE is directed to place the proposed regulations on the SBE’s May 2017 meeting agenda for action

• Authorize the CDE to take any necessary action to respond to any direction or concern expressed by the OAL during its review of the rulemaking file

BRIEF HISTORY OF KEY ISSUES

California’s existing English language proficiency (ELP) assessment, the California English Language Development Test (CELDT), is aligned with the 1999 English Language Development (ELD) Standards. In November 2012, the SBE adopted new ELD Standards, which initiated a need for the development of a new state test that is aligned with the 2012 ELD Standards to replace the CELDT. During the 2013 Legislative session, Education Code (EC) sections 313 and 60810 were amended, requiring changes to California’s assessment of ELP (Senate Bill [SB] 201, Statutes of 2013, sections 3 and 6). EC Section 60810, subdivisions (d) and (f), requires two separate assessments, one for the initial identification of a pupil as an English learner (EL), and another for the annual summative assessment to measure an EL’s progress in learning English (SB 201, Section 6). EC Section 313, subdivision (d)(2), requires the annual summative assessment window to be a four-month period after January 1 determined by the State Superintendent of Public Instruction (SSPI), with the approval of the SBE (SB 201, Section 3). Per EC Section 60810, subdivision (h), local educational agencies will administer the ELPAC initial assessment and summative assessment only after the SBE adopts the ELPAC assessments and the SSPI reports to the Legislature that the assessments are operationally ready for their first administration (SB 201, Section 6). The proposed ELPAC regulations include definitions, requirements, responsibilities, and guidelines for the administration, test security, and reporting of the ELPAC.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In May 2016, the SBE approved the commencement of the rulemaking process for the ELPAC regulations. At the conclusion of the 45-day public comment period, a public
hearing was held on July 11, 2016. There were no attendees at the public hearing, although written comments were received from three individuals.

In November 2016, the SBE approved the commencement of a 15-day public comment period, which included changes to the proposed regulations based on the public comments, as appropriate. At the conclusion of the comment period, there were no comments. Therefore, the regulations were deemed approved by the SBE.

The CDE subsequently submitted the proposed regulations to the OAL. In its review of the proposed regulations, the OAL was unable to approve the proposed regulations due to its determination that the Initial Statement of Reasons did not meet its standards for necessity and clarity.

As a result of the OAL’s review, the CDE chose to withdraw the rulemaking package from the OAL to exercise the option of making changes to the rulemaking package to address concerns raised by OAL and releasing the proposed regulations for a second 15-day public comment period. The proposed changes to the ELPAC regulations for this second 15-day review are noted in the attached Second 15-day Notice of Modifications, the attached Proposed Regulations, and the Revised Updated Informative Digest. The CDE also has addressed the OAL’s concerns in the attached Supplemental Statement of Reasons.

November 2016: The CDE recommended and the SBE approved the commencement of a 15-day public comment period for the ELPAC regulations. (http://www.cde.ca.gov/be/ag/ag/yr16/agenda201611.asp)

May 2016: The CDE recommended and the SBE approved the commencement of the rulemaking process for the ELPAC regulations. (http://www.cde.ca.gov/be/ag/ag/yr16/documents/may16item01.doc)

January 2016: The CDE submitted an Agenda Item to the SBE for action with the recommendations for approval of the general performance level descriptors for the ELPAC. (http://www.cde.ca.gov/be/ag/ag/yr16/documents/jan16item08.doc)

November 2015: The CDE submitted an Agenda Item to the SBE for action with the recommendations for approval of the proposed task types and test blueprints for the ELPAC. (http://www.cde.ca.gov/be/ag/ag/yr15/documents/nov15item12.doc)

October 2015: The CDE submitted an Information Memorandum to the SBE with an update on the activities for the transition to the ELPAC, including the development of test blueprints. (http://www.cde.ca.gov/be/pn/im/documents/memodsibadad-oct15item01.doc)

June 2015: The SBE was provided with an Information Memorandum by the CDE with an update on the ELPAC including, but not limited to, the award of the contract. (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-avad-jun15item01.doc)
April 2015: The SBE was provided with an Information Memorandum by the CDE with a description of the ELPAC Request for Proposals (RFP) process. (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-adad-apr15item01.doc)

November 2014: The release of the ELPAC RFP was approved by the SBE in accordance with the schedule and process described in the item. (http://www.cde.ca.gov/be/ag/ag/yr14/documents/nov14item05.doc)

FISCAL ANALYSIS (AS APPROPRIATE)

An Economic and Fiscal Impact Statement is provided as Attachment 5.

ATTACHMENT(S)

Attachment 1: Second 15-Day Notice of Modifications (2 Pages)
Attachment 2: Proposed Regulations (23 Pages)
Attachment 3: Supplemental Statement of Reasons (3 Pages)
Attachment 4: Revised Updated Informative Digest (2 Pages)
Attachment 5: Economic and Fiscal Impact Statement (STD. 399) (5 Pages)
March 8, 2017

SECOND 15-DAY NOTICE OF MODIFICATIONS TO TEXT OF PROPOSED REGULATIONS REGARDING PROCEDURES FOR THE ENGLISH LANGUAGE PROFICIENCY ASSESSMENTS FOR CALIFORNIA (ELPAC)

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 July 11, 2016.

Changes to the text:

General changes were made to the regulations to include grammatical edits, and renumbering and/or relettering to reflect deletions or additions. A specific change entailed the renumbering of Sections 11518.45 through 11518.85 to read Sections 11518.40 through 11518.80 for the purpose of correcting a misnumbering in the previous proposed regulations.

Former Section 11518(e) is deleted because Section 11518.20(d)(4) has been revised to clarify the description of evidence of a pupil’s performance in the curriculum to be reviewed as provided in Sections 11518.20(a) and (c). The revised regulation does not include the term “core curriculum.”

Section 11518.20(c) is amended to delete redundant language within the same sentence.

Section 11518.20(d)(4) is amended to provide clearer language regarding the evidence of a pupil’s performance in the local educational agency’s (LEA) curriculum, including the courses described in Education Code Sections 51210 (for pupils in grades 1–6) and 51220 (for pupils in grades 7–12) that must be reviewed as part of the correction of classification errors process provided for in Sections 11518.20(a) and (c).

Section 11518.35(d)(1–3) is amended to clarify the information that an LEA must submit to the California Department of Education (CDE) in order for the CDE to uniformly document requests for an unlisted resource(s) and to provide accurate information for the CDE to determine if the unlisted resource provides test accessibility for a pupil or if the resource would alter the construct of the domain(s). This section is also amended to delete “written” because requests need not be submitted in writing.
Section 11518.50(c)(1) is amended to clarify that anyone within the LEA who signs the security affidavit is agreeing to limit access to only individuals responsible for the administration of the ELPAC.

Section 11518.50(e)(7) is amended to delete “independently or” from the sentence, “I will not review any test questions, passages, or other test items independently or with any pupils . . .” because test examiners will be reviewing the test materials on their own or in groups with other trained examiners to prepare for the test administration.

Section 11518.75(b)(7) is deleted because the test contractor does not need to collect that information.

Section 11518.80(b) is amended to delete redundant language that is provided in subdivision (a).

If you have any comments regarding the proposed changes that are the topic of this second 15-day Notice, the SBE will accept written comments between March 11, 2017, and March 25, 2017, inclusive. All written comments must be submitted to the Regulations Coordinator via facsimile at 916-319-0155, e-mail at regcomments@cde.ca.gov, or mailed and received at the following address by close of business at 5:00 p.m. on March 25, 2017, 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 March 25, 2017, which pertain to the indicated changes will be reviewed and responded to by CDE staff as part of the compilation of the rulemaking file. Written comments received by 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.
Title 5. EDUCATION
Division 1. California Department of Education
Chapter 11. Special Programs
Subchapter 7.6. English Language Proficiency Assessments for California (ELPAC)

§ 11517.6. Operation.
Subchapter 7.6, “English Language Proficiency Assessments for California (ELPAC),” applies to the initial and summative assessments required by Education Code sections 313 and 60810, and which are referred to as the ELPAC. This subchapter shall become operative on the date the Superintendent of Public Instruction reports to the policy committees of the Legislature pursuant to Education Code section 60810(h)(2) that the assessments are ready for administration.


§ 11518. Definitions.
The following definitions apply to the assessments required by Education Code sections 313 and 60810 referred to as the English Language Proficiency Assessments for California (ELPAC):

(a) “Accommodations” means resources documented in a pupil’s individualized education program (IEP) or Section 504 Plan that an eligible pupil regularly uses in the classroom for instruction and/or assessment(s) and that are 1) either utilized in the assessment environment or 2) consist of changes in procedures or materials that increase equitable access during to the assessment. Accommodations may not
fundamentally alter the comparability of test scores.

(b) “Administration” means an eligible pupil's attempt to take any part of the ELPAC initial or summative assessment.

(c) “Alternate assessment” is an alternate means, identified in an eligible pupil's IEP or Section 504 Plan, to measure English language proficiency.

(d) “Annual summative assessment window” begins on February 1 and ends on May 31 of each school year.

(e) “Core curriculum” means a broad course of study, as described in Education Code sections 52060 and 52066, and incorporated by reference to Education Code Section 52060, in Education Code Section 47605, as applicable to the local educational agency (LEA).

(f) “Designated supports” are resources that an eligible pupil regularly uses in the classroom for instruction and/or assessment(s) and that are available for use by any pupil for whom a need has been indicated, prior to assessment administration, by an educator or a team of educators (with parent/guardian and pupil input, as appropriate) or specified in the pupil's IEP or Section 504 Plan.

(g) “Domain” means listening, reading, speaking, or writing, as described in Education Code section 60810.

(h) “ELPAC initial assessment criterion” means a performance-level cut score on the initial assessment that is at or above the State Board of Education (SBE)-approved definition of English language proficient.

(i) “ELPAC trainer” means an employee or contractor of an local educational agency (LEA) or nonpublic school (NPS) responsible for the annual training of ELPAC test examiners.

(j) “Excessive materials” means the difference between the total number of paper tests scored and 90 percent of the paper tests ordered annually by the LEA.

(k) “Grade” means the grade in which a pupil is enrolled at the time of testing, or if enrolled in an ungraded program, the grade to which the LEA assigns the pupil for assessment purposes.
“Initial assessment” means the ELPAC assessment which that is locally scored and is used to determine the English language proficiency of eligible pupils, as specified in section 11518(v)(w)(v) or section 11518.20.

“Initial assessment window” begins on July 1 and ends on June 30 of each school year.

“Initial California enrollment” means the first day on which a pupil is in attendance in a California public school.

“Local educational agency (LEA)” means an elementary, high school, and unified school district, county office of education, any charter school that for assessment purposes does not elect to be part of the school district or county office of education that granted the charter, and any charter school chartered by the SBE.

“LEA ELPAC coordinator” means an employee of an LEA who is designated by the LEA superintendent to oversee the administration of the ELPAC assessments.

“LEA superintendent” for purposes of these regulations includes an administrator of a charter school that is an LEA as defined by subdivision(m)(e).

“Nonpublic schools (NPS)” means nonpublic, nonsectarian schools as described in Education Code section 56034.

“Personally identifiable information” includes a pupil’s name and/or any other direct personal identifiers, and indirect identifiers, such as the pupil’s address and personal characteristics, and other information that makes a pupil’s identity traceable through the use of a single or multiple data source(s), including publicly available information.

“Primary or native language” means the language used by a pupil, as identified in accordance with the survey conducted pursuant to section 11518.5(a).

“Proctor” means an employee or contractor of an LEA or NPS who signs the ELPAC Test Security Affidavit and completes training designed to prepare him or her to assist the test examiner in the administration of the ELPAC.

“Pupil” refers to a student enrolled in a California public school or NPS.

“Pupil eligible for the initial assessment” means: (1) a pupil whose primary or native language is a language other than English as determined by the survey.
conducted pursuant to section 11518.5(a), or who is identified for administration of the initial ELPAC assessment pursuant to section 11518.20(a); (2) who has not previously been classified as an English learner (EL) by a California public school; and (3) who has no record of results from an administration of the California English Language Development Test (CELDT), or the ELPAC initial or summative assessment. 

(w)(x)(w) “Pupil eligible for the summative assessment” means a pupil who is classified as an EL in accordance with these regulations.

(x)(y)(x) “Pupil with a disability” means a pupil who has an IEP in accordance with Education Code section 56345 or a Section 504 Plan in accordance with the provisions of Section 504 of the Rehabilitation Act of 1973 (20 U.S.C. section 794).

(y)(z)(y) “Record of results” includes:

(1) Pupil test results on the initial and/or summative assessment; and
(2) Parent or guardian notification letter of pupil results.

(z)(aa)(z) “Resource” refers to a universal tool, designated support, accommodation, or an unlisted resource approved pursuant to section 11518.35. Resources (including approved unlisted resources) do not change the construct of the assessment.

(aa)(ab)(aa) “Scribe” means an employee or contractor of an LEA or NPS which is responsible to implement a pupil’s IEP, who signs an ELPAC Test Security Affidavit, and completes training to transcribe a pupil’s responses to the format required by the ELPAC assessment(s). A pupil’s parent, guardian, or sibling of a pupil is not eligible to be that pupil’s scribe.

(ab)(ac)(ab) “Site ELPAC coordinator” means an employee of an LEA designated by the LEA, or a person designated by an NPS, to oversee the administration of ELPAC assessments at for each test site.

(ac)(ad)(ac) “Summative assessment” means the annual administration of the ELPAC assessment to identify a pupil’s level of English language proficiency and assess a pupil’s progression in acquiring skills of listening, reading, speaking, and writing.

(ad)(ae)(ad) “Test contractor” means the contractor responsible for the development and administration of the ELPAC pursuant to Education Code section 60810.
(ae)(af)(ae) “Test examiner” means an employee or contractor of an LEA or NPS who signs the ELPAC Test Security Affidavit, who is proficient in English and has complete command of pronunciation, intonation, and fluency, and who certifies that he or she has completed training in administration of the ELPAC.

(af)(ag)(af) “Test materials” include, but are not limited to, administration manuals, administrative materials, test books, practice tests, scratch paper, answer books and test answer documents, answer keys, scoring rubrics, and any of the materials developed and provided by the test contractor.

(ag)(ah)(ag) “Universal tools” means resources available to all pupils who are administered the ELPAC assessments.

(ah)(ai)(ah) "Unlisted resource" means an instructional support that a pupil regularly uses in daily instruction and/or assessment that has not been previously identified as a universal tool, designated support, or accommodation.


Article 2. Administration for Pupils Other than Pupils with a Disability

§ 11518.5. Initial Assessment.

(a) At or before the time of a pupil’s initial California enrollment, an LEA shall conduct, in writing, a parent or guardian survey to identify whether the primary or native language of their pupil is a language other than English.

(b) If a parent or guardian survey response indicates English as the pupil’s primary or native language, the pupil shall be classified English Only (EO).

(c) If a parent or guardian survey response indicates a primary or native language other than English, as identified by the survey described in subdivision (a), and the LEA determines the pupil is eligible for the initial assessment, the LEA shall promptly notify the parent or guardian in writing, prior to the assessment administration of the assessment, that the LEA will administer the ELPAC initial assessment to the pupil in accordance with subdivision (d).

(d) The LEA shall administer the initial assessment, and locally produce the official score for the initial assessment in accordance to with the directions by of
the test contractor, and notify the parent or guardian, in writing, of the results of the ELPAC initial assessment within 20 30 calendar days after the pupil’s date of initial California enrollment, or, if administered prior to the pupil’s initial date of California enrollment, up to 60 calendar days prior to such enrollment, but not before July 1 of the school year of the pupil’s initial enrollment. (e) The LEA shall notify the parent or guardian, in writing, of the results within ten calendar days of the completion of its scoring of the initial assessment, including whether or not the pupil met the ELPAC initial assessment criterion for proficiency. The notice shall include whether or not the pupil met the ELPAC initial assessment criterion for proficiency and the LEA’s contact information for use if the pupil’s parent or guardian has questions or concerns regarding the pupil’s classification.

(f) If the pupil does not meet the ELPAC initial assessment criterion for proficiency, the LEA shall classify the pupil as an EL.

(g) If the pupil meets the ELPAC initial assessment criterion for proficiency, the LEA shall classify the pupil as Initial Fluent English Proficient (IFEP).

(h) A pupil shall be administered the initial assessment only once over the course of the pupil’s enrollment in the California public school system, as verified by the LEA through a review of the California Longitudinal Pupil Achievement Data System (CALPADS) data prior to administering the initial assessment to a pupil.


§ 11518.10. Notice.

All notices referenced in these regulations that are required to be sent from an LEA to a pupil’s parent or guardian shall comply with the translation requirements of Education Code section 48985, as applicable.


§ 11518.15. Summative Assessment.
(a) An LEA shall administer the ELPAC summative assessment to all eligible pupils during the annual summative assessment window.

(b) The LEA shall notify each pupil's parent or guardian of the pupil's test contractor-scored summative assessment results within 30 calendar days following receipt of the test results from the test contractor.


§ 11518.20. Correction of Classification Errors.

(a) If a pupil is classified as EO pursuant to section 11518.5(b), but the LEA has an indication that the pupil's primary or native language is not English and the pupil is unable to perform ordinary classroom work in English, the LEA may collect and review evidence as described in subdivisions (d)(3) and (d)(4). Based upon its initial review, the LEA shall determine whether the pupil shall be administered the initial assessment in order to determine the pupil’s classification. At least 10 calendar days prior to administration of the initial assessment, the LEA shall notify the pupil’s parent or guardian in writing, as described in section 11518.5(c), that the pupil will be assessed. If the LEA administers the initial assessment and if the pupil does not meet the ELPAC initial assessment criterion for proficiency, the LEA shall classify the pupil as an EL. The LEA shall notify the pupil’s parent or guardian in writing of the results of its review, including the evidence that led to the determination and the results of the initial assessment, as applicable, within 14 calendar days of its determination. The pupil’s parent or guardian shall be entitled to request that the LEA review its determination following the procedure described in subdivision (c).

(b) If an LEA administers an initial or summative assessment to a pupil who is not eligible for the assessment as set forth in section 11518(v)(w)(v) or (w)(x)(w), the pupil’s classification shall remain unchanged, regardless of the assessment results, and the LEA shall not maintain any such results as a pupil record of any such assessment administered in error, including in CALPADS.

(c) Following the administration of the initial assessment to a pupil, but before the
administration of the summative assessment to that pupil, upon request from the pupil’s parent or guardian or a certificated employee of the LEA, an LEA shall collect and review evidence, as described in subdivision (d), about the pupil’s English language proficiency. Based upon its review of the evidence, the LEA shall determine whether the pupil’s classification should remain unchanged or be changed, consistent with the results of that review. The LEA shall notify the pupil’s parent or guardian in writing of the results of the review within 14 calendar days of its determination. This review shall occur only once over the course of the pupil’s enrollment in the California public school system.

(d) Evidence about the English language proficiency of a pupil for purposes of subdivision (c) shall include:

(1) The results of the survey administered pursuant to section 11518.5(a);
(2) The results of the assessment of the pupil’s proficiency in English, using an objective assessment instrument, including, but not limited to, the initial assessment;
(3) Parent or guardian opinion and consultation results; and
(4) Evidence of the pupil’s performance in the LEA’s adopted course of study, including courses as described in Education Code sections 51210 (for pupils in grades 1 to 6) and 51220 (for pupils in grades 7 to 12) core curriculum and English language development, as applicable, obtained from the pupil’s classroom teacher and other certificated staff with direct responsibility for teacher or placement decisions.

(e) During the time evidence is being collected and reviewed, the pupil shall retain his or her original classification.


Article 3. Administration, Pupils with Disabilities.

§ 11518.25. Pupils with Disabilities.

(a) Except as otherwise provided in this Article, all provisions of Article 2 shall apply to pupils with disabilities.

(b) When administering an initial or summative assessment to a pupil with a
disability, the LEA shall provide the accommodations specified in section 11518.35 in accordance with the pupil’s IEP or Section 504 Plan.


§ 11518.30. Local Alternate English Language Proficiency Assessments.

A pupil with a disability who is unable to participate in the initial or summative assessment, or a section of either test with resources, shall be locally administered an alternate assessment(s) for English language proficiency, as specified in the pupil’s IEP or Section 504 Plan.


Article 4. ELPAC Resources

§ 11518.35. Use of Universal Tools, Designated Supports, and Accommodations.

(a) An LEA may provide all pupils with one or more of the following universal tools on the ELPAC for any of the domains of listening, reading, speaking, and writing:

(1) Breaks, including testing over more than one day, between the test contractor-identified test sections;
(2) Scratch paper;
(3) Oral clarification of test directions by the test examiner in English;
(4) Sufficient time to complete the test.

(b) An LEA shall permit eligible pupils one or more of the following designated supports on the ELPAC for the domains of listening, reading, speaking, and writing, only as described below, if specified in the pupil’s IEP or Section 504 Plan, or for which need is indicated as described in section 11518(e)(f)(e):

(1) Color overlay;
(2) Covered overlay, masks, or other means to maintain visual attention to the test consistent with the test contractor’s test directions;
(3) Magnification;
(4) Audio or oral presentation of test directions in English;
(5) Adjustments to setting, including most beneficial time of day, special lighting or acoustics, special or adaptive furniture, audio amplification equipment; and testing the pupil in a separate room provided that the pupil is directly supervised by an employee of the school district or nonpublic school who has signed the ELPAC Test Security Affidavit;
(6) Noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
(7) Manually Coded English or American Sign Language (ASL) to present test directions for administration (does not apply to test questions).
(c) An LEA shall permit eligible pupils with a disability to take the ELPAC for the domains of listening, reading, speaking, and writing, only as described below, with the following accommodations described below if specified in the pupil’s IEP or Section 504 Plan:
(1) Braille test materials provided by the test contractor;
(2) Audio or oral presentation of test questions for the writing section in English;
(3) For test questions which assess the domains of listening, reading, speaking, and writing, transfer of pupil responses marked in the test booklet to the answer document by a scribe who has signed an ELPAC Test Security Affidavit;
(4) Responses dictated to a scribe for selected response items, including multiple-choice items;
(5) For test questions which assess the domain of writing, dictation by the pupil of responses, including all spelling and language conventions, to a scribe, audio recorder, or speech-to-text converter;
(6) For test questions which assess the domain of writing, use of word processing software with the spell and grammar check tools turned off;
(7) For test questions which assess the domain of writing, presentation of test questions using Manually Coded English or ASL;
(8) Large print versions reformatted from regular print version;
(9) Test questions enlarged through electronic means;
(10) Supervised breaks within a section of the test;
(11) For test questions which assess the domain of writing, use of an assistive device that does not interfere with the independent work of the pupil;
(12) Testing at home or in the hospital by a test examiner.
(d) An LEA may submit a written request to the California Department of Education (CDE) on behalf of a pupil with a disability, prior to administering an initial or summative assessment, to obtain approval to use an unlisted resource. Requests must include:
(1) LEA name and school name;
(2) LEA ELPAC coordinator name, phone number, and e-mail address; and
(3) A description of the unlisted resource being requested for an ELPAC domain.

Article 5. LEA Responsibilities
§ 11518.4540. LEA ELPAC Coordinator.
(a) No later than April 1 of each year, each LEA superintendent shall designate an LEA ELPAC coordinator for the following school year. An LEA superintendent shall notify the test contractor of the identity and contact information for the LEA ELPAC coordinator. The LEA ELPAC coordinator shall be available throughout the school year and shall serve as the LEA representative and the liaison between the LEA and the CDE and the LEA and test contractor for all matters related to the ELPAC. Should the LEA ELPAC coordinator be unavailable for any matter related to the ELPAC, the LEA superintendent or his or her designee shall serve in the place of the LEA ELPAC coordinator.
(b) The LEA ELPAC coordinator shall complete all duties in accordance with instructions from the test contractor. The LEA ELPAC coordinator’s responsibilities include, but are not limited to:
(1) Determining LEA and individual school test material needs in conjunction with the test contractor.
(2) Ordering materials only for those test examiners who certify they are trained to administer the ELPAC.

(3) Ensuring delivery, acquisition, and distribution of test materials to individual schools and sites.

(4) Maintaining security over the test materials and personally identifiable information using the procedure set forth in section 11518. The LEA ELPAC coordinator shall sign the ELPAC Test Security Agreement and the ELPAC Test Security Affidavit, as set forth in section 11518, and annually submit a copy of both to the test contractor prior to receipt of test materials. The LEA shall retain all ELPAC Test Security Agreements and ELPAC Test Security Affidavits from each school site at the LEA office for no less than 12 months from the date the materials were signed.

(5) Conducting an inventory of test materials immediately upon receipt from the test contractor.

(6) Following completion of the inventory, ensuring that the test materials are retained in a secure, locked location, in the secure boxes in which they were received from the test contractor, until the time they are delivered to the test sites.

(7) Training site ELPAC coordinators annually to oversee test administration and security at each test site.

(8) Ensuring that all ELPAC test examiners and all other personnel involved in the direct administration and scoring of the initial and summative assessments are trained annually, in accordance with instructions from the test contractor.

(9) Assisting the test contractor with the resolution of any discrepancies in pupil test information and/or test materials including, but not limited to, pre-identification files and all errors or discrepancies in pupil-level data files, required to comply with section 11518.5045.

(10) Overseeing the collection of all pupil demographic data in accordance with section 11518.8075.

(11) Responding to correspondence and inquiries from the test contractor and the CDE in a timely manner.

(12) Overseeing the administration of the ELPAC to eligible pupils.
(13) Immediately notifying the test contractor of any security breaches or testing irregularities that occur in the LEA before, during, or after the administration of the ELPAC in accordance with instructions from the test contractor.

(14) Ensuring all test materials are received from school test sites in sufficient time to satisfy the requirements of subdivision (b)(16).

(15) Ensuring all test materials received from school test sites have been placed in a secure location upon receipt of those test materials.

(16) Ensuring all test materials to be scored by the test contractor are inventoried, packaged, and labeled in accordance with instructions from the test contractor. Scorable test materials for both the initial and summative assessment shall be returned to the test contractor at the date at the time and in the manner specified monthly by the test contractor, but no later than ten working days after the close of the initial or annual summative assessment windows.

(17) Overseeing the collection and return, or collection and secure destruction, of all test materials that do not require scoring by the test contractor, in accordance with the directions of and time periods specified by the test contractor. Test materials that were administered to pupils who are not eligible for the assessment as set forth in section 11518(w)(v) or (x)(w) shall also be securely destroyed.

(18) Upon receiving summary reports and files from the test contractor, reviewing the files and reports for completeness and accuracy and notifying the test contractor and the CDE of any errors, discrepancies, or incomplete information as directed by the test contractor.


§ 11518.5045. Site ELPAC Coordinator.
(a) Annually, each LEA superintendent, or his or her designee, and NPS shall designate a site ELPAC coordinator for each test site. The site ELPAC coordinator, or the site principal or his or her designee, shall be available to the LEA ELPAC coordinator for the purpose of resolving any discrepancies, inconsistencies in test
materials or reports, and/or other issues that arise as a result of the annual
administration of the ELPAC at the site.

(b) The site ELPAC coordinator shall complete all duties in accordance with
instructions from the test contractor. The site ELPAC coordinator’s responsibilities
include, but are not limited to, all of the following:

1. Determining site test material needs and communicating the site needs to the
LEA ELPAC coordinator.
2. Arranging for test administration at the site.
3. Annually completing the ELPAC Test Security Agreement and ELPAC Test
Security Affidavit prior to the receipt of test materials.
4. Providing test materials only to those persons who have been trained to
administer the ELPAC, have executed ELPAC Test Security Affidavits, and who are
administering the ELPAC.
5. Overseeing test security requirements, including the collection and delivery of all
completed ELPAC Test Security Affidavit forms to the LEA office from the test
examiners and other site personnel involved with testing.
6. Submitting signed ELPAC Test Security Affidavits to the LEA ELPAC
coordinator to be retained for no less than 12 months from the date the materials were
signed.
7. Maintaining security over the test materials and test data as required by section
11518.5550.
8. Overseeing the acquisition of test materials from the LEA ELPAC coordinator
and the distribution of test materials to the test examiner(s) on the date of testing in
accordance with instructions from the test contractor.
9. Overseeing the administration of the ELPAC to eligible pupils at the test site.
10. Immediately notifying the LEA ELPAC coordinator of any security breaches or
testing irregularities that occur before, during, or after the administration of the ELPAC
that violate the terms of the ELPAC Test Security Affidavit in section 11518.5550, in
accordance with instructions from the test contractor.
11. Collecting and returning all testing materials to the LEA ELPAC coordinator
after testing has concluded, in accordance with instructions from the test contractor.
(12) Assisting the LEA ELPAC coordinator and the test contractor in the resolution of any discrepancies between the numbers of tests received from the LEA ELPAC coordinator and the number of tests collected and returned to the LEA ELPAC coordinator after testing has concluded.

(13) Overseeing the collection and accuracy of all pupil demographic data required by section 11518.8075.


§ 11518.550. ELPAC Test Security Agreement and ELPAC Test Security Affidavit.

(a) Access to the test materials is limited to eligible pupils being administered the ELPAC and individuals directly responsible for administration of an ELPAC test who have signed the ELPAC Test Security Agreement and ELPAC Test Security Affidavit, as applicable.

(b) All LEA ELPAC coordinators and site ELPAC coordinators shall annually sign the ELPAC Test Security Agreement set forth in subdivision (c) before receiving any ELPAC test materials.

(c) The ELPAC Test Security Agreement shall be as follows:

ELPAC TEST SECURITY AGREEMENT

I acknowledge by my signature on this form that the English Language Proficiency Assessments for California (ELPAC) initial and summative assessments pursuant to Education Code section 60810 are secure tests and agree to each of the following conditions to ensure test security:

(1) I will take all necessary precautions to safeguard the security of the test and all test materials, including by limiting access to only persons within those individuals in the local educational agency (LEA) who are responsible for the administration of the ELPAC, and have professional interest in, the tests' security.

(2) I shall have all persons who have access to the test(s) and test materials for the purpose of administration read and sign the ELPAC Test Security Affidavit.
(3) Except during the administration of the tests, I will keep the test materials in a securely locked room which can be accessed only with a key or key card and, when possible, in a locked storage cabinet within that room.

(4) As a site ELPAC coordinator, I will collect and return all test materials to the LEA ELPAC coordinator.

(5) As an LEA ELPAC coordinator, I will securely destroy all test materials that do not require scoring by the test contractor, in accordance with the directions of and time periods specified by the test contractor.

(6) I will deliver test materials only to those persons who have executed ELPAC Test Security Affidavits.

By signing my name to this document, I am assuring that I have completely read and will abide by the above conditions.

Signed: ______________________________

Print Name: ______________________________

Title: ______________________________

LEA: ______________________________

Date: ______________________________

(d) Test examiners, proctors, scribes, LEA ELPAC coordinators, site ELPAC coordinators, ELPAC trainers, and any person having access for the purpose of administering the test(s) shall sign the ELPAC Test Security Affidavit set forth in subdivision (e) before receiving any test materials.

(e) The ELPAC Test Security Affidavit shall be as follows:

ELPAC TEST SECURITY AFFIDAVIT

I acknowledge that I will have access to one or more of the English Language Proficiency Assessments for California (ELPAC) initial and summative assessments pursuant to Education Code section 60810, for the purpose of administering the test(s) to eligible pupils. I understand that these materials are highly secure and may be under copyright restrictions, and it is my responsibility to protect their security as follows:

(1) I will not divulge the contents of the test materials to any other person through verbal, written, or any other means of communication. This includes, but is not limited to, sharing or posting test content via the Internet or by e-mail without the expressed
prior written permission of the California Department of Education (CDE) and test contractor.

(2) I will not copy or take a photo of any part of the test materials. This includes, but is not limited to, photocopying (including enlarging) and recording without the expressed prior written permission from the CDE and test contractor.

(3) I will keep all test materials secure prior to and following the distribution of the test(s).

(4) I will permit eligible pupils access to test materials only during testing periods. I will permit only eligible pupils who are testing, and individuals participating in the test administration who have signed an ELPAC Test Security Affidavit, to be in the room when and where the ELPAC assessments are being administered.

(5) I will not allow any pupils to use any electronic devices that allow them to access outside information, communicate with any other pupils, or photograph or copy test content. This includes, but is not limited to, cell phones, personal digital assistants, tablets, laptops, cameras, and electronic translation devices.

(6) When acting as a test examiner, I will: (a) collect and account for all test materials following each testing session; (b) not permit any pupils to remove any test materials by any means from the room(s) where testing takes place; and (c) count all test books and answer documents before allowing any pupil to leave the testing room.

(7) I will not review any test questions, passages, or other test items independently or with any pupils or any other person at any time, including before, during, or following testing. I understand that this includes any discussion between local educational agency (LEA) staff for training or professional development, whether it be in a one-on-one or in a staff meeting setting.

(8) I will not, for any test, develop scoring keys, review any pupil responses, or prepare answer documents. I understand that this includes coaching pupils or providing any other type of assistance to any pupils that may affect their responses. This includes, but is not limited to, both verbal cues (e.g., voice inflection, interpreting, explaining, or paraphrasing the test items or prompts) and nonverbal cues (e.g., pointing or nodding head) to the correct answer (anything that may indicate correct or incorrect answers), or completing or changing any pupils’ answers.
(9) I will return all test materials to the designated site ELPAC coordinator in accordance with his or her instructions.

(10) When acting as a test examiner or proctor, I will actively supervise all pupils throughout the testing session to ensure that they are working on the correct test section or part, marking their answers in the correct section of their answer documents, following instructions, and are accessing only authorized materials (non-embedded universal tools, designated supports, or accommodations) for the test being administered.

(11) I will administer the ELPAC in accordance with the directions for test administration and test administration manuals prepared by the test contractor, or any additional guidance provided by the test contractor. I understand that the unauthorized copying, sharing, or reusing of any test books (test books may be appropriately reused in accordance with the test contractor’s terms and conditions), test question, or answer document by any means is prohibited. This includes, but is not limited to, photocopying, recording, e-mailing, messaging (instant, text, or multimedia messaging service, or digital application), using a camera/camera phone, and/or sharing or posting test content via the Internet without the expressed prior written permission from the CDE and test contractor.

(12) I have been trained to carry out my responsibilities in the administration of the ELPAC.

By signing my name to this document, I assure that I have completely read this affidavit and will abide by the above requirements and have received all training necessary for the administration of the ELPAC.

Signed: ________________________________
Print Name: ________________________________
Position: ________________________________
School: ________________________________
LEA: ________________________________
Date: ________________________________

(f) To maintain the security of the ELPAC, all LEA ELPAC coordinators and site ELPAC coordinators shall immediately, within 24 hours, notify the test contractor of any
security breaches or testing irregularities occurring before, during, and/or after any ELPAC test administration(s).


§ 11518.6955. Security and Transportation of Test Materials Delivered to LEA.

(a) The security of the test materials that have been duly delivered to the LEA by the test contractor is the sole responsibility of the LEA until all test materials have been inventoried, accounted for, and delivered to the common or private carrier designated by the test contractor.

(b) Secure transportation within an LEA is the responsibility of the LEA once materials have been duly delivered to the LEA by the test contractor.


§ 11518.6560. LEA Compliance with Test Contractor Requirements.

(a) In order for the state to meet its obligations in the development, administration, and security of valid and reliable tests, and the reporting of accurate test results, LEAs shall:

(1) Administer the initial and summative assessment in accordance with the test contractor’s directions; and

(2) Abide by any and all instructions provided by the test contractor, including instructions for scoring the initial assessment, whether written or oral, that are presented during an annual training or provided for in the administration of the ELPAC.


§ 11518.7065. Test Examiner Training.
Each LEA shall ensure all its test examiners, ELPAC trainers, and all other personnel involved in the direct administration and scoring of the initial and summative assessments participate in annual training, including training on ELPAC resources as described in section 11518.35, provided by the test contractor for the administration of the ELPAC.


§ 11518.7570. Excessive Material Orders.

(a) For both the initial and summative assessments, each LEA is responsible for the cost of excessive materials ordered annually by the LEA.

(1) In no event shall the cost to the LEA for excessive materials exceed the amount per test booklet and accompanying material that is paid to the test contractor by the CDE as part of the contract with the test contractor for the applicable year.

(b) An LEA shall not be responsible for the cost of test materials lost through no fault of the LEA.

(c) An LEA shall reimburse the test contractor within 60 calendar days of the LEA’s receipt of the test contractor’s notice of excessive materials charges.


(a) In order to assess all eligible pupils pursuant to Education Code section 60810 and meet state and federal accountability and reporting obligations, each LEA shall provide any and all program and demographic pupil data requested by the CDE for inclusion in CALPADS.

(b) In addition to the demographic and program data required to be reported in subdivision (a) above, each LEA shall report to the test contractor the following information, as applicable:
(1) Pupil’s full name;
(2) Pupil’s date of birth;
(3) County-District-School code;
(4) Date testing completed;
(5) Pupil’s grade level at time of test administration;
(6) Pupil’s gender;
(7) Pupil’s program participation;
(7)(8) Pupil’s most recent prior CELDT or ELPAC scale scores;
(8)(9) Pupil’s grade level from the most recent prior CELDT or ELPAC administration;
(9)(10) Pupil’s use of accommodation(s);
(10)(11) Pupil’s use of alternate assessment(s); and
(11)(12) Pupil’s Statewide Student Identifier.


§ 11518.8580. LEA Record of Results.
(a) An LEA shall maintain a record of each eligible pupil’s most recent participation in an administration of the ELPAC. This record shall include the following information for each eligible pupil:
(1) ELPAC administered (specify initial or summative);
(2) Pupil’s name;
(3) Pupil’s grade;
(4) Date on which the administration of the ELPAC test was completed; and
(5) ELPAC test results.
(b) If a pupil transfers from one LEA to another, the pupil’s record of results, as well as the information specified in subdivision (a), shall be transferred by the sending LEA within 10 calendar days from the date of a request from the receiving LEA where the pupil subsequently enrolls.

60810 and 60812, Education Code; and 20 U.S.C. Sections 1412, 6311, 6312, 6821, 6823, 6825, 6826, 6841 and 6843.

Article 6. Apportionment

§ 11519. Apportionment to the LEA.

The amount of funding to be apportioned to an LEA for the costs of administering the ELPAC shall be the amount(s) established by the SBE pursuant to Education Code section 60810 to enable each LEA to meet the requirements of ELPAC administration to pupils in kindergarten through grade twelve, inclusive, in the LEA, and shall be determined by multiplying the amount per administration established by the SBE by the number of initial and summative assessments administered to eligible pupils in the LEA during the previous school year as set forth in the apportionment information report certified by the LEA superintendent pursuant to section 11519.5.


§ 11519.5. Apportionment Information Report.

(a) Annually, the CDE shall make available to each LEA an apportionment information report which shall include the following information provided to the test contractor for those tests administered during the previous fiscal year (July 1 through June 30):

(1) Initial assessment: The number of eligible pupils assessed on the ELPAC initial assessment within the initial assessment window as indicated by the number of answer documents submitted to and scored by the test contractor for each administration.

(2) Summative assessment: The number of eligible pupils assessed on the ELPAC summative assessment within the annual summative assessment window as indicated by the number of answer documents submitted to and scored by the test contractor for each administration.

(b) The CDE shall distribute the apportionment information reports to LEAs no later than December 1 annually.
(c) To be eligible for an apportionment payment for the ELPAC, LEAs shall annually meet the following conditions:

(1) The LEA shall have returned to the contractor and/or locally destroyed in a secure manner all secure test materials, and

(2) The LEA superintendent shall have certified the accuracy of the apportionment information report for the administration of the initial and summative assessments during the prior fiscal year (July 1 through June 30), which is either:

(A) Postmarked or transmitted electronically in a manner prescribed by the test contractor and/or the CDE by March 1 of the subsequent fiscal year, or

(B) If postmarked or transmitted in any manner after March 1 of the subsequent fiscal year, the apportionment information report shall be accompanied by a waiver request as provided by Education Code section 33050.

SUPPLEMENTAL STATEMENT OF REASONS
English Language Proficiency Assessments for California (ELPAC)

The State Board of Education (SBE) withdrew the prior regulations on January 17, 2017 due to issues raised by the Office of Administrative Law (OAL). This Supplemental Statement of Reasons is intended to address those issues, as well as changes to sections of the proposed regulations as described below.

General changes were made to the regulations to include grammatical edits, and renumbering and/or relettering to reflect deletions or additions. A specific change entailed the renumbering of sections 11518.45 through 11518.85 to read sections 11518.40 through 11518.80 for the purpose of correcting a misnumbering in the previous proposed regulations.

Section 11517.6 will be satisfied when the State Superintendent of Public Instruction (SSPI) reports to policy committees of the Legislature pursuant to Education Code (EC) Section 60810(h)(2) are ready for administration. It is anticipated that the SSPI will give the required notice in January 2018.

Sections 11518(a), proposed (e), (z), (ag) defines accommodations, designated supports, resources, and universal tools which is similar to the language used in the California Assessment of Student Performance and Progress (CAASPP) assessment system [EC Section 850]. This language brings uniformity and consistency to the language and accessibility on California assessments.

Former Section 11518(e) is deleted because Section 11518.20(d)(4) has been revised to clarify the description of evidence of a pupil’s performance in the curriculum to be reviewed as provided in Sections 11518.20(a) and (c). The revised regulation does not include the term “core curriculum.”

Section 11518(i) defines the term “excessive materials” which is necessary to know when calculating costs that local educational agencies (LEAs) are responsible to pay pursuant to Section 11518.70. The language is currently in the existing regulations governing the California English Language Development Test (CELDT) [5 CCR 11510(i)], and is used by the California Department of Education (CDE) to calculate charges to LEAs that order excess materials. The definition in these proposed ELPAC regulations is familiar to LEAs for calculating excessive materials.

Section 11518.5(d) describes the timeframe for the administration of the Initial Assessment (IA) and the notice of results. The IA may be administered prior to a pupil’s first day of attendance in a California public school [Section 11518(m)] but not earlier than July 1 in the school year of enrollment. July 1 is the first day of the school year.
In the NOTE section for sections 11518.5 and 11518.20, Public Law No. 114-95, Section 8002 has been deleted because references to Public Law No. 114-75 are replaced by the applicable codified references in the U.S.C.

Section 11518.20 provides procedures for reviewing a pupil’s classification that occurs pursuant to the parent or guardian survey conducted according to 11515.5 or based on the results of the IA. This review may be initiated by request of a parent, guardian or by the LEA, as specified, prior to administration of the Summative Assessment. The evidence to be reviewed as part of the process includes assessment results, parent and guardian consultation, as well as information regarding the pupil’s performance in the English language development and the LEA’s curriculum. The purpose of including review of such evidence is to provide a thorough basis for determining whether the pupil’s classification should be changed or remain the same. This process and required evidence provides a consistent, familiar, and standardized procedure to review student performance and progress for making appropriate placement decisions across all LEAs statewide.

Section 11518.20(a), (c) provides a reasonable amount of time for the LEA to notify parents of the testing and send the results, and a timely manner for the parent and student to receive results. This would not cause a delay or lapse in time for the parent or LEA to pursue the correction process.

Section 11518.20(c) is also amended to delete redundant language within the same sentence.

Section 11518.20(d) provides an alignment between the EC criteria used to reclassify a student and the ELPAC criteria for correcting the classification of a pupil in these regulations. This provides a consistent, familiar, and standardized procedure to review student performance and progress for making appropriate placement decisions across all LEAs statewide.

Section 11518.20(d)(4) is amended to provide clearer language regarding the evidence of a pupil’s performance in the LEA’s curriculum, including the courses described in EC Sections 51210 (for pupils in grades 1–6) and 51220 (for pupils in grades 7–12) that must be reviewed as part of the correction of classification errors process provided for in Sections 11518.20(a) and (c).

Section 11518.35(d)(1–3) is added for the CDE to uniformly document requests for an unlisted resource(s) by an LEA, and to provide accurate information for the CDE to determine if the unlisted resource provides test accessibility for a pupil or if the resource would alter the construct of the domain(s).
Section 11518.50(c)(1) is amended to clarify that anyone within the LEA who signs the security affidavit is agreeing to limit access to only individuals responsible for the administration of the ELPAC.

Section 11518.50(e)(7) is amended to delete “independently or” from the sentence, “I will not review any test questions, passages, or other test items independently or with any pupils . . .” because test examiners will be reviewing the test materials on their own or in groups with other trained examiners to prepare for the test administration.

Section 11518.55(a) is added to inform the LEA of its responsibility for the security of ELPAC test materials from the time the LEA receives said materials from the test contractor until the LEA ships the materials back to the test contractor. Test security is required as part of the necessity for the ELPAC to be valid, fair, and reliable; there can be no public access to the test.

Sections 11518.70(a) and (a)(1) are added to inform each LEA of its responsibility for the cost of excessive materials ordered annually by the LEA, and to inform the LEA that excessive materials costs shall not exceed the amount per test booklet or accompanying material that is paid to the contractor by the CDE. This is necessary to prevent the contractor from absorbing costs that were not approved in the scope of work in the contract with the CDE.

Section 11518.70(b) is included to not hold liable an LEA whose shipment may be lost in transit through a secured delivery service. An LEA who has followed the ELPAC regulations and is using a secured delivery service should not be at fault for materials lost by said service.

Section 11518.75 (b) erroneously included the term “the department” on the Initial Statement of Reasons (ISOR). The ISOR should have said “test contractor.”

Section 11518.75(b)(7) is deleted because the test contractor does not need to collect that information.

Section 11518.80(b) is amended to delete redundant language that is provided in subdivision (a).

2-8-17 [California Department of Education]
REVISED UPDATED INFORMATIVE DIGEST
Procedures for Reviewing Proposed Revisions to English Language Proficiency Assessments for California (ELPAC) Proposed Regulations

After the 45-day comment period for the Proposed Regulations, several modifications were made to the originally proposed text. Notice was provided for a subsequent 15-day comment period (November 5–November 21, 2016) regarding these changes. At the conclusion of the comment period, there were no comments. Therefore, the regulations were deemed approved by the State Board of Education.

The California Department of Education (CDE) subsequently submitted the proposed regulations to the Office of Administrative Law (OAL). The OAL was unable to approve the proposed regulations due to its determination that the rulemaking package did not sufficiently address its standards for necessity and clarity.

As a result of OAL’s review, the CDE chose to withdraw the rulemaking package from OAL to exercise the option of releasing the proposed regulations for a second 15-day public comment period.

Notice will be provided for a subsequent second 15-day comment period (March 11–15, 2017) on the changes to the proposed regulations. The net effect of those changes is described below:

- **Former Section 11518(e)** is deleted because Section 11518.20(d)(4) has been revised to clarify the description of evidence of a pupil’s performance in the curriculum to be reviewed as provided in Sections 11518.20(a) and (c). The revised regulation does not include the term “core curriculum.”

- **Section 11518.20(c)** is amended to delete redundant language within the same sentence.

- **Section 11518.20(d)(4)** is amended to provide clearer language regarding the evidence of a pupil’s performance in the local educational agency’s (LEA) curriculum, including the courses described in *Education Code* Sections 51210 (for pupils in grades 1–6) and 51220 (for pupils in grades 7–12) that must be reviewed as part of the correction of classification errors process provided for in Sections 11518.20(a) and (c).

- **Section 11518.35(d)(1–3)** is amended to clarify the information that an LEA must submit to the CDE in order for the CDE to uniformly document requests for an unlisted resource(s) and to provide accurate information for the CDE to determine if the unlisted resource provides test accessibility for a pupil or if the resource would alter the construct of the domain(s). This section is also amended to delete “written” because requests need not be submitted in writing.
• **Section 11518.50(c)(1)** is amended to clarify that anyone within the LEA who signs the security affidavit is agreeing to limit access to only individuals responsible for the administration of the ELPAC.

• **Section 11518.50(e)(7)** is amended to delete “independently or” from the sentence, “I will not review any test questions, passages, or other test items independently or with any pupils . . .” because test examiners will be reviewing the test materials on their own or in groups with other trained examiners to prepare for the test administration.

• **Section 11518.75(b)(7)** is deleted because the test contractor does not need to collect that information.

• **Section 11518.80(b)** is amended to delete redundant language that is provided in subdivision (a).
This is the official scanned version of Item 20 Attachment 5 from the California State Board of Education (SBE) Meeting Agenda for March 2017 posted at http://www.cde.ca.gov/be/ag/ag/yr17/agenda201703.asp

An accessible version of the contents of this document is located at http://www.cde.ca.gov/be/ag/ag/yr17/mar17item20a5aav.asp

The scanned document starts following this initial page.
**ECONOMIC IMPACT STATEMENT**

<table>
<thead>
<tr>
<th>DEPARTMENT NAME</th>
<th>CONTACT PERSON</th>
<th>EMAIL ADDRESS</th>
<th>TELEPHONE NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education</td>
<td>Linda Hakala</td>
<td><a href="mailto:lhakala@cdce.ca.gov">lhakala@cdce.ca.gov</a></td>
<td>319-0658</td>
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</tbody>
</table>

**DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400**

English Language Proficiency Assessments for California (ELPAC) (dated 10-19-16)

**NOTICE FILE NUMBER**

Z

**A. ESTIMATED PRIVATE SECTOR COST IMPACTS**

Include calculations and assumptions in the rulemaking record.

1. Check the appropriate box(es) below to indicate whether this regulation:
   - [ ] a. Impacts business and/or employees
   - [ ] b. Impacts small businesses
   - [ ] c. Impacts jobs or occupations
   - [ ] d. Impacts California competitiveness
   - [ ] e. Imposes reporting requirements
   - [ ] f. Imposes prescriptive instead of performance
   - [ ] g. Impacts individuals
   - [X] h. None of the above (Explain below):

   The regulations clarify statute and would not impose additional private sector costs.

   *If any box in Items 1a through g is checked, complete this Economic Impact Statement.
   If box in Item 1h. is checked, complete the Fiscal Impact Statement as appropriate.*

2. The [Agency/Department] estimates that the economic impact of this regulation (which includes the fiscal impact) is:
   - [ ] Below $10 million
   - [ ] Between $10 and $25 million
   - [ ] Between $25 and $50 million
   - [ ] Over $50 million [If the economic impact is over $50 million, agencies are required to submit a Standardized Regulatory Impact Assessment as specified in Government Code Section 11346.3(c)]

3. Enter the total number of businesses impacted:

   Describe the types of businesses (Include nonprofits):

   Enter the number or percentage of total businesses impacted that are small businesses:

4. Enter the number of businesses that will be created: eliminating

   Explain:

5. Indicate the geographic extent of impacts:
   - [ ] Statewide
   - [ ] Local or regional (List areas):

6. Enter the number of jobs created: and eliminated:

   Describe the types of jobs or occupations impacted:

7. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here?  
   - [ ] YES  
   - [ ] NO

   If YES, explain briefly:

---

2/23/2017 11:36 AM
ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)

B. ESTIMATED COSTS Include calculations and assumptions in the rulemaking record.

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? $ ______________________
   a. Initial costs for a small business: $ ______________________ Annual ongoing costs: $ ______________________ Years: __________
   b. Initial costs for a typical business: $ ______________________ Annual ongoing costs: $ ______________________ Years: __________
   c. Initial costs for an individual: $ ______________________ Annual ongoing costs: $ ______________________ Years: __________
   d. Describe other economic costs that may occur: ____________________________________________________________

2. If multiple industries are impacted, enter the share of total costs for each industry: ______________________

3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted. $ ______________________

4. Will this regulation directly impact housing costs? ☐ YES ☐ NO
   If YES, enter the annual dollar cost per housing unit: $ ______________________
   Number of units: ______________________

5. Are there comparable Federal regulations? ☐ YES ☐ NO
   Explain the need for State regulation given the existence or absence of Federal regulations: ____________________________________________________________
   Enter any additional costs to businesses and/or individuals that may be due to State-Federal differences: $ ______________________

C. ESTIMATED BENEFITS Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State’s environment: ____________________________________________________________

2. Are the benefits the result of: ☐ specific statutory requirements, or ☐ goals developed by the agency based on broad statutory authority?
   Explain: ____________________________________________________________

3. What are the total statewide benefits from this regulation over its lifetime? $ ______________________

4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: ____________________________________________________________

D. ALTERNATIVES TO THE REGULATION Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: ____________________________________________________________

2/23/2017 11:36 AM
2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Benefit: $</th>
<th>Cost: $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternative 1</td>
<td>Benefit: $</td>
<td>Cost: $</td>
</tr>
<tr>
<td>Alternative 2</td>
<td>Benefit: $</td>
<td>Cost: $</td>
</tr>
</tbody>
</table>

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives:

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs? □ YES □ NO

Explain:

5. MAJOR REGULATIONS Include calculations and assumptions in the rulemaking record.

California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.

1. Will the estimated costs of this regulation to California business enterprises exceed $10 million? □ YES □ NO

   If YES, complete E2. and E3
   If NO, skip to E4

2. Briefly describe each alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

   Alternative 1:
   Alternative 2:

   (Attach additional pages for other alternatives)

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

   Regulation: Total Cost $ ____________________ Cost-effectiveness ratio: $ ____________________
   Alternative 1: Total Cost $ ____________________ Cost-effectiveness ratio: $ ____________________
   Alternative 2: Total Cost $ ____________________ Cost-effectiveness ratio: $ ____________________

4. Will the regulation subject to OAL review have an estimated economic impact to business enterprises and individuals located in or doing business in California exceeding $50 million in any 12-month period between the date the major regulation is estimated to be filed with the Secretary of State through 12 months after the major regulation is estimated to be fully implemented? □ YES □ NO

   If YES, agencies are required to submit a Standardized Regulatory Impact Assessment (SRIA) as specified in Government Code Section 11346.3(c) and to include the SRIA in the Initial Statement of Reasons.

5. Briefly describe the following:

   The increase or decrease of investment in the State:

   The incentive for innovation in products, materials or processes:

   The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency:

   2/23/2017 11:36 AM
A. FISCAL EFFECT ON LOCAL GOVERNMENT indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.

☐ 1. Additional expenditures in the current State Fiscal Year which are reimbursable by the State. (Approximate)
   (Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).
   $ _______________________
   a. Funding provided in
   ____________________________ or Chapter __________________, Statutes of ______________________
   b. Funding will be requested in the Governor's Budget Act of ________________________________
   Fiscal Year: _______________________

☐ 2. Additional expenditures in the current State Fiscal Year which are NOT reimbursable by the State. (Approximate)
   (Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17530 et seq. of the Government Code).
   $ _______________________
   Check reason(s) this regulation is not reimbursable and provide the appropriate information:
   a. Implements the Federal mandate contained in
   ____________________________
   b. Implements the court mandate set forth by the ____________________________
      Court.
      Case of: ____________________________ vs. ____________________________
   g. Implements a mandate of the people of this State expressed in their approval of Proposition No.
      ____________________________
      Date of Election: ____________________________
   d. Issued only in response to a specific request from affected local entity(s).
   Local entity(s) affected: 
      ____________________________
   e. Will be fully financed from the fees, revenue, etc. from:
   Authorized by Section: ____________________________ of the ____________________________ Code;
   f. Provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each;
   g. Creates, eliminates, or changes the penalty for a new crime or infraction contained in

☐ 3. Annual Savings. (approximate)
   $ _______________________

☐ 4. No additional costs or savings. This regulation makes only technical, non-substantive or clarifying changes to current law regulations.

☐ 5. No fiscal impact exists. This regulation does not affect any local entity or program.

☒ 6. Other. Explain
   The regulations do not impose any additional costs as they clarify statute and provide specificity. Funding for the administration of the ELPAC is appropriated through the annual Budget Act.

   2/23/2017 11:36 AM
B. FISCAL EFFECT ON STATE GOVERNMENT

Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.

☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

$ ________________________

It is anticipated that State agencies will:

☐ a. Absorb these additional costs within their existing budgets and resources.

☐ b. Increase the currently authorized budget level for the ________________________ Fiscal Year.

☐ 2. Savings in the current State Fiscal Year. (Approximate)

$ ________________________

☐ 3. No fiscal impact exists. This regulation does not affect any State agency or program.

☒ 4. Other. Explain: The regulations do not impose any additional costs as they provide clarity and consistency of administration of the ELPAC.

C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS

Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.

☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

$ ________________________

☐ 2. Savings in the current State Fiscal Year. (Approximate)

$ ________________________

☐ 3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.

☐ 4. Other. Explain

FISCAL OFFICER SIGNATURE

[Signature]

DATE

October 21, 2016

The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6601-6616, and understands the impact of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.

AGENCY SECRETARY

[Signature]

DATE

10/26/16

Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER

[Signature]

DATE

2/23/2017 11:36 AM
Economic and Fiscal Impact Statement


Department Name: Education

Contact Person: Linda Hakala

E-mail Address: lhakala@cde.ca.gov

Telephone Number: 916-319-0658

Descriptive Title From Notice Register Or From 400: English Language Proficiency Assessments for California (ELPAC) (dated October 19, 2016)

Notice File Number: Z

Economic Impact Statement

Section A. ESTIMATED PRIVATE SECTOR COST IMPACTS (Include calculations and assumptions in the rulemaking record.)

Section A.1. Check the appropriate box(es) below to indicate whether this regulation:

- Selected option is H: None of the above (Explain below)
- Option H explanation: The regulations clarify statute and would not impose additional private sector costs.

Fiscal Impact Statement

Section A. FISCAL EFFECT ON LOCAL GOVERNMENT (Indicate appropriate boxes1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)

- Selected option is 6: Other. Explain. The regulations do not impose any additional costs as they clarify statute and provide specificity. Funding for the administration of the ELPAC is appropriated through the annual Budget Act.

Section B. FISCAL EFFECT ON STATE GOVERNMENT (Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)

- Selected option is 4: Other. Explain. The regulations do not impose any additional costs as they provide clarity and consistency of administration of the ELPAC.

Section C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS (Indicate appropriate boxes1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)
- Selected option is 3: No fiscal impact exists. This regulation does not affect any federally funded State agency or program.

Fiscal Officer Signature: Signed by Linda Hakala dated October 21, 2016

The signature attests that the agency has completed the STD.399 according to the instructions in the State Administrative Manual (SAM) sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or department not under an Agency Secretary must have the form signed by the highest ranking official in the organization.

Agency Secretary: Contains signature dated October 28, 2016

Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.

Department of Finance Program Budget Manager: Contains signature dated December 28, 2016
CALIFORNIA STATE BOARD OF EDUCATION
MARCH 2017 AGENDA

SUBJECT
GENERAL PUBLIC COMMENT.
Public Comment is invited on any matter not included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the presiding officer may establish specific time limits on presentations.

☐ Action
☒ Information
☐ Public Hearing

SUMMARY OF THE ISSUE(S)
This is a standing item on the agenda, which allows the members of the public to address the board on any matter that is not included in this meeting’s agenda.

RECOMMENDATION
Listen to public comment on matters not included on the agenda.

BRIEF HISTORY OF KEY ISSUES
Not applicable.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION
Not applicable.

FISCAL ANALYSIS (AS APPROPRIATE)
Not applicable.

ATTACHMENT(S)
Not applicable.